

DECOLONIZING CHEROKEE HISTORY 1790-1830s:
AMERICAN INDIAN HOLOCAUST, GENOCIDAL RESISTANCE,
AND SURVIVAL

By

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Our deepest fear is not that we are inadequate. Our deepest fear is that we are powerful beyond measure. It is our light, not our darkness that most frightens us [...]

Your playing small does not serve the world. There is nothing enlightened about shrinking so that other people won't feel insecure around you. We are all meant to shine [...] as we let our own light shine we unconsciously give other people permission to do the same. As we are liberated from our own fear our presence automatically liberates others.

President Nelson Mandela, Inauguration Speech May 10, 1994
A Return to Love: Reflections on the Principles of A Course in Miracles
by Marianne Williamson

My years of research, first, as founder of the Oklahoma Native American Network and then as a scholar in the academy, are dedicated in honor of those who came before us and to those who have not yet arrived. We are multi-ethnic and multi-cultural Indigenous peoples who continue the legacy of resistance against the erasure of our identities, cultures, and histories. We are progenies of survivors of settler colonialism, ethnic cleansing, and policies of genocide. We walk in two worlds...and rest in power. We are descendants of the American Indian Holocaust.

One of my expectations is that something in my work will shift governments (Indigenous, United States, world governments) and individuals in a direction that no longer normalize Eurocentric questions of identity for Native peoples. I hope this research will shift us away from inherited biased ideas that polarize us and lead us to ask one another, “How much Indian are you? Do you carry a *card*? You’re not a *real* Indian if you are not enrolled, right?” We are born Indigenous. We do not need to qualify nor

quantify our identity to others or to ourselves. We are interethnic, multicultural, international, and diverse peoples with varied completions as are all nations around the globe. I grow tired of the race wars that take place in our minds, the minds of others, in families, and across society at large. How long does it take to heal from man-made struggles and free future generations of inequality?

Over two decades ago my first public writing was published in *Oklahoma Indian Times* (Okit), today's *Native American Times*. My argument in that piece was that we, Indigenous peoples, are not mathematical fractions. I pressed that blood quantum and memberships do not make us Indigenous. Enrollment cards in our wallets do not make us Indian. I recall stating in an on-air Potawatomie radio interview that "We do not need pedigrees. We are not animals. We are First Nations peoples. When all other peoples in the United States are required to carry a card showing a mathematical fraction of racial or ethnic identity then I will carry an Indian card." Some things have improved since that radio interview during my earlier days and I am in another season of life now. There is still much work needed in decolonizing identity politics, race relations, making our voices heard on the national and global stage, and internationalizing the way our experiences are documented in history.

I do not consider myself a scholar of ancestry or Indigenous histories but rather as a decolonization scholar and a historian of identity. To be a scholar, does not mean that my research or this thesis is flawless. Instead, this is simply one more stage in my own learning process. In fact, my expectation is that this thesis will inspire open debate and improvement up my research, my interpretation, and my understanding. The first thing I learned as a scholar is that history is not concrete, stagnant, or stable. We must revisit

history, question it, research, and try again and again to interpret it, then share our understanding with others. The readers are the ones who examine our work, critique it, and help improve the flaws.

As women, life-carriers, and life-guiders we are the first home of sons and daughters come to this world to cultivate old, new, and hybrid traditions. Our children forgive our mistakes and carry forward the healing powers of wisdom that comes with reflection upon the lives, experiences, and challenges of those who came before them. Our sons and our daughters become the protectors and nurturers of our grandchildren and keepers of a sacred love. They become leaders of families, nations, and humanity. Our cultures remain connected to the guidance and reverence of our ancestors as our grandmothers meet one another on the other side and introduce us to each other, here, so that we may educate those willing to learn about our histories and our perspectives. We must continue to take the initiative to document history in order to insure our tragedies are not romanticized and our accomplishments are not diluted.

Please understand, my journey in the academy is not only for me but for the advancement of knowledge. My pursuit of advanced education amassed accomplishments in the academy that builds upon a lifetime of personal and professional dedication to enriching cross-cultural understandings. The following university degrees are dedicated to my grandchildren, Makynzie and Barrett; dual associate degrees with concentrations in Peace Studies & Conflict Resolution, and Humanities; a baccalaureate in American Studies with a minor in Sociology; master's degree in United States History with a minor in European History; and the upcoming doctorate (2019-2023) in United States Race and Ethnicity with a subfield in Public History. These degrees are proof that

life-long learning begins at any age or stage of life. I pursue knowledge in honor all of those I descend from who could never reach their dreams because of ethnic identity, disenfranchisement, and the era of history they experienced. My journey is our journey.

My inspiration and strength comes from all Indigenous people who do not believe higher education is also for us. I dedicate my life to the pursuit of knowledge and formal education to break the mold in my own family who believe material wealth and assimilation is enough. The years of dedication to update my education and *unlearn* old indoctrinations are worth all of the challenges and sacrifices I have experienced. Knowledge is for all. Knowledge is power to make change. Higher education is an opportunity to develop our minds and produce scholarship for future generations. Scholarly writing is my own form of resistance to the systemic process that erased cultural memory and identity generation after generation.

Paternal Roots and Branches

I have lived my life to uphold the respect and teachings my grandmother instilled in me before taking her spiritual walk in 1968. The words written here are scribed in the spirit and honor of my enisi (paternal grandmother), Katy Elva Rogers, who was known as “Tink” in rural Oklahoma Indian Country. Enisi Tink was Aniyunwiya (Cherokee) and African American. According to family legend passed to me from my father, grandmother and my grandfather worshiped at the ceremonial “stomp” grounds (gatiyo) between Vian and Blackgum, Oklahoma. I am not certain if they stomped at Stokes or Redbird-Smith grounds. The love of Enisi deepened through the birth of my only child, Jessy Dustin Smith (JD), the only biological grandchild of my father. The birth of my

son's children (sogainisi) brought a more profounder understanding to why Grandmother Tink entrusted her teachings with me so early in life. Makynzie Marie and Barrett Donovan, my grandchildren, nurtured second chances for family bonds with my son and refocused my inspiration for establishing formal education. I embrace higher education as a legacy that cultivates who we are and as a tool that broadens opportunities to engage others on this planet. I leave this master's thesis as a bread crumb on the trail of life that will always lead to the core of my being.

This interdisciplinary research is a multifaceted project in the discipline of history that acknowledges the journey of Cherokee families during the inimical climate of race relations prior to Oklahoma statehood and the many decades that have followed. First, I acknowledge those whose lives set the tone for this research. My paternal great grandfather, Daniel Benton Rogers (c. 1880-1959) established agricultural land in Oklahoma between McIntosh and Muskogee counties that lay amongst the plantations of pre-statehood White and Indian slaveholders. I grew up on that land and absorbed the spirits of its history. The dynamics of Oklahoma interethnic families, politics, factions of Protestantism, and racialized attitudes trace to the westward expansion of slavery that continue to linger in the ethos of many Oklahoma communities. To personify this description I coin the term *The Oklahoma Trinity* as a historical phrase. *The Oklahoma Trinity* embodies the intersectional histories of Indian, Black, and White populations in Oklahoma whose racial attitudes and experiences are steeped in Christianity and the history of slavery.

Originally, great grandfather Daniel lived in Blackgum, Oklahoma. The Blackgum area is in today's Sequoyah County and is where Chief Redbird Smith (c.

1850-1918) and the Nighthawk Keetoowah Society resisted the Dawes Commission, Americanization of Indian people, and resolutely rejected Christianity. (Chief Redbird Smith is the son of Pig Redbird Smith and Lizzie Hildebrand Smith.) Great Grandfather's community of Sequoyah County was immersed in the teachings of Pig Redbird Smith, Chief Redbird Smith, and the Redbird Movement that pushed for a racial and cultural awakening to unite Cherokee traditionalists with biracial (inter-ethnic) Cherokee. Redbird Smith upheld his father's values and strengthened the push to embrace tribal culture and ancestral traditions in order to insure posterity after ethnic cleansing in the East.

Daniel's father, Joseph Washington Rogers (c. 1835-1901), my paternal great-great grandfather, was about three years old during the forced removal of Cherokee to pre-statehood Oklahoma. As I understand, Joseph lived in Blackgum, Oklahoma, during the era of Pig Redbird Smiths' lifetime. Pig Smith (c. unknown-1871) was devoted to the preservation of the ancient Keetoowah religion and traditions of the Long House. He opposed land allotment and assimilation campaigns that weakened tribal governments and Indian identity. Pig reared his son, Chief Redbird Smith, to do the same. The currents of assimilation, resisting genocide, and shifting Indian identity during the eras of my early family surely have influenced my focus. My paternal great-great-great-grandmother, Mahala Amelia Rodgers Rogers (1818-1910) was around twenty years of age at the time of Cherokee exile. She is respectfully acknowledged here. I developed a deeper awareness of Mahala during my summer 2018 research in Georgia, Tennessee, Arkansas, and Oklahoma. From 6-14-18 to 6-14-19 I walked 770 miles to honor Mahala and the history of ethnic cleansing from Cherokee territories.

I have always accredited, Indian rights activist Thomas Robert Laughlin Jr.†,

creator and producer of *Billy Jack*, for igniting my fire for activism after seeing his movie at a drive-in with my father when I was just a little girl. That movie changed my life as it did for many of us across Indian Country. To my brother, David John Henry Rogers (1966-1996), in your memory I founded the Oklahoma Native American Network, a grassroots organization that garnered national and international interest. As I promised you four days before your spiritual walk, I will continue to speak in Native voice about the experiences of our heterogeneous peoples and the effects of assimilation or as I have coined it “The Barbie-Ken Syndrome.” There remains much to tell and much to learn when decolonizing American Indian history and our own colonized minds. Do na da go hv i.

I am, through my grandmothers and grandfathers, a descendent of both sides of American policies of ethnic cleansing and Indian resistance to genocide. As a decolonization scholar and a social, cultural, and public historian I embrace channeling the voices of the past so they may take a deep revitalizing breath and once again be heard by future generations. This thesis is my contribution to our history of resistance and serves as an effort to bring, to the forefront, awareness of continued colonization of Indigenous peoples. This research speaks to the complexities of past and present Indian identity. Overall, my research rejects outdated rhetoric of homogenous Indian peoples who desired to relinquish traditional tribal culture and fully assimilate into larger society.

I do not consider myself a historian of ancestry or a historian of Indigenous peoples but rather a historian of identity who researches and examines the past through the lens of race and ethnicity. Race work has been central to all aspects of my life so I have chosen to engage my research and scholarship as race work. I pray the lives of all

grandchildren of all ethnicities on Turtle Island will not be subjugated by racialized policies and tensions that have consumed me and the generations before me. Let our work move the future in a direction that liberates our children and grandchildren freeing them from our journey so they may live a kinder history.

Special Mention

This special section is to acknowledge people I admire and others who have shared encouragement and support at various points in my educational pursuit, life, or careers. First, I honor Rose Crow Flies High for her openness in corresponding with me and for sharing knowledge regarding her late grandparents, Rose Crow Flies High and George Crow Flies High. The grandparents of Rose are featured in *Native American Activism*, written by Daniel Cobb. I led a 2018 graduate seminar discussion on Cobb's book. Rose was very gracious when I reached out to her prior to speaking about her grandparents in the seminar. The late Mr. and Mrs. Crow Flies High along with Mattie Grinnell†, another grandmother of Rose, were members of the Mandan, Hidatsa and Arikara Nation (MHA) and marched with Dr. Martin Luther King, Jr. Mattie Grinnell is featured on the cover of Cobb's book. Tillie Walker†, MHA Nation member, organized and took the three grandparents to D.C. to march with Dr. King.

During our correspondence Rose said something that we as Indigenous people understand very well. Paraphrased here, Rose shared that she was once told the United States government will never allow our peoples full sovereignty because they fear true sovereignty would empower us to "retake our lands." We do not doubt this. Rose stated that it is hard for the United States to "acknowledge that they stole our lands and forced

our people to live on reservations in poor lands and poor conditions but we are survivors because we are the keepers of mother earth and all she provides.” Rose speaks the truth. It is my privilege to share her words.

Diana Larocque (Parish) has been a kind support in offering words of encouragement and Choctaw history throughout my work on this thesis. She is a Choctaw Elder and Lay Missioner for Chihowa Oklahoma United Methodist Church. Unbeknownst to Elder Larocque, when I began to doubt if my research was needed she sent encouragement that validated this thesis is a necessary addition to Native voice, our voice. She reminded me “As small as a rudder is: it turns a big ship.” When I asked her if the Choctaw history of removal is seen as a holocaust, ethnic cleansing, and genocide she said some Choctaw believe so but there are mixed feelings. “Although it included aspects of these things as we look back and know what happened to our people one can come to that conclusion,” according to Larocque.

The first Indian removal treaty enforced under the 1930 Indian Removal Act was the Treaty of Dancing Rabbit Creek, signed in 1830. The Choctaw were removed in 1832. Elder Larocque is predominately Mississippi Choctaw and states her early ancestry includes “the introduction of French fur traders who came and lived among Choctaw people supporting our way of life and married into Choctaw families.” Louis B. Durant, a French Canadian, came to live among the Choctaw in the Mobile Alabama area and married a Choctaw from the Hanak clan. Louis Durant’s granddaughter, Julia, was eighteen years of age when she walked the forced march to Oklahoma’s Indian Territory. Julia married Anthony Parrish, a *full blood* Irishman and settled near today’s Broken Bow, Oklahoma. As Elder Larocque shared this family history she said many Choctaw

wanted to remain in the east but “after a while it became too hostile” so the nation ceded tribal lands in hopes of finding peace and were removed to Oklahoma’s Indian Territory.

I am thankful for Hoyit Bacon of the Choctaw Nation for his friendship and for sharing his insight on the American Indian Holocaust and alternatives for the future. Hoyit has served as Director of Economic Development for various American Indian nations. His company, PATH, centers on strategic planning, human development, competitive access to capital, and communications management. Hoyit stated he understands the Choctaw experience as a holocaust, defined as a mass slaughter, which was more deeply motivated by power and wealth than an agenda of ethnic cleansing. “Land ownership is a near universal representation of wealth and as such, I believe, was the primary driver of the atrocities that befell our ancestors. The truly horrific action of expansionist, European or whomever, was their ability to always show a modicum of morality and simultaneously void it by defining Indigenous people as so inferior an organism as not to count or register as equals regarding the right to life, liberty, and the pursuit of happiness.” To be clear Hoyit summarizes, “In other words go to church on Sunday to pray for God and Country after having just slaughtered men, women, and children and never give it a second thought or worse even held their action as laudable.”

Do similar atrocities still occur today? Hoyit responded, “Today’s atrocity is represented in underfunded treaty obligations, poor healthcare, and the creation of welfare mentalities that shackle our people to a life of mediocrity. By suspending our people at or near the bottom socio-economically the controlling elite open the door for further looting of our countries’ natural resources, land, and water.” Prospective options do exist to strengthen the future of our people. Hoyit sees there are “likely many paths to

a better future for our people but believe that the path with the most traction is the aggressive understanding and use of sovereignty. Tribes must embrace, exercise, and expand their sovereign opportunity thereby creating small pockets of aboriginal success that can ultimately converge into a unified whole.” I have found strength and stillness in Hoyit’s encouraging words and I am truly grateful for his encouragement and reassurance. “Thank you Jai, for being a part of the solution and thank you for telling our story!”

I offer respect and adoration to James Roan Gray (Jim), former Chief of the Osage Nation, for his constant willingness to lend advice and support throughout the years. Chief Gray and his family continue to uphold a generational legacy dedicated to the survival and advancement of Indigenous peoples. When I asked if the Osage experience of removal is considered a history of ethnic cleansing, genocide, or holocaust he replied: “Speaking only for myself it looks like all three. Our population was estimated at 20,000 when the Louisiana Purchase occurred. When we arrived in Indian Territory 60 years later our population was around 900.” Chief Gray assured me this thesis “should be interesting and revealing research.” He told me about the #TakeBackOurStory “movement going across Indian Country” and said “I am glad to see you are doing this in the academy.”

Thank you to Andrew Wakonse Gray, Jr., for donating textbooks he authored as a gift to my private library. Andrew is a member of the Osage Nation and a respected spiritual leader. Andrew Gray is Roadman of the Jeannie Gray Chapter of the Native American Church. To the question of Osage history of removal as a holocaust that involved ethnic cleansing and genocide Andrew replied, “It is my opinion that the U.S.

hurt the Osage in their sovereignty from the onset of their relationship beginning with the era of Thomas Jefferson that continues to this very day. The degree of ethnic cleansing varies from time to time. The Osage terror in the 1820s marks a climax to the condition in which Osage suffered.” I admire Andrew’s dedication to the community and respect his carrying forward the traditional Osage culture while, as Andrew stated, “doing it the way my old people said it should be done.”

Thank you to Reverend Alvin Deer who is Muscogee-Kiowa and a United Methodist Church Pastor who seems to reaches out at precisely the right moments to remind me of valuable information. “I am sure you are aware of *American Holocaust: The Conquest of the New World* by David E. Stannard. Stannard was the first I knew of who increased the numbers of the genocide of Indigenous peoples to 50 million. I have since heard numbers as high as 100 million. I think all the estimates include both North and South America. The brutality of the Spaniards in the name of the Queen and the Pope has been unmatched in history. Prior to Stannard's book as few as only 2 million Indigenous peoples were said to have *occupied* the North American continent.” Deer states the term *occupied* in this context is clearly a racialized concept. False claims that minimize the numbers of Indigenous peoples in North America has been “a way to deny the genocide” of First Nations peoples, according to Reverend Deer. My research refers to this concept as *discursive genocide*.

I have long admired and respected James O. Goodwin, civil rights icon, attorney at Goodwin & Goodwin, and publisher of *The Oklahoma Eagle*. A conversation Mr. Goodwin and I had in his office during 1990s fueled my dedication to civil rights and social equality. Mr. Goodwin spoke to me about the magnitude of my passion and likened

it to his own during earlier times. He encouraged me to advance my education, strive to harness my passion, and direct it in ways that are the most effective and beneficial to advancing equality. Mr. Goodwin's belief in me all those many years ago remains an inspiration for my commitment to earning a PhD in United States History while specializing in Race and Ethnicity with a subfield in Public History.

My sincere gratitude is offered to Shirley and Roger Twilley for the kindness and generosity they extended to me when I first began this academic journey. Their home and hearts are full of a genuine appreciation for life, friends, and family. My heartfelt memories are eternally connected to the country of Venezuela, Ysanai Yolanda Miranda Arrieta, and her grandparents Carmen Yolanda Miranda Guerra† and Francisco Javier Miranda Sr. I am deeply grateful for two of my dearest friends Richard Clement Michael Estick † and Michael G. Jackson.

Oklahoma State University

It is a rewarding privilege to have nuanced this research into a thesis that I believe will serve as an inspirational vehicle for university history departments to integrate Genocide and Holocaust Studies and Whiteness Studies when examining American Indian histories. *Including* Native voice is a positive shift for universities who aim to do more than simply *incorporate* Native perspective. Engaging Indian Country and Indigenous peoples as a primary voice is a forward movement toward a more complete telling of America's histories.

Acknowledgements would not be complete without including the academy, scholars, archivists, historic sites, and gracious individuals throughout my six years of research. I am grateful for this opportunity to let voices from the past breathe and again

be heard. Six years of dedication and sacrifice has realized my dream of completing a master's degree and acceptance into a doctoral program. I have enjoyed the opportunity to serve the discipline as a Master Graduate Teaching Assistant (GTA) to Regents Professor, Dr. James L. Huston. Serving as GTA to Dr. Richard J. Boles, Dr. Holly Karibo, and Dr. Jared Eberle was a valued personal and professional opportunity. I look forward to serving as a Graduate Teaching Associate during my doctoral studies.

It has been an honor to receive guidance from the Chair of my graduate committee, Dr. Richard J. Boles. Dr. Boles earned his doctorate from George Washington University and a master's degree from Boston College. His fields of specialty are Colonial and Revolutionary America, Native American History, African American History, and American Religious History. Dr. Boles has been patient, professional, and dedicated to my development as a scholar. He is a polished gentleman who brings a strong and balanced narrative to historical interpretations that include plural narratives. He is equally and fully committed to graduate and undergraduate students in his desire to nurture their understanding and appreciation for multiracial and multicultural voices throughout American history. It has been a true honor and privilege to receive his mentorship.

I am equally grateful to Dr. Matthew Schauer who also accepted an invitation to sit on my graduate committee. Dr. Schauer earned his doctorate and master's degree from the University of Pennsylvania in the fields of Modern Europe (Modern Britain Focus), Global Empires (British Empire Focus), and History of Anthropology. I found Dr. Schauer's approach to mentoring very professional and respectful in nurturing the development of graduate scholars. I am appreciative for his guidance in directing my

broader understanding of the complexities of shifting race, ethnicity, and identity structures through the study of British Empire. His seminar provided a strong foundation for advancing my upcoming doctoral research in comparative histories, identity, hybridity, ascribed and self-ascribed racial and cultural assumptions. In addition, Dr. Schauer's knowledge and willingness to share his experience in Public History revitalized my passionate pursuit of a doctorate with a subfield in Public History that includes Museum Studies and Historic Preservation. Dr. Schauer is a well-versed and well-travel international scholar. I look forward to the opportunity to study under his guidance again during pursuit of a PhD.

I am also grateful that the Director of Graduate Studies, Dr. Douglas Miller, sat on my graduate committee. Dr. Miller earned a doctorate from the University of Oklahoma and a master's degree from the University of Illinois at Chicago. His research fields include Native America since 1870, Urban Indian Country, and Mass Incarceration in Indian Country. Overall, I align most with Dr. Miller regarding a shared understanding which he states: "History is powerful. History is sacred. History is painful and beautiful. History can demonstrate empathy, sympathy, and humanity more effectively than any other medium. History is a way to communicate with the dead. We should therefore approach it with gravity, and share it with grace." Additionally, I believe we must speak strongly and loud enough that silenced voices from the past may be clearly heard and we must continue to challenge narratives that do not accurately and respectfully document our histories.

I offer a special mention to Dr. Richard C. Rohrs, Dr. Jason Lavery, Dr. John Kinder, Dr. Emily Graham, and Dr. David D'Andrea. I am especially appreciative for the

influence of Dr. Richard Ellefritz who has been a positive support and very valued mentor. Dr. Ellefritz is now a professor at the University of the Bahamas. Thank you to Dr. Farshid Jahanshahi, and Dahlia Molloy in the department of Sociology and to Dr. Najwa Raouda in the department of Religious Studies. Dr. Stacy Takacs and Dr. David Gray in the department of American Studies. My gratitude and respect is extended to Profesora Gera King for her endless patience, encouragement, and impromptu support. I offer my sincere heartfelt gratitude, respect, and peace of mind to Victor Baeza for his technical expertise and assistance in the final hour of editing this thesis.

Scholars of Multi-Racial Indian Experience and American Indian Genocide

I want to first thank Angela Walton-Raji, former Associate Director of Graduate Admission at the University of Maryland-Baltimore, for her encouragement and suggestions regarding inter-ethnic slaveholding histories of the Five Southeastern Indian Nations. Walton-Raji is an award winning scholar, genealogist, and author of *Freedmen of the Frontier Volume 1: Selected Cherokee, Choctaw, & Chickasaw Freedmen Families*. Her work, *Freedmen on the Frontier* received an award in June 2019 by Sons and Daughters of the U.S. Middle Passage. My professional admiration is extended to scholars who reject fairytale versions of Indian experience and argue that evidence based government-sanctioned genocide led to the American Indian Holocaust. Listed here are a few scholars of American Indian genocide and holocaust that include Alex Alvarez, *Native America and the Question of Genocide*; Anderson Ward Churchill, *A Little Matter of Genocide: Holocaust and Denial in the Americas 1492 to the Present*; Michael Coard, *Trail of Tears: White America's 'Indian' Holocaust*; Roxanne Dunbar-Ortiz, *An*

Indigenous Peoples' History of the United States; and Laurence Hauptman, *Tribes and Tribulations: Misconceptions About American Indians and Their Histories*.

There are plenty of scholars that provide works that deepen the understanding of settler colonialism as it relates to Indigenous genocide: Walter L. Hixson, *American Settler Colonialism: A History*; Brendan D. Lindsay, *Murder State: California's Native American Genocide, 1846-1873*; Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873*; Benjamin Madley, *Reexamining the American Genocide Debate: Meaning, Historiography, and New Methods*; Barbara Alice Mann, *George Washington's War on Native America*; Jeffrey Ostler, *Surviving Genocide: Native Nations and the United States from the American Revolution to Bleeding Kansas*; Jessica Schimmel, *Killing without Murder: Aboriginal Assimilation Policy as Genocide*; David E. Stannard, *American Holocaust: The Conquest of the New World*; Josh Steward, *The Indian Removal Act: The Genocide of Native Nations*; Russell Thornton, *A Southeastern Native American Holocaust During the Late 1600s*; George Tinker, *Missionary Conquest: The Gospel and Native American Culture Genocide*, and many more.

In *The Common Pot: The Recovery of Native Space in the Northeast*, Lisa Brooks demonstrates how writing is a crucial weapon in Native networks to reclaim rights and oppose continued colonial domination. The work of Patrick Wolfe demonstrates the elimination of Indigenous peoples through the use of frontier violence, which I refer to in this thesis as *settler terrorism*. Jacob van der Walle and Russell McGregor refer to Wolfe's works that focuses on efforts of White societies to "bleach" or *breed out* Indigenous bloodlines as genocidal intent. The work of Bethel Saler is another must for

research in Settler Empire and state formation. Historian, Michael Witgen, *An Infinity of Nations*, speaks to situational identity and shapeshifting while James H. Merrell encourages reading against the grain and seeking evidence that has reduced or omitted non-dominant experience from standard narratives.

Additional Scholars

Dr. Ann Malloy was the first in the academy to provide her support through a letter to the Honors College and directed the trajectory of my dual associate degrees in Humanities and Peace Studies and Conflict Resolution. Through Dr. Malloy, I had the great honor of meeting Toshiko Tanaka, international peace activist and artist who, as a little girl, lived 2.3 km from ground zero when the United States dropped the atomic bomb on Hiroshima in 1945. My research honoring Tanaka is titled “The Little Girl Who Lived under a Mushroom.”

I appreciate Dr. Thomas V. Wolfe, President and CEO of Iliff School of Theology, who extended many invitations to reach out to him about Iliff’s commitment to work with Indigenous communities regarding the care, custody, and responsibility of a historical artifact gifted to the school of theology in the 1800s. The historical artifact is a Christian text that was bound in the human skin of an Indigenous man who was murdered by a Quaker. Dr. Wolfe and his executive assistant, Alisha Eno, stated the book bound in Indian skin was disassembled and the human covering of the book was then repatriated in 1974 with the assistance of a representative of the American Indian Movement. Dr. Wolfe assured me Iliff is dedicated to organizing and hosting a conference centered on seeking guidance from the Native American community as to options for future care of

the remaining pages of the book. The proposed conference aims to publicly share the historical context surrounding the Christian text and its human covering.

The direct tone that is consistent in the historical narrative of Dr. Paul Ortiz, Associate Professor of History at the University of Florida and Director of the Samuel Proctor Oral History Program, continues to inspire me to strive for plural narratives in my own work. I have followed the academic trajectory of Dr. Jacob Atem who is a great inspiration for utilizing formal education to amplify silenced voices and improve the future. Dr. Atem, a survivor of the Sudanese Civil War during the 1990s, was orphaned during the war and was one of an estimated 30,000 to 40,000 children who fled the war on foot where he first arrived in Ethiopia and later was awarded the H15 status for United States foster care. Today, Dr. Atem is an advocate for refugees and co-founder of the Southern Sudan Healthcare Organization. He earned his bachelor degree in Pre-Medicine/Biology from Spring Arbor University, master's degree in Public Health from Michigan State University, and PhD in Environmental and Global Health from the University of Florida. In 2018, Dr. Atem joined the Center of Humanitarian Health at Johns Hopkins University to conduct his postdoctoral research.

There are many other writers, poets, and scholars whose historical interpretations provided a wide-breadth of knowledge that has informed my research as it relates to the study of whiteness, race and ethnicity, settler colonialism, ethnic cleansing and genocide, activism and resistance, religion, African-Indian relations, race relations, race and identity politics, American Civil War, and American slavery. These scholars include Theodore W. Allen, Annie Heloise Able, Edward E. Andrews, Maya Angelou, Anne Bailey, Jacqueline Battalora, Douglas A. Blackmon, Kathleen Blee, Eduardo Bonilla-

Silva, John P. Bowes, Catherine A. Brekus, James F. Brooks, Colin G. Calloway, David A. Chang, Daniel Cobb, William Cronon, Angie Debo, Gregory Evans Dowd, W.E.B. Dubois, Kathleen Duvall, Linford D. Fisher, Adam Gallay, Jack P. Greene, Donald A. Grinde Jr., Rhys Isaac, Tesina Jackson, James Hugo Johnston, Coretta Scott King, Martin Luther King, Jr., Heather Miyano Kopelson, Barbara Krauthamer, Peter Ladicola, Daniel Littlefield Jr., Alessandra Link, Scott L. Malcomson, Nelson Mandela, Douglas S. Massey, William McLoughlin, Tiya Miles, Patrick Neal Minges, Navarre Scott Momaday, L. G. Moses, Gunnar Myrdal, Gary B. Nash, Celia E. Naylor, Michael Omi, Nell Irvin Painter, Anthony S. Parent Jr., Theda Perdue, Francis Paul Prucha, Andrés Reséndez, Daniel K. Richter, David R. Roedigner, James W. Russell, Raúl R. Salinas, Claudio Saunt, Ryan W. Schmidt, Ibrahima Seck, David J. Silverman, Christina Snyder, Henrietta H. Stockel, Circe Sturm, Thomas J. Sugrue, Murray R. Wickett, Cecil Lee White, Richard White, David E. Wilkins, Dan Wimberly, Michael Witgen, C. Vann Woodward, Malcolm X, and Fay A. Yarbrough among many others.

Native Scholars and Filmmakers

My sincere respect is offered to Native scholars for their deep-seated influence on my research that inspired me to genuinely speak from my own experiences and reflection as an Indigenous woman. I wish to first thank my friend, colleague, and world renowned Indigenous language preservationist, Dr. Richard A. Grounds, Euchee-Seminole. I have admired and respected Dr. Grounds for decades. As a Princeton University alumnus he inspired me strive to become one of many, yet still too few, American Indians who hold doctoral degrees. The work of author-activist, Walter Echo-Hawk, Pawnee, and former

attorney for the Native American Rights Fund continues to inspire me as does the scholarship of Vine Deloria, Jr. (1993-2005), Standing Rock Lakota Sioux, who was Executive Director of the National Congress of American Indians and a respected activist. Deloria is a seminal influence on my research and commitment. The scholarship of Philip J. Deloria, Professor of History at Harvard University, is imperative for those sincerely dedicated to advancing the social, cultural, and political histories of Indigenous peoples in the United States and Indigenous peoples globally. My respect to filmmakers Ian Skorodin, Robin Maxkii, Phil Lucas, Joanelle Romero, Chris Eyre, Sterlin Harjo, Tracy Rector, Victor Masayesva Jr., Bully Luther, Tom B.K. Goldtooth, Hanay Geiogamah, Bently Spang, and Sherman Alexie.

In the volume, *Sherman Alexie: A Collection of Critical Essays*, Alexie wrote of racialized violence during his childhood. He recalled, “Once, in Spokane, Washington, when I was eleven years old, an older, larger white kid called me a ‘dirty fucking Indian.’ And I jumped on him, despite his size, fully expecting to be rescued by Billy Jack, the half-breed Indian and Vietnam War veteran portrayed by Tom Laughlin in a series of pulp movies.”

The movie, *Billy Jack*, empowered all of us to one extent or another. I have always said we are all doing *Billy Jack* in our own way. We are resisting racism, resisting oppression, resisting stereotyped images, resisting race-baiting and gaslighting, resisting whitewashed narratives of our histories, resisting being told how we are supposed to narrate our own experiences, and resisting erasure of our existence. We are born resisting. We are born into this world as ethno-historians living among White society, evaluating and critiquing White culture, navigating structures and institutions of White supremacy.

We have come to know it well and navigate within it because to do otherwise is not an option.

We, Indigenous scholars, professionals, and laypersons cannot be restricted nor held hostage within the binary rhetoric recycled in the American imagination. Instead, we are found lifting up our communities, learning from them, and collaborating with all races, ethnicities, and nationalities to advance the narratives of our experiences. Our experiences are not limited to reservations of apartheid that resulted from Euroamerican territorial expansion and land poaching. Nor are we limited to impoverished urban communities. We exist in those and many other communities of distinctiveness and of *inbetweenness* including rural and affluent communities across Turtle Island and around the globe. We exist, we struggle, and we thrive in larger local, national, and international societies. No longer are we silent while others define us or interpret our histories. We are telling our experiences from the rich tapestry of our own perspectives, in our own voices, and for the purpose of empowering our own people while enlightening larger societies.

#TakeBackOurHistory

Summer 2018 Research

Academics, professionals, and individuals in Georgia, Tennessee, Arkansas, and Oklahoma offered gracious assistance, support, and belief in response to my inquiries which helped make this research possible. Their support allowed me to grow as a scholar and as a member of humanity. I am transformed because of their kindness, enthusiasm, and anticipation for the completion of this thesis.

While in Georgia I researched the Cherokee experience, slaveholding, American

Civil War, race relations, and racialized identity politics. I found many opportunities to engage with generous peoples who live in the ancestral homeland of the Cherokee and its history of settler terrorism. Daily, they walk upon the ground that carries the history, blood, and spiritual residual of ethnic cleansing and genocide. I am grateful to Heather Shores, Executive Director of the Chieftains Museum/Major Ridge Home and former plantation in Rome. She provided welcoming guidance during my research and quick responses to email inquiries. David Gomez, Site Manager for the Joseph Vann House Historic Site and former plantation near Spring Place is also Site Manager for the New Echota Historic Site near Calhoun. He allowed nearly unlimited research access to the archives and property of the Chief Vann House.¹ Gomez offered invaluable suggestions including monographs and resources that I continue to utilize.

Magnin Dare, the great-great granddaughter of historic southern planter and slaveholder, Farish Carter was profoundly diplomatic and gracious to me when I made her acquaintance. She allowed me to photograph family history inside her home and shared her knowledge of the area's plantation history including the Judge John Martin Cherokee plantation, located in today's Murray County. The Martin plantation was awarded, at no charge, to Sarah Bosworth in the 1832 Georgia Land Lottery. One year later Magnin Dare's great-great Grandfather purchased the plantation from Bosworth. It was a surreal experience to stand upon the former Carter plantation in Cherokee Country and converse with the great-great granddaughter of Farish Carter about Cherokee history, slave history, and American history. Magnin and I shared a sincere appreciation and understanding for how history connects all of us to one another. I thank Magnin for her

¹ New Echota was the Capital of the multi-racial and multi-cultural Cherokee Nation and their enslaved prior to removal.

grounded insight and willingness to openly share with me. I am very grateful for the email she sent that included over forty sources she amassed during a twenty year span of family research.

Thank you Johnathan (last name unknown) and several of the staff from Ken Johnson Logistics Trucking, whose names I apologize for not knowing. These gentlemen in Oakman were outstandingly kind and respectful when I showed up unannounced on my quest to locate the Rockdale Plantation, also known as the George Adair plantation. They did not know the location but listened intently as I described the Cherokee-owned slave plantation and how its history is directly tied to the American Civil War. The gentlemen vowed to help me. Without their willingness to help a stranger from Oklahoma I would have had to remove Rockdale from my research. My appreciation also to (first name unknown) Rogers at the Welcome Center in downtown Rome for assisting me when I was exhaustively searching for the former location of the Rome slave plantation owned by Chief John Ross.

Thank you Mrs. Paul Ross (Janice Ross) who connected me with Mrs. Randal Ingle. Mrs. Ingle came to meet me at Center Valley United Methodist Church Cemetery in Chatsworth. The cemetery is a historic segregated cemetery that is the resting place for many throughout local history including former slaves. Mrs. Ingle agreed to help me find the gravesite of Levi Branham, former slave of Jim Edmondson who lived most of his life at what is today known as the Chief Vann House. (Joseph H. Vann was of biracial White-Cherokee planter in Spring Place, Georgia, and was the wealthiest citizen of the Cherokee nation. Following the Indian Removal Act Vann established his slave plantation in today's Webbers Falls, Oklahoma.) Mrs. Ingle stayed with me in the rain

that day at the cemetery talking about Branham and how the history of American slavery and Cherokee slaveholding connects Oklahoma with Georgia. We took shelter from the rain under a large oak tree. We, two women and complete strangers connected through our interest and curiosity in locating proof of Levi Branham's existence. Mrs. Ingle's people were of the Cherokee removed during forced relocation. Her grandparents and her husband's grandparents all rest there in the segregated Center Valley Cemetery where Levi Branham, a fellow historian, seemed to await my arrival. After Branham gained his freedom he became a teacher. The epitaph inscribed in large letters on the headstone of Branham is the word "Historian." I stood there in the rain with Mrs. Ingle becoming a part of the histories lying before me. History transcends time. History is like an invisible thread that connects peoples, places, memory, and emotion. Much gratitude is extended to two more Georgians, Diann Arnold and Kaitlyn Gaston of the Chatsworth Chamber of Commerce. Lastly, a special thank you to the historic Wright Hotel for providing two-week accommodations situated at the geographical center of my summer research.

Charleston, Tennessee, is the hallowed epicenter in the history of the Cherokee Holocaust. Charleston, known earlier as Fort Cass, is the location where concentration camps were prepared for the final stages of ethnic cleansing of the Cherokee from the Southeast. Charleston citizens today are deeply passionate caretakers of this history. Darlene Goins, Treasurer and Manager of Charleston-Calhoun-Hiwassee Historical Society and Hiwassee River Heritage Center truly went above and beyond to ensure I returned to Oklahoma with a thorough understanding of the historical geography that framed Fort Cass and its Cherokee concentrations camps. These concentration camps held not only Cherokee prisoners but also their enslaved and a minority of Whites who

lived inside the Indian nation. I enjoyed a lecture hosted by the historical society and held at the Calhoun First Baptist Church. There I met keynote speaker Lauren Walls, Archaeologist from the Nashville office of New South Associates. Lauren spoke with me at length about how archaeologists and historians collaborate in the all-woman firm.

I am grateful for a valued initial conversation with Reverend Holmes of the Charleston First Baptist Church upon arrival to Charleston. That conversation led me to Deborah Hart, President of Friends of the Historic Charleston Cumberland Presbyterian Church. Deb took me on a tour of the church and its cemetery which includes the resting place for Civil War soldiers. Deb has been very kind in offering research support at a moment's notice. Her passion and commitment to the Charleston community is moving and inspirational. I send a special shout out to *Cherokee* and *Two Tooth*, the four leggeds. They are special to Deb and now they are special to me too.

Charleston, Tennessee, holds a rich history tied directly to Cherokee diaspora. I did not meet one person who denied this history, avoided it, or diluted its significance. Instead, I met an abundance of people who are engaged in preserving and sharing the history to ensure that it is not forgotten. John Buchanan, a prominent citizen of Charleston, found me “boondockin’ for history,” on his property early one morning.² He wrote down his phone number and told me to go anywhere I needed to get the history I was researching and if anyone asked for verification to call him. I never had to call Buchanan because the community was so supportive, enthusiastic, and appreciative of my research. That says a lot for the community who are caretakers of a monumental

² “Boondockin’ for history” is a term I coined in the in the 1980s to describe physically engaging the landscape, peoples of communities, and local histories to extrapolate and document research. This often includes interaction with physical structures, or remnants of structures, and cemeteries. I present results from boondockin’ for history in the form of lectures and photo essays.

phase of Cherokee history. They made me feel very welcomed. I long to visit that hallowed country again.

When I returned to my office at Oklahoma State University a few weeks after researching in Charleston I found an email from Buchanan that included aerial photographs he had taken of he and his wife's property in Bradley County. Their property whispers the history of pre-removal Cherokee prisoners. Buchanan's aerial shots show landscapes near Mouse Creek where concentration camps held thousands of Cherokee removed by military force from Georgia, South Carolina, North Carolina, Alabama, and Tennessee. Many Cherokee prisoners perished in Fort Cass stockades due to inhumane conditions and mal treatment. My appreciation is extended to Erica Morison, Secretary of Red Clay State Historic Park, and her staff for the preservation of the interpretive museum and grounds.

It was my sincere privilege to have met, Shirley Lawrence and Shirley Hoskins, two of the three founders of the Cherokee Removal Memorial Park near Blythe Ferry, in Meigs County. Lawrence, Hoskins, and Gloria Schouginns, former president of Meigs County Tourism Council, worked diligently alongside former United States Representative Zachary Paul Wamp to establish the memorial for Cherokee removal. The Cherokee Removal Memorial is an interpretive site located on the National Trail of Tears. It memorializes the location where Cherokees and their enslaved were overseen by military unit leaders and began the trek to apartheid reservations in Oklahoma's pre-statehood Indian Territory. While detained as prisoners under military force, nine detachments of over 9,000 Cherokee and their slaves were exiled from their homeland under the supervision of Cherokee slaveholder John Ross. Lawrence, Hoskins, and I

visited Blythe Ferry after touring the grounds of the memorial. What a memorable and moving experience to watch the rain fall on the Hiwassee River with these two matriarchs and listen to them discuss the thousands of Cherokee who left Blythe Ferry during the death march.

I did not have the pleasure of meeting Gloria Schouginns in person. However, she did call me while I was returning to Oklahoma. We had a wonderful conversation about the significance of incorporating genealogy into historical research. I am not a genealogist but I trust Schouginns' guidance and incorporated a segment of my family ancestry in this thesis to provide contextual background. The origin of my surname is multiracial and traces eastward through Indian Country and the history of slaveholding to the shores of the Atlantic Ocean. "Rogers" reaches back to the ancestry of Englishman Thomas Rogers (c. 1571-1621). Thomas and his eldest son, Joseph Rogers, were members of the Leiden separatists in the Netherlands before arriving at Plymouth. Rogers, like other separatists were highly critical of the Church of England. Rogers fled Holland after the Catholic Spanish regained rule. Thomas Rogers was a signatory of the Mayflower Compact and did not survive the first winter in the British colony of Plymouth.

I especially want to acknowledge Elsie O'Neal, retired history teacher and staff member at the Johnson Tucker Research Center in Cleveland, Tennessee. O'Neal was passionate about sharing history and showing guests how to access resources. She offered a sincere example of warm southern hospitality. Her knowledge, love for history, and commitment for sharing history is an asset to researchers. Thank you to Margot M. Still, Director Cleveland Bradley County Public Library's History Branch, and to Leslie

xxx

Acknowledgements reflect the views of the author and are not endorsed by committee members or Oklahoma State University.

Dotson of the *Cleveland Daily Banner* who left an email for me at the research center. The University of Tennessee-Knoxville was inviting and helpful with communication from Laura Eve Moss, Associate Research Professor and Associate Editor for *The Papers of Andrew Jackson*. William B. Eigelsbach, Archivist at Hodges Library Special Collections, was also very accommodating.

My appreciation is extended to archivist Shelley Blanton of The Pebley Center-Boreham Library at the University of Arkansas, Fort Smith, who remained in contact via email and shared many useful links and resources. Thank you, Rod D. Williamson, Curator of the Historic District and Museums for Fort Chaffee Redevelopment Authority in Fort Smith, Arkansas. Williamson took me on a personalized tour of the museums and shared an enlightening history of the area.

My heartfelt gratitude goes to a man I respect highly, Dusty Rogers, son of J.C.† and Margaret Rogers†. Dusty connected me with Carl Myers in Muskogee County, Oklahoma. Myers allowed me to go “boondockin’ for history” on his property in order to locate and photograph early cemeteries. Dusty also encouraged me to speak with Cherokee Elder, Ed Lowery. I look forward to meeting Mr. Lowery soon and learning more about local history in Oklahoma’s Indian Country.

The westward expansion of race based chattel slavery arrived in Oklahoma’s Indian Territory as a result of the 1830 Indian Removal Act. Ethnic cleansing of the Choctaw, Chickasaw, Muscogee, Seminole, and Cherokee from their southeastern territories established the southern slave economy in pre-statehood Oklahoma. Librarian, Renee Harvey of the Helmerich Center for American Research at Gilcrease Museum made locating documentation less daunting. Ms. Harvey was extremely helpful in

showing me how to use archival finding aids and introduced me to online archives that provide access the John Drew Papers, John Ross Papers, Stand Waite Papers and the Cyrus Byington Papers which contain details related to American Indian slaveholding in pre-statehood Oklahoma.

Resistance Movements

As an activist-historian, an unabashedly *activist narrative* and *Native voice* is used throughout this thesis. In the words of Philip Deere, “The Longest Walk is not over. We all have our Longest Walk. We all have our history of relocation and forced removals. No more are we going to stand around ... This is not the end of The Longest Walk!” Deere (1929-1985) was a traditionalist from Muscogee Nation Nuyaka Grounds in Okemah, Oklahoma. He was founder of the Traditional Youths and Elders Circle, spiritual guide for the American Indian Movement, elder and statesman for the International Indian Treaty Council. Deere was a participant in the 1977 United Nations International NGO Conference on Discrimination Against Indigenous Populations in the Americas that was held in Geneva, Switzerland.³ His words set the tone for this thesis. Noted here are only a few American Indian resistance movements. I mention them as inspiration for future scholars who will build upon this work, revise it, improve upon it and perhaps challenge it.

E li quu. Let past and present movements, including wars, provide a timeline that demonstrates complete erasure of American Indian people has failed. These movements

³ Bron R. Taylor, *Encyclopedia of Religion and Nature* Volume 1 (NY: Continuum International Publishing Group, 2008); A Documentary History of the Origin and Development of Indigenous People Day/The Geneva Conference 1997, https://ipdpowwow.org/Archives_1.html; International NGO Conference on Discrimination Against Indigenous Populations 1977, https://ipdpowwow.org/%201977_conference%20ITTC%20Report%20copy.pdf.

represent the lives of people who *paid it backward* and prepared the path for us to continue resisting oppression and complete assimilation: Metacomet's War also known as King Philip's War (c. 1675-1678), American Indian Wars (c. 1811-1924), Trans-Mississippi Theater of the American Civil War (c. 1861-1865), Pacific Coast Theater of the American Civil War (c. 1861-1868), Ghost Dance (c. 1890), Keetoowah Nighthawk Society (c. 1900), American Indian Movement also known as AIM (c. 1968-present). Let us not forget the Idle No More movement (c. 2012-present), Missing and Murdered Indigenous Women also known as MMIW (c. 1991-present), Indigenous Peoples' Day (c. 1992-present), REDress Project (c. 2010-present), Dakota Access Pipeline Resistance also known as #NODAPL (c. 2016-present), The Longest Walk (1978, 2019), and #TakeBackOurHistory movement.

This long history of resistance informs my writing and empowered me to produce this thesis. Let it be known I do not align with scholars who are trusted to enter into the circle and study our history to later release embargoed works that disclose our sacred ceremonies, knowledge, or private conversations. Nor do I align with those who sit amongst us and extrapolate details to later publish that speak against us, dishonor our ways or our leaders. This thesis is my modest contribution to our peoples, our experiences, our achievements, and our survival. In the same breath, I give acknowledgement to Leonard Peltier and all the grandfathers for the injustices and sacrifices endured as political targets of the United States of America. My respect goes up to the legacies of John Trudell, Richard Ray Whitman, and all of our leaders who were "blackjacketed" and targeted by the federal government. This includes the *jacketing* of

Major Ridge (Nunnehidihi or Ganundalegi) in the Ridge-Ross dichotomy. Overall, agendas to divide us have strengthened us.

Tribute to All Indigenous Political Prisoners

The first time I publically shared my research on the Cherokee Holocaust was at a spring 2019 academic conference in Lawton, Oklahoma, just a short breath away from the body of Geronimo. I acknowledged Geronimo aloud and the irony of presenting my research, so near to the dark history of Fort Sill, on the history of American Indian genocide and. Geronimo, a Chiricahua Apache, was first held prisoner at Fort Sill in 1894 where he was buried after his death in 1909. After 125 years he remains *imprisoned* at the Fort Sill Apache Cemetery on East Range.

Scholars, preservationists, and NAGPRA activists (Native American Graves Protections and Repatriation Acts) realize that many Indian prisoners of war never found freedom from Fort Sill even in death. Deceased prisoners from various Indian nations are still imprisoned under Fort Sill airfields and parking lots after evidence of their death was purposefully removed. One example is the Indian Agency Cemetery under the Henry Post Army Airfield. In the 1950s, Army engineers removed all grave markers from the Indian Agency Cemetery. The cemetery was covered over with layers of dirt and concrete. An airfield was then constructed over the hallowed land for airplane and helicopter landing. “Simply put, the Army did all it could to erase the cemetery from the minds of the Comanche who had family buried in this hallowed ground. The “Army took

down” headstones and “fenced off the whole airfield, covered with in-ground concrete slabs.”⁴

According to the United Nations the final stage of genocidal is *denial*. During the stage of denial authorities who perpetuate genocide attempt to hide evidence of the crimes against humanity. The Genocide Watch organization is clear that removing evidence of cemeteries and building other structures over them for the use of dominant society is one stage of genocide.⁵

⁴ “The Indian Agency Cemetery: Its Restoration and Preservation,” *Fort Sill Indian Agency Cemetery*, accessed June 18, 2019, <http://www.ftsillindianagencycemetery.com>.

⁵ Gregory H. Stanton, “The Ten Stages of Genocide,” *Genocide Watch*, accessed June 18, 2019, <http://genocidewatch.net/genocide-2/8-stages-of-genocide>.

DEDICATION

Grandmother Tink†

I continue to honor you and the instilled sense of self, inherited responsibility, and awareness of limited time to engage life in ways that leave a positive legacy.

David†

My brother, I am keeping my promise to you until we see each other again.
Donadagohvi...using my voice to speak our experience as multi-ethnic Indian peoples.

Jessy (JD)

My only child, there are no words for the space you fill in my heart.
If I could do it all over again...I could do it much better now.
When you were ten years old you told me that all of my high profile involvements were not the greatest things I had ever done nor the greatest things I will ever do.
I trusted your words and you were right.
A lifetime of commitments to better society and my unwavering thirst for intellectualism is compiled here, in authentic-self, as my contribution to the advancement of knowledge.
But even this is not my greatest thing.
YOU, son, are my greatest thing in life!

Makynzie and Barrett

It is through you that I truly understand the depth of generational love and why I must continue to try and make this world a better place.
You are delightful children who make my heart and spirit sing. I am happy and proud of your dedicated and loving parents, Nell and JD. Their love for you and their commitment to providing a happy life is what all children deserve.

Mother†

Because of you, my life is illuminated with an understanding of your journey and of women who came before me, the blessing of international friendships, and a hunger for knowledge. I miss our time together.

Father

When I was a little girl we watched *Billy Jack* at the drive-in theater together.
Watching that movie with you was the catalyst that awakened my spirit to social justice and activism.

We

We, must be our own Billy Jack!

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Acknowledgements reflect the views of the author and are not endorsed by committee members or Oklahoma State University.

Name: JANNA LYNELL MARTIN ROGERS

Date of Degree: JULY, 2019

Title of Study: DECOLONIZING CHEROKEE HISTORY 1790-1830s:
AMERICAN INDIAN HOLOCAUST, GENOCIDAL RESISTANCE,
AND SURVIVAL

Major Field: UNITED STATES HISTORY

Abstract: This thesis situates post American Revolutionary War era Cherokee as activists who resisted settler terrorism, state sanctioned ethnic cleansing, and complete assimilation into Euroamerican society. Why did the Cherokee assimilate into larger Americanized society prior to Indian Removal? Did they desire to become White and relinquish Indigenous identity? Was Cherokee diaspora ethnic cleansing? The Cherokee were early targets of federal agendas aimed at eradicating Indigenous peoples from the American landscape. Cherokee resistance to eradication was achieved through varied levels of assimilation including intermarriage, religious conversion, incorporating the institution of slaveholding, and entering into coercive treaties that ceded tribal territory. This exposure to the ideology of the United States created shifting Cherokee ethnogenesis.

Conventional narratives dilute Native voice, perpetuate mythical divisions in Cherokee leadership, and romanticize indigeneity and forced removals. This thesis frames Cherokee experience through the lens of Genocide and Holocaust Studies. The Cherokee experience serves as a case study to decolonize master narratives that whitewash crimes against humanity and human rights violations against Indian peoples. Language of international law, used here, bolsters Indigenous perspective, highlights removal campaigns as ethnic cleansing, and points to assimilation policies as federal experiments of genocide. Framework for the Cherokee Holocaust incorporates definitions set forth by the 1948 United Nations Convention on Prevention and Punishment of Crime of Genocide, the 1998 Rome Statute of the International Criminal Court, and the 1998 Ten Stages of Genocide. The 1791 Treaty of Holston and the 1835 Treaty of New Echota are examples of the term I use in this thesis referred to as paper genocide. In lieu of a romanticized “Trial of Tears,” Indian removals in this thesis are understood as ethnic cleansing, one stage of genocide. Activist narrative, resistance writing, and amplified Native voice is employed to interpret pre-removal Cherokee experience as an American Indian Holocaust.

Keywords: 500 Year War, American Indian Holocaust, Apartheid, Cherokee Diaspora, Ethnic Cleansing, Genocide, Identity Politics, Cherokee Ethnogenesis

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CHAPTER I

INTRODUCTION

Decolonizing Cherokee History 1790s through 1830s

US history as well as inherited Indigenous trauma cannot be understood without dealing with the genocide that the United States committed against Indigenous peoples. From the colonial period through the founding of the United States and continuing in the twenty-first century, this has entailed torture, terror, sexual abuse, massacres, systematic military occupations, removals of Indigenous peoples from their ancestral territories, and removals of Indigenous children to military-like boarding schools. The absence of even the slightest note of regret or tragedy in the annual celebration of the US independence betrays a deep disconnect in the consciousness of US Americans.

Roxanne Dunbar-Ortiz

An Indigenous Peoples' History of the United States, (p. 3).

The question of genocide is never far from discussions of settler colonialism.

Patrick Wolfe

Settler Colonialism and the Elimination of the Native, (p. 387).

Our nation was born in genocide when it embraced the doctrine that the original American, the Indian, was an inferior race. Even before there were large numbers of [Africans] on our shores, the scar of racial hatred had already disfigured colonial society.

From the sixteenth century forward, blood flowed in battles of racial supremacy.

We [...as a] nation tried as a matter of national policy to wipe out its Indigenous population. Moreover, we elevated that tragic experience into a noble crusade. Indeed, even today we have not permitted ourselves to reject or feel remorse for this shameful episode. Our literature, our films, our drama, our folklore all exalt it.¹

Martin Luther King Jr.

Why We Can't Wait, (p. 110).

¹ Albert Bender, "Dr. King spoke out against genocide of Native Americans," *People's World*, Updated February 1, 2104, accessed May 5, 2019, <https://www.peoplesworld.org/article/dr-king-spoke-out-against-the-genocide-of-native-americans>; "Reflection Today," *Native American Cultural Center Yale College*, accessed May 5, 2019, <https://nacc.yalecollege.yale.edu/reflection-today-our-nation-was-born-genocide-when-it-embraced-doctrin>; Eurocentric, archaic, or offensively racialized words by today's standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

This chapter is an introduction especially for those who may not read this entire manuscript but have waited patiently for its completion. It is imperative to continue seeking ways to re-examine United States history that expose plural experiences. The overarching focus of this thesis centers on the pre-removal Cherokee and complex factors during the nineteenth century that influenced shifts in cultural and racial identity. I frame the Cherokee experience prior to Indian Removal through the lens of Genocide and Holocaust Studies. This frame highlights Cherokee resistance to the atrocities waged against them in efforts to expel them from eastern territories. The primary period examined in this thesis covers the post American Revolutionary War through the 1830s. My interdisciplinary interpretation aims to decolonize master narratives that whitewash Indigenous perspective and reveal that pre-removal Cherokee are a seminal paradigm for examining the holocaust of American Indian peoples. My research engages language that points to the historical erasure, ethnic cleansing, genocide, and crimes against humanity found in American Indian history.

Decolonization scholars analyze history, policy, interpretations, and many acknowledge Indian removals as ethnic cleansing. Ethnic cleansing is one stage of genocide. According to the United Nations both ethnic cleansing and genocide are international crimes against humanity. The Cherokee, as a case study in this research, functions as a medium for redressing Indian removals as genocidal policy. The definition of genocide used here is in accordance with the definition of genocide established during the 1948 United Nations Genocide Convention and the “Ten Stages of Genocide” upheld

by the Genocide Watch organization.¹ The Cherokee experience, as a model for examining ethnic cleansing and genocide, is a stimulating study that critiques identity myths, collective memory, imperial debris, and colonial nostalgia that cultivates racial discomfort.

When Cherokee experience is examined as a part of the geographic Global South, American Indian history, then, is understood as an international history; a continuum. This approach helps to avoid outdated assumptions, tropes, and Eurocentric rhetoric when analyzing histories of Indigenous peoples. This shift in re-framing the Cherokee experience is a modern treatment of tribal histories found in the approach of Global South Studies. Global South Studies incorporates an international gaze that no longer portrays removal of America's original peoples as an abridged "Trail of Tears" in lieu of a holocaust of Indigenous nations. Placing Cherokee history in the context of the Global South splinters confines of antiquated narratives of America's Deep South and liberates Cherokee agency. Post-Revolutionary era Cherokee in the Global South, then, is interpreted through a nexus of ideas that transcend geographical and ideological boundaries. It includes language of global identity and emphasizes ethnic hybridity, interethnic influences, and cultural appropriations.²

¹ 1948 United Nations Document A/760: ARTICLE II, accessed February 10, 2019, <http://undocs.org/A/760>; Genocide Watch; 1948 United Nations Universal Declaration of Human Rights. See: <https://www.jus.uio.no/lm/en/pdf/un.universal.declaration.of.human.rights.1948.portrait.letter.pdf>;

Also see: 1789 Bill of Rights at <https://www.archives.gov/founding-docs/bill-of-rights-transcript>; Raphael Lemkin coined the term "genocide" in 1944. Lemkin proposed this term to define actions aimed at the annihilation of essential foundations of life. See: <https://www.ushmm.org/confront-genocide/defining-genocide>.

² The 2019 Global Souths Conference programming committee explores connections between U.S. South and the Global South and the increasingly globalized world. See themes of the Global Souths Conference: <https://networks.h-net.org/node/2295/discussions/2986834/global-souths-conference-call-papers>.

Following the American Revolutionary War, Cherokee – U.S. relations were built upon the prolongation of *unequal* treaties, coercive or predator treaties. These bilateral treaties during the late eighteenth and early nineteenth centuries ultimately led to Cherokee removals. Unequal treaties, for the Cherokee, required assimilation of racialized structures and identity that was incorporated into Cherokee culture. Unequal treaties required land cessions and served as the archetype for the westward expansion of chattel slavery, Americanization, Christianity, and more Indian policies which I refer to as *paper genocide*. Articles in these treaties created political and racial divisions inside Indian nations whose members ultimately became refugees with scarred relationships to their motherland, developed diasporic identity, and loss of collective memory. This loss of memory is exactly what Indian rights activist, John Trudell, stressed in the documentary *Power, Authority, and Tribal Genocide*. Trudell explained that assimilation is an “effective and essential part of genocide [...] a deadly erasure of memory and our whole conscious connection to who we are.”³ Native peoples acclimated to the invasion of Euroamericans, utilized apparatuses of government, embraced diplomacy, and employed varied levels of assimilation to resist not only forced exile but complete eradication of Indigenous societies.

Many scholars have influenced my passion for amplifying voices of the past and nurtured my unquenchable thirst for knowledge and life-long learning that informs this thesis. Perhaps now a new school of historical thought, that I refer to as “resistance writing,” will develop which speaks through activist narrative and reject chronicling for an exclusive audience inside or outside of the academy. The *resistance writing* found here

³ John Trudell, “Power, Authority and Tribal Genocide,” *Youtube.com*, accessed February 12, 2019, https://www.youtube.com/watch?v=WbEGYIxx2_I.

should not be mistaken as a writing trend or career-building trend. Indigenous peoples have always spoken and written of our experiences and resisted erasure or our narratives. Resistance writing is my healthy shove against conventional, Eurocentric, colonized narratives, and *othering*. As a scholar and as a descendent of ethnic cleansing, I reject missionary and Eurocentric interpretations of Indigenous peoples, cultures, spirituality, and identity. In this way, my resistance writing serves as an *anthesis*, an extension of historical writing. As an anthesis, resistance writing extends historical writing so that it is more fully open, becomes functional, and goes beyond the ambiguity of surface narratives.⁴ Resistance writing, then, reaches beyond antiquated dyadic framing of Indigenous histories and Indigenous leadership.

My intentions are to contribute to the work of decolonization scholars as my way of *paying it backward* to all of us who are born from survivors of a legacy that fragmented our identities, cultures, traditions, and distinctiveness. This research is the product of six years of formal research and a lifetime of resisting the “deadly erasure of memory and our whole conscious connection to who we are,” as Trudell stated. This thesis, too, comes as a result of over 500 years of colonialism and over 500 years of resistance to ongoing colonization. Let us all contribute, in our own way, to including the perspective of diverse protagonists and plural narratives when analyzing the past.

I am writing this thesis to share my research with academically trained historians and the broader audience. This research is a dense and ambitious critique that provides evidence that pushes against myths that the Cherokee desired to become a White nation or desired to relinquish indigeneity, culture, or traditions. I argue that pre-removal

⁴ *Anthesis* is the period during which a flower is fully open and becomes functional. The onset of anthesis involves the extension of the style far beyond the upper *perianth* parts (the flower and seed).

Cherokee were early targets of federal experiments of assimilation and ethnic cleansing aimed to eradicate all Indian nations from the American landscape. These experiments created racial and cultural shifts in tribal identity.

Shifts in racial and cultural identities are interesting and complex. All factors considered, the leading element that pressured pre-Indian Removal Cherokee to alter nearly every aspect of life was the urgency to prove to the United States administrations that they had assimilated *fully enough* into White society to escape ethnic cleansing from their tribal territory. To be clear, assimilation and acculturation during this era (according to treaties) promised to exempt the Cherokee from genocide.

Fixed and natural human division based on ideas of race has been widely discredited in science. Yet, it remains integral to the way that many people think, according to Kimberly Tallbear, author of “DNA, Blood, and Racializing the Tribe.” Tallbear argues that such “views of race have been much critiqued in studies of the invention of the white race and its systematic oppression of other races.” She affirms, “the view of race as a fixed and natural division among people is perpetuated in the racialization of American Indian tribes and American Indian or Native American ethnicity.” Tallbear points out that racial ideology today includes biological tests, DNA analysis, “to measure who is truly Indian” and is reminiscent of eugenics movements during the nineteenth and early twentieth centuries. Eugenics of the past and today “equates genetic markers with cultural continuity and seeks to use DNA to support or deny an individual or group claim to cultural and political rights.”⁵ This echoes the

⁵ Kimberly Tallbear, “DNA, Blood, and Racializing the Tribe,” *Wicazo Sa Review* 18, no. 1 (January 2003): 81-107.

Cherokee experience of assimilation that also demarked racial and cultural identity for the purpose of inclusion and exclusion.

Let this be a starting point, for we Indigenous and non-Indigenous peoples, to stop participating in inherited Eurocentric racialized banter of which American Indian nation is *more Indian* and who is less. Many United States administrations centered Indian policy on assimilation projects to refashion Indigenous peoples into Americanized subjects that mirrored larger racialized society. The goal of assimilation efforts intended to annihilate all evidence of tribal life and completely absorb Indian peoples into dominant society and its structures of disenfranchising nonwhites.

In this thesis the Cherokee are understood as Indian activists who resisted complex stages of genocidal intent at the hands of the United States. John Trudell's statement in the documentary "Power Authority and Tribal Genocide" clarifies the agenda of federal assimilation campaigns that targeted the Cherokee and all Indian nations. Assimilation campaigns aimed to erase memory and whole conscious connection to indigeneity.⁶ I agree with Trudell and hope my research is deeply rooted enough to remind the world that we, Indigenous peoples, are all descents of the American Indian Holocaust and in the words of historian Walter L. Hixson, "North America is a crime scene."

I have dedicated many years to compiling the evidence in this thesis that demonstrates the United States intentionally altered Cherokee identity in efforts to eradicate them. This thesis is written as an interdisciplinary approach with the non-historian in mind. What purpose does it serve to commit years of research to advancing

⁶ John Trudell, "Power, Authority and Tribal Genocide," *Youtube.com*, accessed February 12, 2019, https://www.youtube.com/watch?v=WbEGYIxx2_I.

knowledge if the scholarship produced is not intended to be democratic? My hopes are that all peoples may find this research accessible. Believe me when I say, I have written this thesis for you, the people, all peoples, so that we may engage one another in respectful discourse, agreement, and disagreement. Through historical research and open communication we can bridge cultural tensions found in collective memory, ideologies, assumptions, and myths mistakenly believed to be facts. In order to advance knowledge we, historians and non-historians, must question historical interpretations and narratives. Engaging with archival documents excavate truer understandings of history and amplify silenced voices from the past.

John Robert McNeill, current president of the American Historical Association and Professor of Environmental History at Georgetown University, encourages scholars to write clearly in a language that all persons can understand and that does not take condescending tones toward people of diverse backgrounds. Some interdisciplinary jargon is used here because it is relevant to my argument. I have tried to define specialized terminology and clarify their meanings so to make reading less exhaustive. In the words of McNeill, “History is one of the few disciplines that allows for efficient communication among specialists in ordinary language” and “[i]t is in our collective interest for everyone to read and enjoy history.”⁷ I agree with President McNeill and have done my best to apply his wisdom here.

I did not become a scholar to comply with trends in historical interpretations that seem to shift with the swinging motion of a pendulum. I became a scholar to *unlearn* ideals of consensus history that upheld indoctrination of Americanization and nationalism

⁷ John R. McNeill, “Jargon in History Writing Shuts out the Public,” *Perspectives on History*, 57, no. 5 (May 2019), 5.

during my early education. I returned to the academy to advance my own knowledge and share that knowledge through writing, publishing, public speaking, and applied history (public history applications and platforms). I became a historian to broaden the limitations of my own experiences, beliefs and worldviews, and build upon a lifetime of speaking out, standing up, and pushing against racialized assumptions and social constructs that fortify power structures aimed at disenfranchising targeted groups. My work here is only one additional action I have taken to deconstruct racialized barriers as an attempt, instead, to build bridges and lessen the gaps that divide us. History is that bridge. Native voice (Native perspective) is my tool of choice to build this *bridge* that we will call a thesis.

This thesis is inevitably an exhaustive read. There is much to be said and much evidence to share. My goal is to internationalize discourse of the Cherokee experience as a history of resistant to genocidal intent. This allows me to firmly establish a central paradigm for United States history and American Indian history within the discipline of Genocide and Holocaust Studies. Exemplifying American Indian history as a genocidal holocaust at the hands of the United States is certainly not a new or novel concept. Rather, it is a movement toward a more accurate interpretation of a long history of international crimes against Indigenous peoples in the United States. I propose the Ten Stages of Genocide as a template for framing American Indian history but specifically the Cherokee experience with the United States prior to forced removals. The Ten Stages of Genocide are crimes against humanity. These crimes are actions taken against a targeted

group and garner support from larger society.⁸ The Ten Stages of Genocide will be examined in detail throughout this thesis.

The United Nations (UN) made it clear at the 1948 Genocide Convention that genocide is intentional. United Nations Document A/760 Article II states that genocide is “the intentional destruction, in whole or in part, of a national, ethnic, racial or religious group, as such.” The Ten Stages of Genocide are detailed by the Genocide Watch organization and parallel the UN definition. Genocide Watch is a coordinating organization of the International Alliance to End Genocide (IAEG) which is an international coalition of organizations. Understanding the ten-stage process of genocide provides the framework necessary for re-evaluating Cherokee – United States relations leading up to the 1835 *unequal* Treaty of New Echota, forced removal, ceded tribal territory, leadership tensions, and intra-tribal assassinations.

The United Nations General Assembly has adopted many resolutions to build upon the principles of equality, including Resolution 1514 (XV), the Declaration on Granting Independence of Colonial Countries and Peoples. Equality in international law is a concept that means “legal equality, equality in law and before the law” that is “applicable to all States.” An *unequal treaty*, according to the United Nations, is a term used in international law that describes a treaty which serves to justify taking advantage of parties who have an inequality in bargaining power. The evidence I present in this thesis frames Indian treaties as unequal by the standards of international law.

⁸ 1948 United Nations Document A/760: ARTICLE II; <http://undocs.org/A/760>; Genocide Watch is an international organization that raises genocidal awareness as codified in the UN 1948 United Nations Document A/760 Genocide Convention via the US Bill of Rights or the 1948 United Nations Universal Declaration of Human Rights; <http://genocidewatch.net/genocide-2/8-stages-of-genocide>; <http://genocidewatch.net/about-us-2/directors-and-advisors>; <https://www.jus.uio.no/lm/en/pdf/un.universal.declaration.of.human.rights.1948.portrait.letter.pdf>; “Ten Stages of Genocide,” *The Genocide Education Project*, accessed March 28, 2019 https://genocideeducation.org/wp-content/uploads/2016/03/ten_stages_of_genocide.pdf.

Julie Frederikse, scholar of South African history states, “There are many maps of one place and many histories of one time.”⁹ There are many histories within the scope of American Indian history and many interpretations by scholars. This research is my historical interpretation as I understand the pre-removal era Cherokee experience with the United States based on archival evidence. There are some historiographical fields which have limited Native perspective. Interpretations and trends in writing about American Indian experience has shifted from mid-nineteenth century scholarship that legitimized westward expansion and Manifest Destiny through the professionalization of ethnography and scientific justification for forced removals.¹⁰ Fredrick Jackson Turner’s 1893 “Frontier Thesis” influenced and fortified scholarship of westward expansion and reflected American ideology. This historical trend cast Indigenous peoples as noble ~~savages~~ who were obstacles to westward expansion and destined to become little more than relics of the past who vanished after military massacres in the late nineteenth century.¹¹ (Notice, throughout this thesis I ~~strike through words~~ that are Eurocentric, archaic, or offensively racialized by today’s standards.) The narrative of modernity and the rise of the Progressive era pushed for the interpretation of a fully assimilated Indigenous population and claimed Indian peoples all but disappeared from the American landscape. By the early twentieth century ethnographic writings disseminated mythology of the Indian as a ~~heathen~~ in museum and university studies.

⁹ Anne McClintock, *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest* (New York: Routledge Taylor & Francis Group, 1995), 1.

¹⁰ Jeffrey P. Shepherd, *From Savages to Sovereigns: A General Historiography of American Indian History*.

¹¹ Shepherd, *From Savages to Sovereigns*; Eurocentric, archaic, or offensively racialized words by today’s standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

Angie Debo deconstructed top-down narratives of Indigenous peoples as vanishing heathens and relics of history and debunked the noble savage myths. Debo stated that she, “violated history by telling the truth.”¹² Debo was an authority on Native American history, a visionary, and a historical heroine according to Julie Des Jardins, author of *Women and the Historical Enterprise in America: Gender, Race, and the Politics of Memory, 1880-1945*. Debo shifted the historiographical trend by the mid twentieth century via spotlighting the historical gaze upon the exploitation of Indian lands and natural resources, land allotment policy, missionaries, and the academy. Debo shifted the focus onto White society and their nearly incurable avarice and violence.¹³ Debo’s *And Still the Waters Run: A Betrayal of the Five Civilized Tribes* remains a powerful and influential touchstone that upholds decolonizing the master narrative of American history.

Critics argue that Debo did not acknowledge the agency of Indigenous people strongly enough in her monograph and that she relied too strongly on framing American Indians as victims which only victimized them more. If that argument were valid, it would dilute most of the foundational arguments of Genocide and Holocaust Studies. Instead, I argue Debo brought Native voice to the historiography of American Indian history rather than simply *incorporating* Native voice.

I feel the term *incorporating* implies efforts to paint a balanced narrative. Debo demonstrated that post Euro-invader contact and settler colonialism offset the balanced of Native agency. Instead of balanced agency, unequal treaties and Indian policies of genocide aimed to disenfranchise Native nations. To argue this perspective of *including*

¹² Angie Debo, *FemBio.org*. accessed July 8, 2019, <http://www.fembio.org/english/biography.php/woman/biography/angie-debo>.

¹³ Shepherd, *From Savages to Sovereigns: A General Historiography of American Indian History*.

Native Voice foregrounds Native peoples as activists who resisted genocidal intent of a rising imperial power, the United States.

I hope my research builds upon the bold moxie of Debo. This thesis is an interpretation of one era in Cherokee history that spans almost forty-five years following the American Revolutionary War. Unequal treaties that bookend my research are the 1791 Treaty of Holston and the 1835 Treaty of New Echota. The earlier Treaty of Hopewell in 1785 and other events provide contextual background and demonstrate ongoing settler terrorism, stanchless avarice for tribal lands, Indian policy aimed at ethnic cleansing, and efforts to divide Cherokee leadership. Racialized violence, illegal settler encroachment, and federal agendas shaped and transformed Cherokee *ethnogenesis* (markers of cultural group identity and shifts in identity over time). All of these factors influenced the Cherokee to cede lands in unequal treaties, make cultural adaptations, and engage in selective levels of assimilation into larger society which included shifting markers of identity. The Cherokee and other Native nations took on varied levels of assimilation but never completely relinquished Indian identity.

Cherokee Genocide: Interdisciplinary Historical Approach

This thesis is an interdisciplinary analysis of Cherokee history that incorporates the Ten Stages of Genocide and language found in Genocide and Holocaust Studies. The foundation of this analysis is rooted in the discipline of United States History with gestures to language or theories of International Law, Anthropology, Critical Whiteness Studies, Ethnic Studies, and Sociology for greater complexity to understanding the

Cherokee experience prior to removal.¹⁴ I provide a basic definition of terms from these disciplines to introduce readers to language used throughout this thesis.

Ethnic cleansing and genocide are terms used in Genocide and Holocaust Studies and international law. These two terms are often paired together in Genocide and Holocaust Studies and in this thesis but are not synonymous and are not used interchangeably. *Ethnic cleansing* is one stage in the process of genocide. Ethnic cleansing is the expulsion, deportation, removal, and resettlement of an ethnic group from a geographical area, region, or territory. It is frequently encouraged, supported, and carried out by violence and “often comes along with the price paid in human lives.”¹⁵ *Genocide* is the complete destruction, attempted complete destruction, or *intent* for complete destruction of an ethnic group like the Cherokee or, on a larger scale, Indian peoples. The United Nations recognizes ethnic cleansing and genocide as two separate crimes against a targeted group based on their ethnicity, race, nationality, or religion. “Ethnic cleansing is considered a crime against humanity, while *intent* plays a huge part in the definition of genocide. For crimes to be considered genocide there must be a specific end goal behind the actions – *eradication*.”¹⁶ The word *intent* and *eradication* do not appear italicized in the original quote. I used italicized font here to highlight that

¹⁴ The ten stages of genocide are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial according Gregory H. Stanton and The Ten Stages of Genocide. Stanton is founder of the Genocide Watch organization and The Alliance Against Genocide. He also founded the Cambodian Genocide Project. Stanton was president of the International Association of Genocide Scholars from 2007 to 2009; Two websites with more details include <http://www.genocidewatch.org/aboutus/bydrgregorystanton.html>; Stanton, “The 10 Stages of Genocide.”

¹⁵ “The Difference Between Ethnic Cleansing and Genocide,” *Knowledge Nuts.com*, last updated August 2, 2015, accessed June 2, 2019, <https://knowledgenuts.com/2015/08/02/the-difference-between-ethnic-cleansing-and-genocide>.

¹⁶ *The Difference Between Ethnic Cleansing and Genocide*.

eradication and the intention to eradicate in order to stress how the United Nations defines the term genocide as a crime against humanity.

The term *eradicate* appears frequently throughout this thesis and it argues that the United States did have clear intentions to commit, according to today's terminology, the crime of genocide against Indigenous peoples including the Cherokee. The term eradicate is found in secondary sources that support my argument. *Eradicate* and *exterminate* also appear in primary documents written by contemporary government authorities that show their *intentions to eradicate* Indigenous peoples. Primary documents, presented later in this thesis, are evidence that the United States intended to eradicate the Cherokee as well as all Indigenous peoples from the southeastern United States. The common factor in ethnic cleansing and genocide is denial of the atrocities committed against mankind.¹⁷

Denial is the tenth stage of genocide according to Gregory H. Stanton, Research Professor in Genocide and Prevention at George Mason University. Stanton is founder of the Genocide Watch organization and author of the Ten Stages of Genocide. The United Nations and the U.S. Department of State (State Department) use Stanton's Ten Stages of Genocide as a model for predicting and preventing genocide. This thesis uses Stanton's model of the genocidal process to demonstrate how the ten stages frame the pre-removal Cherokee experience as one of resistance to genocide that included ethnic cleansing. According to the United Nations, the ten stages are crimes against humanity because they are acts of genocide carried out to intentionally destroy a group in whole or in part.¹⁸

¹⁷ *The Difference Between Ethnic cleansing and Genocide.*

¹⁸ "Convention on the Prevention and Punishment of the Crime of Genocide," *Article II*, accessed June 2, 2019, <https://www.un.org/en/genocideprevention/genocide.shtml>; In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national,

The Ten Stages of Genocide are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial. These ten stages are summarized here in present tense in keeping with the original definitions authored by Stanton. However, keep in mind while reading the summarized stages that I do intend for them to serve as a framework for the pre-removal era Cherokee experience in the nineteenth century. The first stage of genocide is **classification**, or *othering* of people into groups of us vs. them. Classification is initiated by the dominant group against a targeted group. The second stage, **symbolization** supports classification by dehumanizing the targeted group. In this research the targeted group is the Cherokee prior to Indian removal. Stage three, **discrimination**, comes from the ruling group and is driven by monopolization and expansion of power through exclusionary ideology to deprive the disenfranchised group of civil rights, voting rights, and citizenship. The fourth stage, **dehumanization**, depersonalizes the targeted group through hate propaganda campaigns which desensitizes the majority group to the normal horror of murder and acts of violence against the victimized group. Fifth, **organization** of genocide is often orchestrated by the state who trains militias or military to carry out upcoming forced relocations. This alliance allows for the state to deny their participation.¹⁹

At the halfway point in the genocidal process, stage six, **polarization**, indoctrinates the majority group and creates gulfs between members of larger society and the dehumanized group. Emergency laws are passed to erode civil rights and freedoms.

ethnic, racial or religious group, as such: Killing members of the group; Causing serious bodily or mental harm to members of the group; Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; Imposing measures intended to prevent births within the group; Forcibly transferring children of the group to another group.

¹⁹ Stanton, "The 10 Stages of Genocide."

Intermarriages are legally forbidden to prevent unity with larger society. Internal conflicts are created to weaken unity and leaders in the targeted group are often assassinated. The Ridge – Boudinot assassinations exemplified intra-tribal tensions and polarization within the Cherokee. Laws are passed or unequal treaties signed to allow for total power over the targeted group who is disarmed to ensure they are incapable of self-defense. The seventh stage is **preparation**. During preparation the populace is indoctrinated to fear or resent the victim group in order to disguise genocide as self-defense or counter-insurgency. Intensified inflammatory rhetoric creates fear and objectifies the out group in preparation for moving forward with intentions of genocide.²⁰

Stage eight, **persecution**, justifies depriving the victim group of resources including access to food and water while systematically destroying them in preparation for forced displacement. Property of the victims is seized and retained by the state or disbursed to members of the majority group. This was seen in the Georgia land lottery. The targeted group, is often segregated from larger society, held in concentration camps (holding forts), and deported to famine-struck regions (or reservations). **Extermination**, the ninth stage of genocide, is the term often used in primary documents by United States administrations and military that is provided in upcoming chapters of this thesis. Extermination, describes state and federal intentions for complete erasure of Indigenous peoples. Stanton attests, those in authority use the term *extermination* because they do not believe their dehumanized victims to be fully human. “[R]ape is used as a tool of war to genetically alter and eradicate the *othered* group. Destruction of cultural and religious property or cemeteries is employed to annihilate the group’s existence from history.”²¹

²⁰ Stanton, “The 10 Stages of Genocide.”

²¹ Stanton, “The 10 Stages of Genocide.”

The tenth stage of genocide is **denial**. Stanton asserts, that denial begins in stage one and carries throughout all stages of genocide and assures future genocides will be carried out. The perpetrators of genocide often blame the victims, cover up evidence, intimidate witnesses, and deny any responsibility for the crimes.²² The ten stages are crimes against humanity because they are acts of genocide carried out to intentionally destroy the whole, or a part, of a group. Crimes against humanity happen in times of war and during periods of peace. This thesis will show evidence that the Cherokee were held as prisoners of war during peace time when forced to concentration camps at Fort Cass, Tennessee. These crimes, relevant to the pre-removal Cherokee, include forced displacement, extermination, rape, and other inhumane acts that violate human rights and values. According to the United Nations Task Force for International Cooperation on Holocaust Education, Remembrance, and Research both “war crimes” and “genocide” are included as crimes against humanity under international law.²³

Terminology

This thesis offers pre-removal era Cherokee experience as a case study, a model or seminal paradigm, for Genocide and Holocaust Studies and unpacks assumptions that question indigeneity. The term *indigeneity* is rather ambiguous, does not have one clear definition, and should not be homogeneously distilled. The term indigeneity relates to Indigenous identity (characteristics, culture, and history of Cherokee people). For the

²² Stanton, “The 10 Stages of Genocide.”

²³ “2010 Education Working Group Paper on the Holocaust and Other Genocides,” *United Nations Task Force for International Cooperation on Holocaust Education, Remembrance, and Research* (Introduction “Key Terms” no page number), accessed June 2, 2019, https://www.un.org/en/holocaustremembrance/EM/partners%20materials/EWG_Holocaust_and_Other_Genocides.pdf.

purpose of this thesis I will follow the example that textualizes the term indigeneity to mean Indigenous identity as related to shifting Cherokee identity or ethnogenesis.

The anthropological term *ethnogenesis* is used in this thesis to refer to transformation of Cherokee markers of cultural group identity that shifted and blended through an intricate relationship with White and Black populations over time. According to Barbara Voss, Department of Anthropology at Stanford University, *ethnogenesis* is “the emergence of new cultural identities.” The theory of ethnogenesis is a “theory of identity transformation.” Voss asserts, a “focused application of ethnogenesis theory is necessary to identify and investigate those situations in which colonialism and its consequences resulted in ruptures and structural transformation of identity practices.” The application of ethnogenesis can also reveal “how ethnic identity practices are deployed in the exercise of power.”²⁴ This thesis applies the theory of ethnogenesis to shifting Cherokee identity and culture following the American Revolution that transformed Cherokee identity prior to forced removal.

Markers that identified the Cherokee as an ethnic or racial group include shared “common language, common ancestry, common culture, and common territory or ancestral homelands.” Shifts in Cherokee cultural and ethnic identity resulted from settler violence, inter-cultural relations with larger society, intermarriage, religious conversion, and engagement with foreign governments. Additionally, Cherokee markers of group identity shifted as a result of unequal treaties and policies of genocide.²⁵ Federal agendas

²⁴ Barbara L. Voss, “What’s New? Rethinking Ethnogenesis in the Archaeology of Colonialism,” *American Antiquity*, 80, no. 4 (July 2015), 665, last modified July 2015, accessed June 24, 2019, <http://www.cambridge.org/core/journals/american-antiquity/article/whats-new-rethinking-ethnogenesis-in-the-archaeology-of-colonialism/091C79F872074D480911375455D38A42>.

²⁵ T. M. Weik, “The Archaeology of Ethnogenesis,” *Annual Review of Anthropology* 43, (2014), 291-305; “What is Ethnogenesis,” *World Atlas.com*, “The violence brought about by [Euro] exploration, killing, and disease in the 1700s” blended differing Indian peoples into new groups from “refuges who

and settler violence aimed to annihilate essential foundations of Cherokee life. This shaped Cherokee *ethnogenesis* and alerted tribal identity.

I borrow the sociological term *whiteness* from Critical Whiteness Studies (CWS). CWS evolved from critical race theory and examines the construction of White identity and advantages that institutionally and systemically disadvantage those categorized as nonwhite. This system of dominance is upheld through the judicial system, government policies, and image or identity propaganda. Assigned racial identity traces to categories of European imperialism, according Alberta Civil Liberties Research Centre.²⁶ I use the term *indianness* in the context defined by Cathy Rex. Rex affirms there is an “intricate relationship between indianness and the formation of a uniquely new identity” from the seventeenth through the nineteenth centuries. According to Rex, there was a “national struggle to organize collective identity of what [was] ‘American,’” for “both Indian and Anglo-American identities.”²⁷

Racial categorizing evolved out of interactions between larger dominant social order and those who were viewed as *others* or nonwhites in Euroamerican society. The group in authority takes the action of *othering* for the purpose of maintaining authority over social, political, and economic hierarchies. The racialized group, according to racial formation theory developed by Michael Omi and Howard Winant, “often gradually identifies with and embraces the ascribed identity and becomes a self-ascribe

survived the Spanish invasion,” accessed March 4, 2019, <https://www.worldatlas.com/articles/what-is-ethnogenesis.html>.

²⁶ “Understanding Whiteness,” *Alberta Civil Liberties Research Centre*, accessed June 3, 2019, <http://www.aclrc.com/whiteness>.

²⁷ Cathy Rex, “Indianness and Womanhood: Textualizing the Female American Self,” Auburn University Electronic Theses and Dissertations, last modified September 9, 2008, accessed June 25, 2019, <https://etd.auburn.edu/handle/10415/1188?show=full>.

[subordinate] race or ethnicity.²⁸ In other words, when people are treated like a minority long enough they begin to see themselves as a minority and settle into oppressed identity. It is relevant to this research to understand that White identity is fluid and shifts allowing for membership and access to structures of power and advantages for ethnicities who assimilate, are ascribed, or self-ascribe as White. Most importantly, membership into whiteness requires adopting ideology of white superiority.

Additional sociological terms used in this thesis are *othering* and *out-group*. Jean-François Staszak, Professor of Geography and Environment at the University of Geneva, states *othering* classifies individuals into two hierarchical groups, us vs. them. This binary juxtaposition transforms “a difference into otherness so as to create an in-group and an out-group.” *Out-group* is a group or member of a targeted group who does not belong to the dominant group. The action of *othering* is to “choose a criterion that allows for humanity to be divided into two groups: one that embodies the norm and whose identity is valued and another that is defined by its faults, devalued and susceptible to discrimination.” The dominant group is the only one in a position to impose their categories by stigmatizing *others* as “Savages or People of Color.” The dominant group does this to “relegate [reduce or downgrade] the peoples they could dominate or exterminate to the margin of humanity.”²⁹ The power in the stages of categorizing racial hierarchies is referred to as *discursive*.

²⁸ Michael Omi and Howard Winant, *Racial Formation in the United States: from the 1960s to the 1980s* (London: Routledge & Kegan Paul, 1986); Cathy J. Schlund Vais, Tara Betts, and Sean Frederick Forbes, *The Being of America, Personal Narratives about Being Mixed Race in the 21st Century* ((New York: 2Leaf Press, 2017.), Appendix 1 Glossary “Racialization.”; “Racial Formation Theory,” *Oklahoma State University Center for Health Sciences*, accessed July 3, 2019, <https://www.revolv.com/page/Racial-formation-theory>.

²⁹ Jean-François Staszak, *International Encyclopedia of Human Geography* (New York: Elsevier, 2009), 1, accessed June 3, 2019, <https://www.unige.ch/sciences-societe/geo/files/3214/4464/7634/OtherOtherness.pdf>.

Staszak explains that *discursive power* “depends on the ability of a discourse to impose its categories and does not depend on the logical power the discourse.” Discursive power also depends upon the “political, social, and economic power of those who speak it.”³⁰ In other words, articulation (speech), knowledge, power, and the insight that language controls the dynamics of dominant – subordinate relationships is “the beginning of a new way of understanding the unequal relationship between the colonizer and the colonized,” according to Michel Foucault and Edward Wadie Said.³¹ Understanding this power dynamic remains very significant throughout this thesis in order to grasp the unequal power dynamics involved with unequal Indian treaties. The Western *discursive* “system of dominance and authority in the unequal relationship” between the United States and the Cherokee, or other indigenous nations, “can be understood as a regime of knowledge – disciplined system of power – that not only describes teacher and rules but also produces” orientalism or in this case imagined western ideas of Indigenous peoples and Indigenous cultures.³² Also important, is to remember that the “particular discourse of knowledge” that prevails in “foreign policy strategies,” and “cultural encounters” is produced “by the colonizing power.”³³

The term *master narrative* is reoccurring in this thesis. I urge decolonizing, or deconstructing, the master narrative which historian Donna L. Akers clearly explains. “The master narrative of U.S. history consists of a national patriotic script that unfailingly distorts historical fact in order to present the white American past in the most favorable

³⁰ Staszak, *International Encyclopedia of Human Geography*, 43-44, https://is.muni.cz/el/1423/jaro2016/SOC584/um/Nigel_Thrift__Rob_Kitchin-International_Encyclopedia_of_Human_Geography__Twelve-Volume_Set__Volume_8_2009_.pdf.

³¹ Staszak, *International Encyclopedia of Human Geography*, 38.

³² Staszak, 39.

³³ Staszak, 37.

light possible, especially concerning their relations with the Indigenous peoples of what is now called the United States.”³⁴ The University of California’s Public History Initiative and National Center for History in the Schools finds *conventional* ways of historical analysis and interpretation are problematic. One means for overcoming the “problems [that] are deeply rooted in the conventional ways” of interpreting history is to incorporate “history books other than textbooks and a rich variety of historical documents and artifacts that present alternative voices, accounts, and interpretations or perspectives on the past.”³⁵

Conventional narratives have been inclined to offer “one authoritative interpretation” but many scholars today realize “written history is a dialogue among historians” who may agree or disagree on events in the past, how those events unfolded, why and how the events took place.³⁶ Comparing historical narratives allow for challenging earlier arguments and providing evidence that, as Akers pointed out, “debunk the master narrative’s pretense.” This is important when decolonizing historical narratives “in order to reflect the true character of U.S. – Indigenous relations.”³⁷

The term *decolonize* is used throughout this research to mean the action of reclaiming agency of historical interpretations and narratives and to situate Native perspective central in discourse. *Decolonizing* history requires consciously choosing the language we write to rid colonial influence that erase plural narratives and Native

³⁴ Donna L. Akers, “Decolonizing the Master Narrative: Treaties and Other Myths,” *University of Minnesota Press Wicazo Sa Review*, 29, no. 1, *Special Issue: A Tribute to Russel Means* (Spring 2014), 58-59; <https://www.jstor.org/stable/pdf/10.5749/wicazosareview.29.1.0058.pdf?refreqid=excelsior%3A4ef839694d7794c81d4694173de42473>.

³⁵ “Historical Analysis and Interpretation,” *UCLA Public History Initiative National Center for History in Schools*, accessed June 4, 2019, <https://phi.history.ucla.edu/nchs/standards-grades-k-4/historical-thinking-standards/3-historical-analysis-interpretation>.

³⁶ *Historical Analysis and Interpretation*.

³⁷ Akers, *Decolonizing the Master Narrative: Treaties and Other Myths*, 73.

perspectives. Annabel LaBrecque, author of “The National History Center’s New Teaching Decolonization Resource Collection,” affirms that “The study of decolonization remains marginal in the general American history curriculum. This doesn’t—and shouldn’t—come as a surprise; the historical archive has been carefully written in favor of the colonizer.”³⁸

The purpose in colonization was to “reform” and “language and history are no exception to this.” As a result of colonization “we’ve adopted a mindset inclined to justify the colonizer’s side of the conflict.” In other words, we make excuses for the colonizer and their actions, according to LaBrecque. To decolonize history we must arrest the “internalization of historiographical bias.” The core tenant of the field of decolonization is “to bring justice to the colonized, those long silenced by the archive” and challenge “existing narratives surrounding anticolonial struggles in history.” Decolonizing history in short is to stop tailoring narratives to “protect the enduring legacy and legitimacy of the colonizer.”³⁹

Deconstructing the Master Narrative

The task ahead for Indigenous decolonization scholars is twofold. First, we must debunk the master narrative’s pretense that Native nations willingly gave up these lands to become dependent paupers, forced to rely on the parsimony, cruelty, and ill will of a racist nation. These crimes against humanity must be made clear, revealed and discussed in textbooks.

³⁸ Annabel LaBrecque, “The National History Center’s New Teaching Decolonization Resource Collection,” *Perspectives on History: The Newsmagazine of the American Historical Association*, last modified March 19, 2018, accessed July 25, 2019, <https://www.historians.org/publications-and-directories/perspectives-on-history/march-2018/the-national-history-centers-new-teaching-decolonization-resource-collection>; International Seminar on Decolonization, <https://nationalhistorycenter.org/about/program-descriptions/international-seminar-on-decolonization-2>; Teaching Decolonization Resource Collection, <https://nationalhistorycenter.org/teaching-decolonization-resource-collection>.

³⁹ LaBrecque, *The National History Center’s New Teaching Decolonization Resource Collection*.

Second, American history must be conceptualized and decolonized, in order to reflect the true character of U.S. – Indigenous relations. Doing so will necessitate deconstructing the edifice of American exceptionalism which undergirds the master narrative, a task that will be at best thankless, but which will ultimately provide a foundation for the recovery of the truth.

Donna L. Akers

Decolonizing the Master Narrative: Treaties and Other Myths, (p. 73).

Conventional narratives heroize Christianization and white perspectives at the cost of depreciating Indian peoples. Christian missionaries—of all denomination working among the American Indian nations—were partners in Genocide.

George Tinker

Missionary Conquest: The Gospel and Native American Culture Genocide, (p. 4).

This thesis shows Cherokee experience, when framed within the Ten Stages of Genocide, is a paradigm to decolonize the master narrative of American Indian history. Donna L. Akers, a member of the Choctaw Nation of Oklahoma and faculty of the University of Arlington, explains this clearly in *Decolonizing the Master Narrative: Treaties and Other American Myths*. Akers is more eloquent than I in describing why it is necessary to take on a project like this thesis to decolonize the master narrative. She states, “Indigenous scholars must begin the systematic decolonization of American ‘history’ by posing the questions begged by the master narrative’s fictive account of the United States obtaining its lands through ‘treaties’ with Indigenous peoples.” First, Akers encourages us to ask why Native nations would have agreed to their own dispossession and permanent exile. Secondly, we must ask why Native nations would have “voluntarily” ceded homelands that were embraced as their “living, breathing Mother” and an “inseparable part of their very selves” for a fraction of the land’s value and pauperize themselves.⁴⁰ Akers and I agree, Native nations did not do this voluntarily. I argue, the Cherokee engaged in unequal treaties and ceded lands to resist settler terrorism

⁴⁰ Akers, *Decolonizing the Master Narrative: Treaties and Other Myths*, 72-73.

and as a means to resist complete eradication. Akers argues similarly that the “U.S. government set up a systematic process of obtaining these lands through sham treaties, procured through threats of annihilation, which it then falsely portrayed as mutually agreeable, legitimate diplomatic instruments between sovereign nations.”⁴¹

Akers also speaks to U.S. genocidal policies and Indian relations. According to Akers and Felix S. Cohen, author of *Handbook of Federal Indian Law*, the “hiding of these genocidal policies under the guise of ‘innocent’ good intentions is accomplished today through the master narrative echoed throughout American society, taught in history courses across the land, and incorporated into film.”⁴² These policies of genocide “were admired by Adolf Hitler, who based his conquest of Poland and program of ‘Lebensraum’ on the ethnic cleansing perpetrated against Native Americans by the United States,” according to Akers and R.H. Stevens and Hugh R. Trevor-Roper, editors of Adolph Hitler’s *Hitler’s Table Talk 1941-1944*.⁴³

The overarching view of the Cherokee experience through the lens of Genocide and Holocaust Studies internationalizes Cherokee history. As a result, interpretations of forced Indian removals are no longer described as simply an abridged “Trail of Tears.” Rather, Indian removals were ethnic cleansing or according to standards of the United Nations, *stages of genocide*. One episode of ethnic cleansing was carried out as practice for the next during America’s holocaust of Indigenous nations. It is important to note that

⁴¹ Akers, *Decolonizing the Master Narrative*, 73.

⁴² Akers, *Decolonizing the Master Narrative*, 71.

⁴³ Akers, *Decolonizing the Master Narrative: Treaties and Other Myths*, 71; “It’s success that justifies everything. . . . There’s only one duty: to Germanise this country by the immigration of Germans, and to look upon the natives as Redskins. . . . In this business I will go ahead cold-bloodedly. What others may think about me, at this juncture, is to me a matter of complete indifference. I don’t see why a German who eats a piece of bread should torment himself with the idea that the soil which produces this bread has been won by the sword. When we eat wheat from Canada, we don’t think about the despoiled Indians.”

Indigenous activists and scholars also refer to the holocaust of Indian peoples interchangeably with the term *The 500 Year War*.

Internationalizing American Indian histories through the lens of Genocide and Holocaust Studies introduces language found in international discussions. Treaties then become understood as unequal coerced international bilateral treaties, Indian policy becomes federal agendas of genocide, the “~~Trail of Tears~~” becomes ethnic cleansing, and stockades become concentration camps. The treks to reservation camps of apartheid are not walks or relocations but death marches. Settler encroachment and violence through this lens is understood as terrorism while westward expansion supported by Manifest Destiny is no longer a holy journey of spreading the gospel and land acquisition but a holocaust of Indian peoples supported with religious rhetoric. Incorporating language used by the United Nations regarding crimes against humanity updates narratives and ways of approaching American Indian histories which filter out romanticized interpretations of force removals and so called voluntary land cessions. Clearly, forced exiles intended to *cleanse* territories of ethnic peoples, specifically the Cherokee as proposed here.

The touchstone of this thesis explores why post American Revolutionary War era Cherokee assimilated into larger American society and ways they utilized assimilation and acculturation to resist efforts to force them out of tribal territory. This research expands to a broader focus at times in order to establish contextual background that involved federal agendas, the climate of race relations, or mores of larger society that influenced responses from Indigenous peoples in general and the Cherokee specifically. I then return to a tighter examination of the Cherokee experience as a case study.

Stylized Writing and Amplified Native Voice

Throughout this research the reader will see terms written in the singular tense, for example, *Native voice*, *Cherokee experience*, or *Indigenous perspective*. The singular tense is in keeping with the standard of Critical Ethnic Studies. Of course, the singular tense does not imply a homogeneous voice, singular experience, or unified perspective. Rather, the study of peoples examines the effect of society on the group *as a whole*, not individually, and the groups outcome within society. An example of this is Black Studies, which is a systemic way of studying Black peoples throughout the world. The Black voice, experience, or perspective is noted in the singular (as a whole) which does detract from the Black populous as a heterogeneous and diverse peoples. This is an important clarification when examining Native experience or in this case Cherokee experience in academic writing, particularly in the discipline of History, so not to misrepresent any ethnicity as having only one shared viewed.

My use of the term *Native voice* and *Native experience* in the singular tense implies liberated expression outside the perspective of colonial conquest or colonizer's interpretation of Indian experiences. According to Donald Grinde Jr., a Native American Studies Professor at the University of New York at Buffalo, "Too often, American Indian history either becomes a mirror image of the westward movement or is written from the ethnographic perspective of Protestant divines or anthropologists who 'represent' the ways of American Indian people."⁴⁴ Grinde made his argument in 1994 and the trend for inclusion of Native perspective has shifted toward plural narratives for now. That said, it

⁴⁴ Donald A. Grinde Jr., "Teaching American Indian History: A Native American Voice," *American Historical Association Perspectives on History* (September 1, 1994), last updated September 1, 1994, accessed March 1, 2019, <https://www.historians.org/publications-and-directories/perspectives-on-history/september-1994/teaching-american-indian-history-a-native-american-voice>.

is important to keep in mind that the pendulum of historical interpretations is in motion and trends do change. For this reason, as Akers explained, “The task ahead for Indigenous decolonization scholars” requires “deconstructing the edifice of American exceptionalism [...] the master narrative” and the “crimes against humanity must be made clear.”⁴⁵

Native voice is self-governing and pushes against invented Indigenous perspective. It is a redress of “the current historical imbalance [...] Native Americans must reclaim their history so that the pitfalls of victimization, stereotyping, marginalization, and cultural arrogance are avoided. In the end, a critical and potent Native voice in the historical discourse will enrich the multivocality of American history and widen our perspectives,” according to Grinde.⁴⁶

It is important to this research to keep in mind race and ethnicities are fluid and shift over time. Although all peoples are interethnic, I use the group qualifiers American Indian, Native American, First Nations, Aboriginal, Indian, and Native interchangeably with Indigenous out of respect to Indian Country and to those who may prefer group qualifiers in addition to words used in tribal languages. African American and Black are used interchangeably although it should be noted Africans, peoples of African descent, and those in general who were considered to have *black* complexions were not recognized socially or legally as Americans during the scope of this research. I capitalize the first letter of **I**ndian, **B**lack, and **W**hite to acknowledge assumptions of ascribed racial identity based on real or perceived biological phenotypes that are used to differ peoples. Euroamerican is used interchangeably with White as a group identifier. *Euro-invader* is

⁴⁵ Akers, *Decolonizing the Master Narrative*, 73.

⁴⁶ Grinde Jr., *Teaching American Indian History: A Native American Voice*.

also used interchangeably with Euroamerican and White in order to acknowledge the term found in primary historical documents.

Primary evidence documented in this research shows both Cherokee and Euroamerican viewpoints during ever present tensions that shaped Indigenous experiences politically, religiously, and secularly. Archival documents included in this thesis unveil racialized Eurocentric philosophy and terminology for constructing identity. Some terms for racial identity grow from ideals of blood quantum theory and mathematical formulas intended to signify levels of White identity as social tools for inclusion and exclusion.

This thesis adamantly repudiates uses of offensive Americanisms and racial epithets like ~~savage~~, ~~squaw~~, ~~half-breed~~, ~~mixed bloods~~ or other Eurocentric, antiquated, and colonized language.⁴⁷ I have ~~stricken through~~ some terms to indicate I choose not to use them in my own scholarship as they may be archaic, romanticized, or offensively racialized by today's standards. However, I have left the ~~stricken words~~ in quotes found in primary or secondary documents. I intentionally leave terms and phrases ~~marked through~~ as stylized writing to establish *activist narrative*, *resistance writing*, and to emphasize the power of word choice.⁴⁸ I prefer informed terms like biracial,

⁴⁷ Primary sources in this thesis are used to analyze language and lexical semantics (logic and concerned with word meanings and word relations); Eurocentric, archaic, or offensively racialized words by today's standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

⁴⁸ This stylized writing is unique to the author of this thesis. It is comparable to and inspired by the stylized writing of scholar and activist George "Tink" Tinker who chooses not to capitalize words like euroamerican, united states, or christian. Tinker's stylized writing indicates his technique for noting oppression by colonizing empires; Dr. Margaret Bruchac, *Reclaiming "Squaw" in the Name of the Ancestors*, Manataka American Indian Council (November 1999), accessed January 22, 2019, <https://www.manataka.org/page936.html>; Bruchac clarifies the etymology of the term ~~squaw~~ that many activists argue "has come to symbolize the systematic rape and abuse of Indian women by white conquerors." During westward expansion Americanisms including "chief," "brave," "papoose," and "squaw" took on "negative connotations while they were increasingly used as generic descriptions and epithets." ~~Squaw~~ became an increasingly "sexually dangerous connotation as more Native women were

multicultural, or interethnic that point to the fluidity of shifting identity, amplified Native voice, and Cherokee agency.

Overall, this scholarship shifts away from romanticized language and ways of imaging American Indian history. Terms used here support the continuum in which scholars and activists have been examining historical context over the past few decades. The terms and language used in this thesis intend to nurture critical thinking and critical examination of American Indian history as an American Indian Holocaust. This is not a new narrative for interdisciplinary scholars of history but may be newer in some regions.

Holocaust Studies, as developed here, should not be mistaken as the World War II *shoah* of Jewish peoples, Jehovah's Witnesses, homosexuals, peoples with disabilities, and others eradicated by Adolph Hitler's Third Reich. My research offers the Cherokee experience as a touchstone, or central paradigm, for Holocaust Studies of American Indian histories. I do not use the Modern Hebrew term *shoah*, which interprets to mean a literal catastrophe. Shoah, as I understand it, is a term used in Israel and by the Israeli Parliament to designate Yom ha-Shoah, a day that commemorates the Jewish Holocaust specifically regarding the mass death of European Jews during World War II.⁴⁹

The term *Cherokee Holocaust* or *American Indian Holocaust* is in reference to the post American Revolutionary War through the Indian Removal eras. These eras occurred some 156 to 109 years prior to World War II respectively. Although genocide carried out by Hitler's Nazi regime is historically traced to the genocide of Native peoples in the

attacked or raped by government soldiers.”; Additionally, I refute passive aggressive language that refers to Indigenous use of alcohol as an innate weakness or character flaw. Instead, I view alcohol as chemical warfare intended to manipulate, impair judgement, mar health, dehumanize, and prevent the prosperity of Indigenous peoples.

⁴⁹ “Shoah,” *University of Florida Center for Instructional Technology: A Teachers Guide to the Holocaust* accessed June 9, 2019, <https://fcit.usf.edu/holocaust/DEFN/shoah.htm>.

United States, my research is anchored in the Cherokee Holocaust.⁵⁰ In keeping with the etymology of holocaust (origin of words and ways their meaning change throughout history), I lowercase the term *holocaust* as scholars have since the eighteenth century. I uppercase the term *Holocaust* when referring to or using the term as a title as in Cherokee Holocaust or American Indian Holocaust. I also upper case the word holocaust in titles of studies, discipline, books, museums, lectures, and title sections of this thesis.

It is not my intention to negotiate or assert exclusive right to arbitrate what does or does not constitute genocide.”⁵¹ To borrow the words of Walter L. Hixson: “The American ethnic cleansing project was complete and the way of life of countless Native people had been destroyed.” I argue that Cherokee history “constitutes a history of...genocide and can be accurately described as such” in order to provide a central paradigm that standardizes the inclusion of American Indian histories in dialogue with Genocide and Holocaust Studies.⁵²

Scholars of Holocaust Studies trace genocidal holocausts to the pre-Christian era and move forward into modern history to include the holocaust of peoples around the globe including Indigenous nations in the United States during the colonial and post-colonial eras. The papal bull of 1455, established “one of the first principles of international law” which provided for the “non-European world to be colonized under the Doctrine of Discovery.” The British and then the U.S. empires colonized North America

⁵⁰ Joanelle Romero, “American Holocaust,” *Spirit World Productions*, last modified 2000, accessed January 1, 2019, <https://youtu.be/IKYprPFwO3I>; This documentary is a film by Indigenous filmmaker Joanelle Romero and narrated by filmmaker, Phil Lucas. Post production is by Orange County Post and Red Rocks Productions.

⁵¹ Walter L. Hixson, “Policing the Past: Indian Removal and Genocide Studies,” *Western Historical Quarterly*, 47, no. 4 (Winter 2016): 442; Peter Novick, *The Holocaust in American Life* (Wilmington, MA: Mariner Books, 2000); Norman G. Finkelstein, *The Holocaust Industry: Reflection on the Exploitation of Jewish Suffering* (Brooklyn, NY: Verso Books, 2003).

⁵² Hixson, *Policing the Past: Indian Removal and Genocide Studies*, 443.

by utilizing exclusive rights under Christian cannon law (a set of ordinances and regulations made by ecclesiastical authority) and the “settler colonialist projects” of the French and British. According to Roxanne Dunbar-Ortiz, the “Doctrine of Discovery is still the law of the land” and Native nations are “still vulnerable to genocidal policy.”⁵³

I also use the term *ethnocide* which means the killing of social cultures through the extermination of national culture, ethnic individuals, and ethnic society. Bartolomé Clavero Salvador, a Spanish jurist specializing in legal history, describes the contrast between genocide and ethnocide as “Genocide kills people while ethnocide kills social cultures through the killing of individual souls.”⁵⁴ In this research the term ethnocide is used as it relates to Cherokee as Indigenous peoples. Etymology of the term traces to Raphael Lemkin who first coined the term *genocide* in 1943. Lemkin combined the Greek word for tribe (genos) and the Latin word for killing (cide). Lemkin, offered the term “ethnocide” as a broader use for genocide.⁵⁵

The *Universal Declaration of Human Rights* and the eight stages of genocide, established by the United Nations, anchor the framework used in this thesis. Stanton expanded those eight stages to the Ten Stages of Genocide. The Ten Stages of Genocide reframe Cherokee history in this thesis through the lens of Holocaust Studies to show

⁵³ Roxanne Dunbar-Ortiz, “Yes, Native Americans Were the Victims of Genocide,” *George Washington University History News Network*, last modified May 12, 2016, accessed April 9, 2019, <https://historynewsnetwork.org/article/162804>.

⁵⁴ Bartolomé Clavero, *Genocide or Ethnocide, 1933-2007: How to Make, Unmake, and Remake Law with Words*. (Milano, Italy: Giuffrè, 2008), 100.

⁵⁵ Sarah T. Williams, “What is genos (race or tribe) cide (to kill)?” *Armenian, Assyrian and Hellenic Genocide News*, Star Tribune, last modified November 5, 2000, accessed January 22, 2019, <http://www.atour.com/~aahgn/news/20001107b.html>; Martin Shaw, *What is Genocide?* (Cambridge, UK: Polity Press, 2007), 65–67, Shaw argues “the idea of ethnocide as 'cultural genocide' distinct from physically violent genocide is misleading, since cultural genocide can only be the cultural dimension of genocide, something which is integral to every genocidal attack [...] It is better to refer to cultural suppression for pre-genocidal denial of culture, the cultural dimension of genocide for suppression that is part of broader genocidal process, and unintentional group destruction for cases where groups are destroyed by disease and famine that are originally unintended.”

Cherokee – United States relations is a history that was impacted by colonization, imperialism, empires, and the rise of the U.S. as a nation-state. The 1948 United Nations resolution, Universal Declaration of Human Rights resolution 217 A, illustrates that by today’s standards human and civil rights throughout American Indian history were breeched by the United States.⁵⁶

Cherokee identity and survival demanded resisting policies of genocide. Their survival was achieved through varied levels of selective assimilation that included interethnic marriage, religious conversion, integrating into the institution of slaveholding, and the American plantation economy. The Cherokee entered into coercive, predatory, and *unjust* treaties that ceded tribal territory and created divisions within the Cherokee nation. Elena Conde Pérez and Zhaklin Valerieva Yaneva, defines unjust bilateral treaties as “unequal treaties” because they are predatory agreements signed to establish benefits for the dominant power while restricting sovereignty of subordinate states.

The subordinate party in unequal treaties holds a position of unequal negotiation. Inequitable terms support extortion of territorial rights and sovereignty among other cessions.⁵⁷ The term unequal treaty is used interchangeably in this thesis with “paper

⁵⁶ United Nations Universal Declaration of Human Rights/General Assembly resolution 217 A (UDHR) is a seminal document in the history of human rights. It was drafted by representatives with various legal and cultural backgrounds from all regions of the world.

The UDHR was officially announced to the public by the United Nations General Assembly in Paris, France, on December 10, 1948 as a common standard of achievements for all peoples and all nations. It sets forth, for the first time in history, the core human rights that are universally protected. The UDHR is translated into over 500 languages;

<https://www.jus.uio.no/lm/en/pdf/un.universal.declaration.of.human.rights.1948.portrait.letter.pdf>;
[https://undocs.org/A/RES/217\(III\)](https://undocs.org/A/RES/217(III)); <http://www.un.org/en/universal-declaration-human-rights>.

⁵⁷ Elena Conde Pérez and Zhaklin Valerieva Yaneva, *Unequal Treaties in International Law*, last modified August 30, 2016, accessed March 14, 2019, <http://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-9780199796953-0131.xml>.

According to the above link, “Unequal treaties” is a term in international law that applies to a historical category of bilateral treaties during the late 1800s and early 1900s between European states that

genocide.” *Paper genocide*, is a term commonly used by myself and Indian rights activists. Paper genocide is used in this thesis to put forward the intentional use of legal structures, legislation, and policies to advance ethnic cleansing and stages of genocide. *Paper genocide* is quite literally a traceable paper trail that shows agendas and actions of ethnic cleansing that targeted post-American Revolutionary War era Cherokee.

Decolonizing American Indian History

Recent scholarship in political theory has focused on the treatment of colonialism in the writings of canonical thinkers such as Locke, Burke, Mill, Diderot, Tocqueville, Smith, and Kant, revealing the extent to which the subject of colonialism and imperialism dominated the minds of great thinkers as the colonial project took place.

While such scholarship provides fascinating insight into the possible problems of enlightenment thought, it tends to ignore the voices of thinkers who spoke from the position of the colonized.

Margaret Kohn and Keally McBride

Political Theories of Decolonization: Postcolonialism and the Problem of Foundations,
(p. 3-4).

American Indian history, when decolonized, finds that the peoples of First Nations and their societies in the United States were targets of settler colonialism and federal policies of ethnic cleansing recognized today as genocide or ethnocide. Indeed, much of the normalized violence endured by Indigenous nations during and post-Revolutionary era and earlier were hate crimes and racial terrorism. Indian policies manipulated tribal culture with the intention of creating intra-tribal divisions among

were considered civilized. The civilized states included United States of America and Latin American countries who entered coercive and predator treaties with “uncivilized” Asian and African states.

Most of these treaties were signed after military defeat or as a consequence of military threat. They were used establish a system that benefited the “civilized” powers while restricting the sovereignty of the “uncivilized” and subordinate states. The “uncivilized” was put in an unequal position while negotiating as the “civilized” imposed—because of its economic and military superiority—harsh restrictions, inequitable terms, and extorted for special privileges through concession of territorial and sovereign rights. <http://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-9780199796953-0131.xml>.

leadership. In some cases these divisions led to assassinations by tribal members as was the case with Major Ridge following the 1835 Treaty of New Echota. Major Ridge, “John Ridge, and Elias Boudinot were brutally murdered within an hour of each other by members of the Ross Party,” although the Ridge Party, also known as the Treaty Party, “had no choice but to work out an agreement with the federal government [for conditions of tribal removal].”⁵⁸ Major Ridge, a prominent Cherokee statesman “fought against encroachment on Cherokee lands and he continued to fight for the rights of Cherokee people [to remain in the east] until it became clear” forced exile was imminent. Ridge served in the War of 1812 under the leadership of Andrew Jackson. Ridge saw “what the government was willing to do to remove Natives” from tribal territories. Even though the Cherokee, as a nation, had fulfilled the requirements of assimilation treaties, Ridge came to recognize the federal government falsely exempted them from Indian Removal.⁵⁹

The United States entered into unequal treaties that intentionally shaped the trajectory of Cherokee history and created generational divisions within the tribal nation through treaties like the 1791 Treaty of Holston and the 1835 Treaty of New Echota.⁶⁰ Both treaties are reoccurring signposts throughout this thesis to show that Indian policy was in fact federal itineraries aimed to eradicate the Cherokee from the United States. The 1791 Treaty of Holston anchors my argument that the Cherokee were early targets of George Washington and Henry Knox and an extermination *experiment* that was steeped in racialized ideology. A deteriorating climate of race relations and normalized settler

⁵⁸ Kamilah Mcelwee, *Major Ridge: An Architectural Analysis of a Wealthy Cherokee's Plantation* (Carrollton, GA: University of West Georgia, 2016), 1; Theda Perdue and Michael D. Green, eds., *The Cherokee Removal: A Brief History with Documents* (New York: The Penguin Group, 2007).

⁵⁹ Mcelwee, *Major Ridge: An Architectural Analysis of a Wealthy Cherokee's Plantation*, 26.

⁶⁰ Conde and Yaneva, *Unequal Treaties in International Law*; The “uncivilized” states were put in an unequal position while negotiating as the “civilized” imposed—because of its economic and military superiority—harsh restrictions, inequitable terms, and extorted for special privileges through concession of territorial and sovereign rights.

violence that followed the American Revolution paved the way to the Indian Removal Act of 1830 which led to death marches and Cherokee exile from the East.

Events prior to 1791 offer contextual background and establish that avarice for Indian land and White encroachment was at the core of land cessions while settler violence and public opinion supported ethnic cleansing of Cherokee peoples. As an example, on November 23, 1785 Tassel of Chota, a Cherokee headman, spoke at the Treaty of Hopewell, in South Carolina. Tassel addressed commissioners for the treaty and argued that Whites continued to illegally encroach upon Cherokee land. By December 2nd of the same year, commissioners of the Treaty of Hopewell acknowledged the problem of land poaching and discussed the “issue of white settlements on Cherokee lands.”⁶¹ Tassel of Chota’s argument and the commissioners’ admission of Whites

⁶¹ John P. Brown, *Old Frontiers* (Kingsport: Southern Publishers, 1938), 166-167; 1785 Commissioners for Treaty of Hopewell, “Preliminary Speeches by Cherokee Headmen at Treaty of Hopewell,” *American State Papers, Senate, 1st Congress, 1st Session, Indian Affairs: Volume I*, page 41.

Tassel of Chota spoke of encroaching Whites on Cherokee land and of past treaties. Papers of the War Department 1784 to 1800; <http://wardepartmentpapers.org/s/home/page/home>; <http://wardepartmentpapers.org/document.php?id=43474>; “Journal of Commissioners at Treaty of Hopewell, South Carolina delivered to Congress,” *Papers of the War Department 1784 to 1800: Lowrie, Walter and St. Clair Clarke, Matthew, eds. American State Papers: Documents, Legislative and Executive, of the Congress of the United States. 38 Vols. Washington, DC: Gales and Seaton, 183*, accessed March 14, 2019; Commissioners discussed issue of White settlements on Cherokee lands; <http://wardepartmentpapers.org/document.php?id=1196>.

The Tassel, “Old Tassel’s Map of Cherokee Territorial Claims,” *American State Papers: Documents, Legislative and Executive, of the Congress of the United States. 38 Vols. Washington, DC: Gales and Seaton, 1832*. Map of Cherokee territory drawn by Headman Tassel that supports the 1785 Treaty of Hopewell found in the *Papers of the War Department 1784 to 1800*. <http://wardepartmentpapers.org/document.php?id=1181>;

Old Corn Tassel was tried by the Georgia County Superior Court and found guilty of murder although the incident occurred within the jurisdiction of the Cherokee Nation. He was sentenced to hang and was executed two days later. [This was a test case for the Cherokee Nation, under the John Ross administration;](#)

Walter Echo-Hawk, *In the Courts of the Conqueror: The 10 Worst Indian Law Cases Ever Decided* (Golden, CO: Fulcrum Publishing, 2012), 87; Echo-Hawk argues that Corn Tassel was “prosecuted under state laws enacted to harass, intimidate, and drive the Cherokee Nation out of Georgia. Georgians wanted Cherokee land.”; The case was appealed and a panel determined that prior to the American Revolution the Crown held title to Indian land, its boundaries, and held title based on the “right of discovery.” During this same appeal, Cherokee Nation argued Georgia laws enforced upon them was “unconstitutional as this violated the Treaty of Hopewell...” The State of Georgia argued the 1785 Treaty of Hopewell was void because “the federal government had no right to treat with Indians within the limits of

illegally trespassing is important to the argument of this thesis because it establishes the White problem of land poaching prior to and throughout the era of pre-removal. American encroachment and the aggression that accompanied it are reoccurring components and critical to connecting gaps in myths and debates that pressured Cherokee land cessions.

Cherokee – United States relations, 1791 through 1835, was a history of settler encroachment and federal agendas aimed at ethnic cleansing and ethnocide. Federal agendas coupled with settler terrorism informed Cherokee assimilation. The Cherokee were early targets for experimental Indian policy intended to eradicate all Indian peoples from the United States. This argument becomes clear when conventional historical narratives (early narratives that offer only one authoritative interpretation) are decolonized to amplify suppressed perspectives through primary sources.

Thesis Format

Chapter 1 is the introduction and sets the tone for how Cherokee experience can decolonize outdated narratives and amplify American Indian perspective. The following chapters include ongoing social, cultural, religious, and political efforts of the Cherokee

the state.” Echo-Hawk states that the Corn Tassel “opinion espoused a dark southern view of Indian rights—an amoral world where aboriginal affairs are governed exclusively by the states without federal interference, in which Indians are an underclass; a place where treaties are void and tribes hold no political, property, or human rights.” Echo-Hawk makes it clear, “Since Corn Tassels’s appeal to the United States Supreme Court had been granted, his execution should have been stayed. However, defiant and fearful Georgia could never allow the high court to review the state’s spurious race laws.”; <https://nativeamericannetroots.net/diary/2033>.

In “Georgia, the Cherokee, and the Execution of Corn Tassel,” *Native American Root.net*, Theda Perdue and Michael Green state that laws were enacted which gave Georgia sovereignty over all lands within the state’s boundaries including territory held by the sovereign Cherokee Nation. This provided for Georgia to “take possession of [Cherokee Country] whenever and by whatever means it pleased,” <https://nativeamericannetroots.net/diary/2033>; See a translated version of *A Cherokee Leader, Corn Tassel, Addressing the Continental Congress of the United States July 1785*; <http://www.historyisaweapon.com/defcon1/corntassel.html>.

to uphold treaty agreements. They embraced varied levels of assimilation into American culture, adopted White ideology, altered tribal government structure, and actively petitioned U.S. administrations for the legal right to remain in their eastern territory.

Chapter 2 frames Cherokee experience using the lens of Genocide and Holocaust studies to highlight the volatile climate of race relations and settler violence as a template for westward expansion. The Tens Stages of Genocide set forth by Gregory H. Stanton frame this era of Indian policy as genocide. Chapter 2 drills down to examine nineteenth century Cherokee as a case study anchored by the 1791 Treaty of Holston then moves toward influences for assimilation including ethnic cleansing, settler violence, and avarice for tribal lands. The 1785 Treaty of Hopewell and the 1791 Treaty of Holston are evidence that demonstrate settler terrorism against the Cherokee pressured the Indian nation to enter unequal treaties with the United States. Both treaties required ceding tribal lands in exchange for federal protection against White settler encroachment and White violence that annihilated essential foundations of Cherokee life.

Annihilation of essential foundations of life is an act of genocide according to the United Nations. Acts that annihilated the essential foundations of life were reoccurring in Cherokee history. A broad overview of treaties with the Cherokee and other Indian nations demonstrates the Cherokee were only one of many Indian nations who experienced United States Indian policy that was genocidal. The reference to treaties with other Indian nations is important contextually because it establishes that the Cherokee witnessed United States – Indian relations and forced removals with other tribes and nations which informed their choices for treaties, land cessions, and assimilation.

Chapter 3 demonstrates that shifting Cherokee racial and cultural identity (Cherokee *ethnogenesis*) was influenced by racialized ideology, intermarriage, and identity politics. Historical elements and events shaped Cherokee identity. Americanizing, Christianizing, slaveholding, interethnic marriage, and westward expansion are identified in this chapter as key components that delineated Cherokee identity as an ethnic and cultural group. Cherokee ethnogenesis was shaped by the aforementioned components in addition to federal efforts set out to establish a racial hierarchy that paralleled that of the dominant society.

Chapter 4 seeks to alleviate the myths and assumed dichotomy between the Major Ridge Treaty Party and the John Ross National Party. Instead of perpetuating Major Ridge and John Ross as intertribal factions, this chapter offers an analysis that acknowledges various levels of Cherokee leadership prior to forced removal that included Ridge and Ross who often worked together against Cherokee removal. This chapter argues all levels of Cherokee leadership supported an anti-removal platform and that both Ridge and Ross negotiated with the United States for the Cherokee to remain in their homelands. An examination of the Treaty Party shows the cousin and brother of John Ross were early leaders and led early negotiations for removal with the United States prior to the Treaty of New Echota. This chapter serves as an intervention to a long history of polarized debates about the nearly mythical Ridge – Ross opposition paradigm and the 1835 Treaty of New Echota. Historical narratives often refer to the Ridge Treaty Party as supporting Cherokee removal from their eastern territory and the Ross National Party as opposing Cherokee removal. The unequal Treaty of New Echota, in 1835, and the forced

removal created polarized and divisive gulfs that continues to reverberate in Cherokee Country. *Polarization* is the sixth stage of genocide.

Polarization widens the gap between larger society and the targeted group in order to garner support for oppressing and exiling the outgroup. Deeper polarizing comes from targeting leaders within the group or tribe to create infighting that results in intra-tribal divisions and may even result in assignments that permanently alter cohesion. Principal players are targeted or “jacketed” as traitors in order to dissolve group unity.⁶²

Polarization creates intra-tribal factions and often leads to assignments. Outgroup members are manipulated into executing the assignments of their own leaders so the dominant group, in this case the United States, can claim innocence. This proves true with Cherokee statesman Major Ridge who was *jacketed* after he added his signature to the 1835 Treaty of New Echota. Other signatories of the Treaty of New Echota were comprised of members of the Ridge family, members of the Ross family, and members of the Cherokee Nation.⁶³

Chapter 5 is the conclusion of this thesis and restates that pre-removal Cherokee were early targets of federal assimilation experiments and adopted levels of White culture and ideology as a means for surviving ethnic cleansing and federal policies of genocide. The conclusion acknowledges that the racial and cultural identity of traditional Cherokee shifted, ebbed, and flowed within social constructs framed by Euroamerican philosophy of identity politics that intended to dilute Indian distinctiveness and cultures, *ethnocide*.

⁶² During the 1960s and 1970 the FBI refer to targeting leaders as traitors to dissolve group unity and instigate leader assassinations as “bad-jacketing.” Bad-jacketing, also referred to as *Blackjacketing*, *jacketing*, or *snitch jacketing*, is a tactic used by the federal government to neutralize activist groups by destroying the trust and reputation of their members and leaders. The method of bad-jacketing was a COINTELPRO operation used against civil rights leaders, the Black Panthers and the American Indian Movement in the 1960s and 1970s; <http://fullpraxisnow.tumblr.com/post/119238816588/snitch-jacketing-or-bad-jacketing-refers-to>.

⁶³ “Ten Stages of Genocide,” *The Genocide Education Project*.

Post American Revolutionary War era Cherokee activists responded to United States Indian policies that intended ethnocide. As activists, the Cherokee engaged in wide-ranging political, social, and cultural shifts, and embraced varied levels of assimilation as resistance to eradication. Post-Revolutionary era Cherokee, then, were activists who transformed White society as larger society transformed Indigenous nations.

As a contribution to the decolonization scholars whose shoulders I stand upon, this original scholarship of the history of Cherokee assimilation and resistance incorporates amplified Indigenous perspective (Native voice) not as a sidebar but fully centered through activist narrative. This scholarship contributes to the discipline of History in the fields of United States History, American Indian History, Cherokee History, History of the Americas, History of Slavery, Studies of the American West, North American Borderlands, American Social and Cultural History, Environmental History, Deep South and Southern Studies, Global South Studies, and Women and Gender Studies. This research also contributes to the interdisciplinary fields of Genocide and Holocaust Studies, Massacre Studies, and Subaltern Genocide and intersects with Race and Ethnic Studies, Cultural Studies, Critical Whiteness Studies, and studies of activism.

Gaps in the Historiography of United States History

There are currently no histories that examine a singular Indigenous nation as the representative example of the American Indian Holocaust. Genocide and Holocaust Studies as a frame for the Cherokee experience prior to removal fills this gap. Currently, scholars focus on specific events to argue for or against American Indian history as a study for genocide, but there is no single Native nation that is a central case study to

anchor these arguments. This historiography includes scholars who have wide-ranging arguments that describe American Indian history as a genocidal holocaust while others argue against this view.

This research advocates for the case study of a single Indian nation to function as a central paradigm against which to compare and contrast the argument of ethnic cleansing, genocide, and Indian holocaust. I establish that the pre-removal era Cherokee are the seminal paradigm that provides the foundation for interpreting ethnic cleansing, genocide, and holocaust of Indigenous peoples throughout United States history. Cherokee history framed within the Ten Stages of Genocide and Resolution 96 of the 1948 United Nation Genocide Convention creates a foundation, central questions, and commonalities that are applicable to various American Indian histories.⁶⁴

Voluntary assimilation into larger Euroamerican society and voluntary land cession are ongoing questions of debate. Were pre-Removal era Cherokee early targets of racialized terrorism, settler avarice, and federal policies that shaped decisions to implement White culture and structures? Were these also reasons for entering unequal treaties and land cessions? Was Cherokee diaspora simply a result of westward expansion and a result of the rise of the United States as a nation-state or was displacement forced exiles, death marches, and federal aims of apartheid, ethnic cleansing, and ethnocide? The Cherokee experience, as a central paradigm, holds answers to these questions that are also applicable to other Indigenous nations.

⁶⁴ The Ten Stages of Genocide are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial; 1948 United Nations Genocide Convention: Resolution 96 is an instrument that codifies genocide as a crime under international law. Article II of the Resolution defines the crime of genocide that was adopted by the UN General Assembly on December 9, 1948 Universal Declaration of Human Rights and states “RECOGNIZING that at all periods of history genocide has inflicted great losses on humanity”; first affirmed that genocide was a crime under international law; <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>.

To fill another gap in the historiography, the American Indian Holocaust in this thesis includes perspectives of living Indigenous peoples who, after all, are descendants of survivors of forced removal and must be included in research as found here in the acknowledgements. Others are descendants of those who perished during the holocaust of American Indian peoples. Native perspective and insight comes from Indigenous peoples as protagonists and as descendants of peoples who lived not only America's Indian history but United States history. That said, keep in mind it is a fallacy to expect homogeneous viewpoints of history from any single ethnic culture.

Themes, debates, and identity politics rooted in Indian Country take on a very different appearance when framed within the Ten Stages of Genocide. Language of international law and ratified concepts of genocide by the United Nations bring post-Revolutionary Cherokee – U.S. dynamics into modern internationalize discourse. The Cherokee, when positioned as an international sovereign nation shifts dialogue away from paternalistic rhetoric of ~~red children~~ and the ~~Great White Father~~.⁶⁵

Scholarship of American Indian ethnocide is vast and diverse. Not all scholars and activists hold the same views but most agree it is important to consider the etymology and various understandings of the terms genocide and holocaust. Scholars of genocide, whether Indigenous or non-Indigenous, agree Euromericans and Native peoples had varying degrees of agency and were active participants in a history that shaped a *new world* in what became the United States. Scholars do not agree upon whether the agency was equal or unequal; dominant or subordinate. Central to the

⁶⁵ Eurocentric, archaic, or offensively racialized words by today's standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

interpretations of genocide, scholars agree that the subject of American Indian history and concepts of genocide and holocaust are complex, even provocative, and deserve respectful debate.

Genocide and Holocaust Studies is an interdisciplinary field grounded in the examination of Indigenous histories and various ethnicities worldwide. To omit Cherokee history from this discourse is to remain stagnant in conventional interpretations of American history and stationary in the interpretation of American Indian history. Narratives in American history have room to rise to the levels of internationalization so to acknowledge a legacy of genocide, crimes against humanity, and American Indian Holocaust. My ambition for the future of American Indian histories is to see Genocide and Holocaust Studies strongly intersect as a template to center Native perspective in all university history departments.

Historiography: American Indian History as Genocide and Holocaust Studies

This introductory chapter offers the argument that the internationalization of American history better contextualizes American Indian history as genocide and on a larger scale ethnocide. Nancy Shoemaker, Professor of History at the University of Connecticut and author of *American Indian Population Recovery in the Twentieth Century*, advocates for internationalizing American Indian Studies. A review of “The ‘Internationalization’ of U.S. History: A Progress Report for World Historians” by Robert Shaffer demonstrates other scholars are also internationalizing American history.

Through this process some historians bring American Indian history into the global discourse of World history.⁶⁶

Shaffer's review of *A Nation among Nations: America's Place in World History*, by Thomas Bender, states there is an emphasis on the interactions among societies framed by an international context. Bender centers on "the overriding importance of racism and the treatment of nonwhite peoples." Bender argues that U.S. arrogance and ideology of exceptionalism "underlies harmful unilateralism in U.S. policy toward the world." He asserts that cosmopolitan citizenships encourage more humility rather than arrogance. Bender juxtaposes the "French, British, and Spanish interactions with Amerindians" during the sixteenth through the eighteenth centuries in comparison to "slave-based plantation societies in the Caribbean and Brazil" and finds race relations and slavery are at the heart of American history.⁶⁷ Shaffer's review of Bender argues that a strong body of work has emerged with common ground "between historians of the United States and World historians, but distrust and even miscommunication remain between the two fields."⁶⁸

The evidence I provide in this thesis are primary sources that, in their own words, show intended efforts to eradicate (exterminate) Indigenous peoples from the United States. Primary sources from the United Nations show those efforts are recognized as crimes against humanity including both ethnic cleansing and genocide. According to Gary Clayton Anderson, "ethnic cleansing characterizes how Europeans and their descendants dealt with the native population" but argues that extermination "was never

⁶⁶ Robert Shaffer, "The 'Internationalization' of U.S. History: A Progress Report for World Historians," *Journal of World History*, 20, no. 4 (December 2009), 589.

⁶⁷ Shaffer, *The Internationalization of U.S. History*, 583.

⁶⁸ Shaffer, *The Internationalization of U.S. History*, 582.

the intention of Euro-Americans.”⁶⁹ Scholarship cannot document exactly how many American Indians died. But “[w]hat we do know,” argues Walter L. Hixson, nonetheless, is that “North America is a crime scene.”⁷⁰

In addition to Anderson, John Mack Faragher and Guenter Lewy disagree with categorizing American Indian relations with the United States as genocide. Anderson, Faragher, and Lewey all three argue against including the United States and its treatment of Indigenous nations as grounds for genocide. However, they do interpret the histories involving Turks, Nazis, Cambodians, and Rwandans as such.

Anderson is open to accepting American Indian history as four hundred years of crimes against humanity, dispossession, unprovoked invasions, targeting non-combatant populations, forcible expulsions, and ethnic cleansing. However, he argues there is no evidence of policy of genocide aimed at deliberately killing Indian people. Walter L. Hixson, author of *American Settler Colonialism: A History* aligns with Anderson’s standpoint that ethnic cleansing describes Indigenous-colonial encounter. Hixson pushes beyond Anderson’s views of ethnic cleansing, claiming that “the United States pursued a continuous ‘foreign-policy’ of colonial genocide targeting indigenous North Americans

⁶⁹ Gary Clayton Anderson is a Professor of History at the University of Oklahoma who specializes in American Indian History of the Great Plains and the Southwest; Anderson is author of *Ethnic Cleansing and the Indian: The Crime That Should Haunt America*, Roger Launius’ book review of Anderson’s *Ethnic Cleansing and the Indian*, accessed June 7, 2019, <https://launiusr.wordpress.com/2015/10/07/wednesdays-book-review-ethnic-cleansing-and-the-indian/>

⁷⁰ Carroll P. Kakel III, “Patterns and Crimes of Empire: Comparative Perspectives on Fascists and non-Fascist Extermination,” *The Journal of Holocaust Research*, 33, no 1 (2019), 9, accessed June 1, 2019, DOI: 10.1080/23256249.2019.1548164; Dunbar-Ortiz, *Indigenous Peoples’ History*, 228. During the Philippine–American War (1899–1902), when anti-imperialists in Congress charged that U.S. subjugation of the Filipinos was a crime, Lodge forthrightly responded that if that was true, “then our whole past record of expansion is a crime.” This quote comes from in Walter L. Hixson, *American Settler Colonialism: A History* (New York: Palgrave Macmillan, 2013), 171.

through centuries of borderland conflict.” Hixson is clear that Americas “righteous violence...came to characterize a serious of future conflicts.”⁷¹

Hixson separates his argument farther from Anderson, Faragher, and Lewy by agreeing with the 1948 United Nation Genocide Convention’s definition of genocidal acts. Acts of genocide are “committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; [and] forcibly transferring children of the group to another group.”⁷² Hixson contextualized genocide of American Indian peoples to early wars of Indian slavery that were “truly genocidal in their effects” arguing that Indians tribes had two options, to “kill and enslave or be killed and enslaved.” According to Hixson, Euroamerican settlers engaged in continent-wide campaigns that endured for centuries “replete with ethnic violence.”⁷³

Anderson avoids strong connections between United States’ massacres of Indian populations as war crimes while Hixson argues Nazis death camps and executions were “also carried out during war time.”⁷⁴ Jürgen Zimmerer adds that “Colonial genocides did not constitute a fundamentally different category from the Nazi genocides,” they were “merely less-organized, centralized and bureaucratized forms of genocide.”⁷⁵ Primary sources in this thesis support Hixson’s argument of a heated climate of racial terrorism

⁷¹ Hixson, *Policing the Past: Indian Removal and Genocide Studies*, 439.

⁷² “Analysis Framework,” *Office of the UN Special Adviser on the Prevention of Genocide* (OSAPG) shows the legal analysis and framework of genocide, accessed February 3, 2019, http://www.un.org/ar/preventgenocide/adviser/pdf/osapg_analysis_framework.pdf.

⁷³ Hixson, *Policing the Past: Indian Removal and Genocide Studies*, 440.

⁷⁴ Hixson, *Policing the Past: Indian Removal and Genocide Studies*, 442.

⁷⁵ Hixson, *Policing the Past: Indian Removal and Genocide Studies*, 442, <https://doi.org/10.1093/whq/whw092>.

pointing to “little doubt that the United States was complicit in genocide and its relationship with indigenous peoples.”⁷⁶ Hixson makes it clear that White American settler colonialism offered alternatives to federal Indian policies that include removing children from tribal communities, which is clearly defined as genocide by the United Nations.

Carroll P. Kakel III, a Research Historian and Lecturer at Johns Hopkins University, argues that the internationalization of American Indian history is a frame that connects American settler society with the “genocidal regime of Nazi Germany.”⁷⁷ Adolph Hitler and Heinrich Himmler consciously drew on the American example of removing “Red Indians” in order to create space for settlers and incentive for “capitalist development and empire-building.”⁷⁸ Kakel stresses that the internationalization of American Indian history is a frame that traces American settler society and the “genocidal regime of Nazi Germany.”⁷⁹ According to Kakel in *The American West and the Nazi East* American colonial “genocides preceded and provided a model for subsequent crimes against humanity, including those committed by the Nazis.”⁸⁰

David E. Stannard, author of *American Holocaust: The Conquest of the New World*, is a seminal scholar who sits on the Board of Directors for the American Indian Genocide Museum. Stannard argues the largest genocide in history is that against the Native American population. Indigenous men, women, and children “were murdered by agents of the government that controls them, simply because they were Indians...whole

⁷⁶ Hixson, *Policing the Past: Indian Removal and Genocide Studies*, 440.

⁷⁷ Carroll P. Kakel III, *The American West and the Nazi East: A Comparative and Interpretive Perspective* (New York: Palgrave Macmillan, 2011), 7, 126-128.

⁷⁸ Kakel III, *The American West and the Nazi East*, 7, 126-128; In 1933, Himmler established Dachau, the first Nazi concentration camp.

⁷⁹ Hixson, *Policing the Past: Indian Removal and Genocide Studies*, 441.

⁸⁰ Kakel III, *The American West and the Nazi East*, 7, 126-128.

families have died in forced labor, while others starved to death in concentration camps.”⁸¹ Stannard, strongly contrasts James Axtell, Michael Burleigh, and Alexander Bielakowski who are noted later in this historiography.

Stannard speaks to histories in the United States as well “natives of Hispaniola and Mexico and Peru” and Indigenous populations of Florida, Virginia, Massachusetts, Georgia, Colorado, California and elsewhere. He confirms that Indigenous peoples died from “forced labor, from introduced disease, from malnutrition, from death marches, from exposure, and from despair. [They] were as much victims of the Euro-American genocidal race war as were those burned and stabbed or hacked or shot to death, or devoured by hungry dogs.” Stannard is not reluctant in stating “the United States government, the same government that oversees and encourages the ongoing dissolution of Native American families within its own political purview—itsself a violation of the U.N. Genocide Convention.” This is true due to willful implementation of “life-destroying poverty, ill health, malnutrition, inadequate housing.”⁸²

Stannard asserts that the United States has engaged in genocide of Indigenous peoples according to the standards established at the 1948 Genocide Convention. It was not until 1988 that the United States Senate finally “ratified the United Nations Genocide Convention—after forty years of inaction” although over one hundred nations had “long since agreed to its terms.”⁸³ Stannard quotes Leo Kuper, a world leading expert on genocide: “the long delay, and the obvious reluctance of the United States to ratify the Genocide Convention” was a result of “fear that it might be held responsible,

⁸¹ David Stannard, *American Holocaust: The Conquest of the New World* (New York: Oxford University Press, 1993), 255.

⁸² Stannard, *American Holocaust: The Conquest of the New World*, 255.

⁸³ Stannard, *American Holocaust: The Conquest of the New World*, 256.

retrospectively, for the annihilation of Indians in the United States...or its contemporary support for tyrannical governments engaging in mass murder.”⁸⁴

Adam Jones, executive director of Genocide Watch and a political scientist, is a scholar of comparative genocide studies and crimes against humanity. Jones is a Canadian scholar recognized as one of “Fifty Key Thinkers on the Holocaust and Genocide.”⁸⁵ *Genocide: A Comprehensive Introduction* is a textbook designed for graduate students that provides a clear overarching understanding of Genocide and Holocaust Studies. Jones sets the stage for debate with an analysis of seven global case studies of genocide. He includes intervention and prevention, historical memory, denial, initiatives for truth, justice, and redress. Jones agrees that disease is a weapon to exterminate groups and is a reoccurring theme in historical debates.

Jones is resolute in his argument that the introduction of disease to Indigenous populations is a tenet of genocide. In only “five centuries the Indian population of present-day Canada and the United States... that range[d] as high as eighteen million were reduced [from disease] to 237,000 by the 1890s.” Cholera, measles, plague, typhoid, and “alcoholism also took an enormous toll.”⁸⁶ Jones includes alcohol as a disease while other scholars argue that alcohol was a tool of warfare. He includes the extermination of great herds of bison as another act of genocide. Jones adds, bison “were hunted into near

⁸⁴ Stannard, *American Holocaust: The Conquest of the New World*, 256.

⁸⁵ Paul Bartrop and Steven L. Jacobs, eds., *Fifty Key Thinkers on the Holocaust and Genocide*, (New York: Routledge, 2010), 159; This work examines the backgrounds and influences of fifty scholars of holocaust studies, how their scholarship has been received, criticized and supported. The contributions of each scholar to the field is analyzed. Interdisciplinary scholars of genocide and holocaust studies discussed are historians, philosophers, theologians, anthropologists, art historians, and sociologists that include Adam Jones, Hannah Arendt, Christopher Browning, Primo Levi, Raphael Lemkin, Jacques Sémelin, Saul Friedländer, Samantha Power, Hans Mommsen, Emil Fackenheim, Helen Fein, Adam Jones, Ben Kiernan.

⁸⁶ Adam Jones, *Genocide: A Comprehensive Introduction* (New York: Routledge, 2010), 73; Native populations are estimated to have been seven to ten million with higher estimates at eighteen million.

extinction by the settlers.” Some sixty million of them roamed the Great Plains when Europeans arrived on the continent and “by 1895 there were fewer than 1,000 animals left,” and this “had not only driven [the Indians] to starvation and defeat but had destroyed the core of their spiritual and ceremonial world.”⁸⁷ Other factors included “the often deliberate destructions of flora and fauna that American Indians used for food,” medicine, and other purposes. In his analysis, Jones considers the genocidal consequences upon of native populations worldwide from settler colonies in Canada, Australia, New Zealand, and India where “a limited corps of 25,000 British administered a vast realm” in contrast to settler colonialism. Settler colonialism implies “displacement and occupation of the land, and is often linked to genocide against indigenous peoples” when the “metropolitan power encouraged or dispatched colonists to ‘settle’ the territory.”⁸⁸

Jones nods to Russell Thornton’s essay “A Southeastern Native American Holocaust during the Late 1600s.”⁸⁹ Both Jones and Thornton agree that “genocidal massacre was prominent [and]...through direct slaughter was a subsidiary cause of Native American demographic collapse.” Jones and Thornton reason that genocidal massacre was “decisive in the trajectories” of some American Indian nations who were “brought to extinction or the brink of extinction by...genocide in the name of war.”⁹⁰ The Pequot War was a “campaign to exterminate hundreds of defenseless natives,” which then “created a

⁸⁷ Jones, *Genocide: A Comprehensive Introduction*, 73.

⁸⁸ Jones, *Genocide: A Comprehensive Introduction*, 40.

⁸⁹ Russell Thornton, “A Southeastern Native American Holocaust During the Late 1600s,” *People of One Fire*, last modified November 23, 2017, accessed February 17, 2019, <https://peopleofonefire.com/southeastern-native-american-holocaust-during-the-late-1600s.html>.

⁹⁰ Jones, *Genocide: A Comprehensive Introduction*, 73.

precedent for later genocidal wars” including the 1864 massacre in Sand Creek, Colorado.

During the Sand Creek massacre state militiamen were ordered to “kill and scalp all little and big.” Colonel John Chivington’s orders included the murder and scalping of Cheyenne and Arapaho babies and children regardless of their age to stifle the population. According to Chivington, “Nits make lice.”⁹¹ Jones connects such name calling to “rhetoric and the propaganda discourse of full-scale genocide, in which Native American children were referred to as nits, Jews were referred to as “vermin” and Tutsis of Rwanda referred to as cockroaches.⁹² I strongly align with Jones and Thornton in their claim that alcohol and disease were tools of genocide used to eradicate Indian peoples.⁹³ Thornton’s, *American Indian Holocaust and Survival: A Population History since 1492*, argues that forced exiles and suppression of Indian religions were tools of American warfare and genocide.⁹⁴ I have always stated that alcohol was America’s first chemical warfare used against American Indians and small pox was the first germ warfare used for the same.

Alex Alvarez, author of *Native America and the Question of Genocide*, peers through the lens of genocide and examines boarding school experiences, war, disease, the Sand Creek Massacre, the ~~Long Walk~~ Death March of the Navajo, and Euro-settler ideology. He offers the Pomo and the Tolowa peoples in northwestern California and

⁹¹ Jones, *Genocide: A Comprehensive Introduction*, 73.

⁹² Jones, *Genocide: A Comprehensive Introduction*, 299.

⁹³ Russell Thornton, *American Indian Holocaust and Survival: A Population History since 1492*, (Norman: University of Oklahoma Press, 1990); Brian W. Dippie, review of “American Indian Holocaust and Survival: A Population History since 1492,” *Journal of American History*, 75 no.4, (March 1989), 1288–1289, <https://doi.org/10.2307/1908648>; Richard Thornton, “A Southeastern Native American Holocaust During the Late 1600s,” *People of One Fire*, accessed May 12, 2019, <https://peopleofonefire.com/a-southeastern-native-american-holocaust-during-the-late-1600s.html>.

⁹⁴ Thornton, *American Indian Holocaust and Survival*.

southern Oregon as examples of larger systemic patterns of annihilation.⁹⁵ His overarching argument is that genocide was state driven. Alvarez supports his argument with the definition of genocide according to the United Nations and international law.⁹⁶ Alvarez explores the climate of racialized attitudes held by Euroamerican settlers on frontier borderlands. He points toward settler violence as openly aggressive and hostile. Alvarez claims that settler violence was genocidal and at times required federal or state government intervention to put down, what I refer to as, White mob violence.⁹⁷

British historian, Michael Burleigh, author of *Ethics and Extermination: Reflections on Nazi Genocide*, is renowned for his scholarship on German racial policy, euthanasia, and extermination. Burleigh strongly pushes against narratives of scholars like Jones and Thornton who both include American Indian history within the frame of Genocide and Holocaust Studies.⁹⁸ Burleigh as well as Alexander Bielakowski intensely deny ideals of Indigenous histories as genocide at the “hands of their white conquerors.”⁹⁹ The modern day presence of American Indian casino staff, according to Burleigh, contradicts the argument of *eradication* of Indigenous populations. Burleigh boldly asserts unequivocal concepts of negative stereotyping in his claim that “the disappearance of...Native Americans” is discredited since “some of whose descendants mysteriously seem to be running multi-million dollar Casinos.”¹⁰⁰ Jones writes of Burleigh in a section titled “Denying Genocide, Celebrating Genocide.” According to Jones, Burleigh stated

⁹⁵ Alex Alvarez, *Native America and the Question of Genocide*, (Lanham, MD: Rowman and Littlefield, 2014), 113.

⁹⁶ Alvarez, *Native America and the Question of Genocide*, 31.

⁹⁷ Alvarez, *Native America and the Question of Genocide*, 60.

⁹⁸ Michael Burleigh, *Ethics and Extermination: Reflections on Nazi Genocide*, (New York: Cambridge University Press, 1997).

⁹⁹ Jones, *Genocide: A Comprehensive Introduction*, 81-82.

¹⁰⁰ Burleigh, *Ethics and Extermination: Reflections on Nazi Genocide*, 181.

Professor Alexander Bielakowski of the University of Findlay engaged in what seemed outright genocidal denial, writing that ‘if [it] was the plan’ to ‘wipe out the American Indians... the US did a damn poor job following through with it.’ This is a curious way to describe the annihilation of up to 98 percent of the indigenous population of the United States over three centuries. The fine British historian Michael Burleigh takes a similarly flippant jab in his book *Ethics and Extermination*, scoffing at notions of the ‘disappearance’ of the [Australian] Aboriginals or Native Americans, some of whose descendants mysteriously seem to be running multi-million dollar casinos.¹⁰¹

James Axtell, claims his “life’s work is devoted to the ethno history of Indian-European contact in colonial North America” and by training or instinct “try to view intercultural encounters from both sides of the frontier history.”¹⁰² Axtell, argues that “Cristoforo Colombo...did not give birth to Western imperialism, colonialism, ethnocentrism, or racism.” Axtell, puts forth that Cristopher Columbus found imperialism, colonialism, ethnocentrism, and racism intact upon his arrival and was “too much of a man times to transcend their limitations.”¹⁰³ Axtell rejects narratives of genocide of American Indians in the United States and Canada. Axtell finds terms like genocide a “sloppy handling of moral vocabulary... When heard or read aloud” these words used in history “are like mental depth charges...quickly sink into our consciousness and explode, sending off cognitive shrapnel in all directions.” Words like genocide, as they “descend into consciousness they detonate, their resonant power is unleashed, showering our understanding with fragments of accumulated meaning and associations.”¹⁰⁴

¹⁰¹ Jones, *Genocide: A Comprehensive Introduction*, 82.

¹⁰² James Axtell, *Beyond 1492: Encounters in Colonial North America* (New York: Oxford University Press, 1992), xi.

¹⁰³ Axtell, *Beyond 1492*, viii.

¹⁰⁴ Axtell, *Beyond 1492*, 260.

Axtell's argument is in polar contrast to Jones and Thornton. He pushes against the argument of Alvarez. Axtell more closely aligns with the arguments of Burleigh and Bielakowski. All three consider genocide a highly charged term for describing loss of Indian life. Axtell claims the term is applied too loosely when framing Indians killed by early Euroamericans. He bases his argument on etymology. Genocide was coined in 1944 to frame "annihilation of Jews, a religious and cultural race." Axtell enriches his argument which considers, "The latest and most inclusive definition of genocide is simply 'a form of one-sided mass killing in which a state or other authority intends to destroy a group.'"¹⁰⁵

Overall, Axtell warns against using the term genocide to "apply wholesale to every Indian death in the colonial period. To do so is to dilute our moral vocabulary to insipidity and to squander its intellectual and emotional force." Axtell, is clear in his argument "genocide is historically inaccurate...Certainly no European colonial government ever tried to exterminate all of the Indians as Indians, as a race, and you can count on one hand the authorized colonial attempts to annihilate even a single tribe." He gives the "unsuccessful Puritan assault upon the Pequots of Connecticut in 1637 and the French smashing of the Natchez and Wisconsin Foxes in the 1730" as his less than eloquent examples.¹⁰⁶

Axtell passionately rejects Indian genocide, "only the rare, certifiable, homicidal maniac sought to commit 'genocide' upon the Indians. The vast majority of settlers had no interest in killing Indians—who were much too valuable for trade and labor."¹⁰⁷ Axtell states, "The plots of my own histories of Indian – white relations tend toward gentle

¹⁰⁵ Axtell, *Beyond 1492*, 261.

¹⁰⁶ Axtell, *Beyond 1492*, 261.

¹⁰⁷ Axtell, *Beyond 1492*, 262.

satire, of which irony is the major expression, though some subplots and story events are played as comedy or tragedy.”¹⁰⁸ Axtell’s narrative pushes against genocide in the seventeenth and eighteenth centuries based on Indian agency to sell land, engage in commerce, and participate in military campaigns. To argue otherwise, according to Axtell, will “reduce the Indians to passive victims and deny them an active role in making of history.” Indians, “in large measure, fashioned their own new world. They chose their own directions and fates.”¹⁰⁹ Among the scholars of genocide and American Indian history most do not entertain Axtell’s rhetoric which sound less like scholarly interpretation and more like a gross attempt at creating a provocative narrative. Other scholars recognized as human rights activists make their arguments as clear as Axtell yet are in opposition of his views.

George Tinker, *Missionary Conquest: The Gospel and Native American Culture Genocide* argues that conventional narratives “heroize Christianization and white perspectives at the cost of depreciating Indian peoples.” Tinker’s push for “an unabashedly American Indian point of view” that counters Eurocentric bias creates a healthy balance to Axtell assessments.¹¹⁰ Tinker, a theologian and alumnus of Iliff, centers on the dark side of Christianity and missionary conquest and concludes that the combination of colonialism, ethnocentrism and “religion in the service of evil” damaged and impacted Indigenous society.¹¹¹ Tinker’s primary argument is that “Christian missionaries—of all denominations working among the American Indian nations—were

¹⁰⁸ Axtell, *Beyond 1492*, 19.

¹⁰⁹ Axtell, *Beyond 1492*, 121.

¹¹⁰ George Tinker, *Missionary Conquest: The Gospel and Native American Cultural Genocide*, (Minneapolis: Fortress Press, 1993), 3-4.

¹¹¹ Tinker, *Missionary Conquest*; The long title of this book is shown on the back cover, “Religion in the service of evil.”

partners in Genocide.”¹¹² Scholars of American Indian genocide and holocaust hold a plethora of views as vast as the scholarship itself.¹¹³

Roxanne Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, sets race aside from the genocide debate. She argues race and racialized hatred are important but the greater argument is that “Native peoples were colonized and deposed of their territories as distinct peoples—hundreds of nations.” She corroborates the terms colonization, dispossession, settler colonialism, and genocide all of which “drill down to the core of US history, to the very source of the country’s existence.” She continues to point out an important argument that is essential to my argument regarding Cherokee assimilation and identity. “Indigenous survival as peoples is due to centuries of resistance and storytelling passed through the generations... Surviving genocide, by whatever means, is resistance: non-Indians must know this in order to more accurately understand the history of the United States.”¹¹⁴ Barbara Alice Mann, author of *George Washington’s War on Native America*, is clear about the tensions found in the study of genocide and Indigenous peoples of the United States: “Genocide is a difficult subject, and one ripe with denial, especially when describing history at home.”¹¹⁵

¹¹² Tinker, *Missionary Conquest*, 4.

¹¹³ Anderson Ward Churchill, *A Little Matter of Genocide: Holocaust and Denial in the Americas 1492 to the Present*; Michael Coard, *Trail of Tears: White America’s ‘Indian’ Holocaust*; Laurence Hauptman, *Tribes and Tribulations: Misconceptions About American Indians and Their Histories*; Brendan D. Lindsay, *Murder State: California’s Native American Genocide, 1846-1873*; Benjamin Madley, *Reexamining the American Genocide Debate: Meaning, Historiography, and New Methods*; Jeffrey Ostler, *Surviving Genocide: Native Nations and the United States from the American Revolution to Bleeding Kansas*; Josh Steward, *The Indian Removal Act: The Genocide of Native Nations*; Brian W. Dippie, *White Attitudes & U.S. Indian Policy: The Vanishing American*, (Lawrence, KS: University of Kansas, 1991).

¹¹⁴ Roxanne Dunbar-Ortiz, *An Indigenous Peoples' History of the United States* (Boston: Beacon Press, 2015), xiii.

¹¹⁵ Barbara Alice Mann, *George Washington’s War on Native America (Native America Yesterday and Today)*, (Lincoln: University Press, 2009), accessed March 29, 2019, <https://www.questia.com/library/119602653/george-washington-s-war-on-native-america>.

Cherokee Paradigm: Gateway to Understanding American Indian Genocide

In order to more accurately understand the history of the United States one must begin with understanding that, historically, Euroamerican narratives have caricatured and romanticized government-to-government relationships between the United States and Native nations. To decolonize American Indian history we must revisit ongoing debates and myths about the Cherokee. To gain a realistic interpretation of dynamics between the Cherokee and the United States prior to the Indian Removal Act of 1830 it is necessary to recognize the status of the Cherokee as a sovereign nation. Cherokee sovereignty was noted in the 1785 Treaty of Hopewell and again in the 1791 Treaty of Holston. Implementing concepts associated with international law and diplomacy grounds the Cherokee as a sovereign actor engaged with the United States in international intra-continental bilateral affairs.

Understanding the Cherokee as an international entity more firmly anchors Indian history, questions, and debates that have become normalized in collective memory. Many of these debates center on Cherokee identity. This thesis foregrounds Euroamerican philosophy of White superiority and identity politics to argue Indian policy was structured to erase Indigenous peoples through indoctrination, assimilation, by force, and biological altering through rape. Settler colonialism partnered with Indian policy and Christian ideology which became a formula for genocide and westward expansion that resulted in the expansion of race-based chattel slavery and the southern plantation economy.

Post American Revolutionary War era Cherokee assimilation was more complex than today's "Barbie – Ken Syndrome."¹¹⁶ The Cherokee assumed varied degrees of assimilation in order to avoid forced exiles and ethnic cleansing from the southeastern United States that resulted from federally breached treaties. Coercive treaties compelled shifts toward assimilation into White society under the threat of forced dispossession from tribal lands. The Cherokee engaged in unequal bilateral treaties and participated in assimilation as resistance to genocide in order to save their nation from United States agendas of extinction.

Throughout the history of the Euroamerican invasion, of what is now the United States, cultural and political diplomacy has been central to the survival and advancement of Native peoples. Following the American Revolutionary War (1775-1783), the Cherokee resisted genocide that accompanied westward expansion by integrating varied levels of Americanization. This included conversion to Christianity, utilized apparatuses of government and diplomacy, acclimated, and employed levels of assimilation to resist complete eradication of Indigenous societies.

Cherokee – Euroamerican relations were built upon unequal treaties and prolongation to Indian Removal. Policies of Indian eradication are, understood today as, forms of state sponsored terrorism, ethnic cleansing, and genocide. Surviving the Cherokee Holocaust required adaptation of *White* identity as a response to federal agendas designed for erasure of Indigenous peoples from the American landscape. Early

¹¹⁶ The "Barbie-Ken Syndrome" was first coined and popularized in 1999 by the author of this thesis who is founder of the Oklahoma Native American Network (ONAN). The 1999 ONAN lecture titled "The Barbie-Ken Syndrome: Dying to be White" aimed to encapsulate the assimilation process of nonwhite peoples and challenge idealized concepts of mainstream society. The Barbie-Ken Syndrome points to consciously or unconsciously relinquishing distinctive qualities, cultures, languages, and religions in order to appear more homogenized within larger society. The Barbie-Ken Syndrome also applies to addictions and eating disorders that arise from trying to emulate the body images, lifestyles, and ideals marketed in the myth of the American Dream.

Cherokee adaptation of White identity was a response to federal policies of genocide after witnessing ethnic cleansing of other Indian nations. To be clear, adaptation of White identity was not a desire of the Cherokee to *become* White or a desire to relinquish Indian identity.¹¹⁷

This seemingly provocative way of shaping historical narratives that frame American Indian history as genocidal at the hands of the United States is not a novel approach. Evidence of this is the American Indian Genocide Museum (AIGM) in Houston Texas. AIGM was founded in 2001 by Steve and Cheryl Melendez.¹¹⁸ Seminal scholar of Native American genocide, David Stannard, sits on the Board of Directors with Pearl Means, daughter of Russell Means, and the renowned filmmaker Joanelle Romero, among other visionaries. The mission of the American Indian Genocide Museum is to bring “historical truth to light through the means of education using actual documentation of events that have transpired in the near extermination, and in some cases, the total extermination of native tribes and cultures. It is a memorial to the victims

¹¹⁷ Paul Schor, *Counting Americans: How the US Census Classified the Nation*, (New York: Oxford University Press, 2017), 241. In keeping with the federal construction of racial identity in the United States *white* was a racial identity will be used in this thesis. White was used in the institutionalization of racial and ethnic categories by the U.S. Census. The 1850 United States Census was the first census to separately identify each individual according to color but only if they did not belong to the white population. Non-white identity from 1790 to 1940 was based on the one-drop-rule. Census instructions required departing from the principle of hypodescent (hypodescendence) for Indians who were “considered to be white in the community in which he or she lives;” <https://booksandideas.net/The-Construction-of-Racial.html>; “Henry Clay’s Enumeration: 1850 United States Census,” *Census.gov*, accessed December 2, 2018, <https://www.census.gov/content/dam/Census/programs-surveys/sis/resources/historical-documents-and-images/h03-figure6.jpg> Also see: <https://www.census.gov/schools/resources/historical-documents/henry-clay.html>; Note: There is no identification of race for Clay because he is counted as belonging to the White race. This is true for others on the same document who were born in Ireland and Germany. This example of “white” as an identity will be the assumed paradigm throughout this thesis.

¹¹⁸ American Indian Genocide Museum full Broad of Directors: David Stannard, Steve Melendez, Cheryl Melendez, Lelia Williston, Don Vasicek, Carrie Dann, John Campbell, David Stannard, and in memorium of Russell Means. Complete Advisory Board includes: Kevin Locke, Pearl Means, Joanelle Romero, Jacquelyn Battise, Dr. Enrique Maestas, Gerald Tieyah, Jeri Ah Be Hill, Kevin Annett, Susan Llanes-Myers, Leonora Friend, and Jay Winter NightWolf; <http://www.aigenom.org>; <http://www.aigenom.org/board-of-directors.html>.

of ethnic cleansing.” Education on racism, discrimination, and injustice are addressed for the purpose of “promoting public awareness that these elements of genocide which existed in the past, continue to exist today.”¹¹⁹

Interest in an additional museum for American Indian Holocaust grew from the National Congress of American Indians in 2013. Resolution #TUL-12-005 documents that the National Congress of the American Indians requested the Smithsonian create a National American Indian Holocaust Museum within the National Museum in Washington DC. The resolution states: original native inhabitants, of what now constitutes the United States were, “conservatively estimated to have been a population of 10 million peoples in 1500 and reduced to 237,000 by 1900.” It further asserts the reduction of Native populations occurred “intentionally through disease, forced migrations, deprivation of nutrition, and neglect after relocation to unfamiliar and barren lands.” The years of “genocide against American Indians killed into extinction [...] more nations than the 566 federally recognized Indian tribes today.” The proposal to establish a National American Indian Holocaust Museum aims to commemorate “the many years of genocide against American Indians as an assault on all of humanity” according to Resolution #TUL-13-005.¹²⁰

The resolution defines genocide as the “deliberate and systematic destruction of a racial, political, or cultural group.” The resolution defines holocaust as the “mass slaughter of people, especially through genocide.” The 2013 Resolution sets forth that “American Indians today are descendants of the original atrocities.” Yet, as a group,

¹¹⁹ “Mission Statement,” *American Indian Genocide Museum*; <http://www.aigenom.org/mission-statement.html>.

¹²⁰ “National American Holocaust Museum: Resolution #TUL-13-005,” *National Congress of American Indians*, accessed March 24, 2019, <http://www.ncai.org/resources/resolutions/national-american-indian-holocaust-museum>.

American Indians have a great resilience while “still suffering intergenerational trauma and continued hostile climate” from the failed aforementioned policies. The resolution is clear, “American Indians were the subject of systemic federal policies that deprived them of land, liberty, livelihood and life.” American Indians were “displaced by taking” frequently by force “the lands of their fathers and mothers, their liberties further violated through force relocation, including the young separated from their families...sent away for schooling and assimilation” into White society.¹²¹

The National Congress of American Indians (NCAI) argues the importance and need for an American Indian Holocaust Museum that serves to “illuminate a vital chapter in American History,” and “implore that such a holocaust should never happen again.” NCAI foresees the museum as a center for healing from the atrocities and as a venue to educate the general public about the “history of mistreatment and destruction experienced by Native peoples, their cultures, and their languages.” The final resolve requested by the NCAI is that the National Museum of the American Indian incorporates the National American Indian Holocaust Museum as a part of their Forth Museum, the traveling virtual exhibit.”¹²²

As founder of the Oklahoma Native American Network, I first established the American Indian Holocaust lecture series in Tulsa, Oklahoma, in 1999. The term *Indian Holocaust* was indeed a provocative one for the United States during that time. Today, Indigenous peoples and scholars commonly describe American Indian histories as ethnic cleansing, genocide, and holocaust. Scholars of genocide and holocaust include

¹²¹ National American Holocaust Museum: Resolution #TUL-13-005.

¹²² National American Holocaust Museum: Resolution #TUL-13-005.

Indigenous histories of the United States in their research. This thesis is a scholarly continuum of my work from the 1990s and 2000s.

On March 24, 2019 the *Tulsa World* wrote that March 24th was the 180th year since the final group of exiled Cherokee arrived in Oklahoma's Indian Territory. "The ~~Trail of Tears~~ was not a single event but a series of forced removals of Native Americans by the U.S. government." In the same article Jerrid Miller, archivist at the Cherokee Heritage Center in Tahlequah, Oklahoma, stated, "The ~~Trail of Tears~~ was outright genocide" for the Cherokee "the ~~Trail of Tears~~ is a catalyst for historic trauma." Principal Chief Bill John Baker stated the removal-era Cherokee were put in stockades (concentration camps) with no sanitation and there were reports of rapes and beatings. Rae Lynn Butler, Muscogee Nation Historic and Cultural Preservation Manager told the *Tulsa World*, "It didn't matter how much you were assimilated or how well you spoke English, no matter what you did to please the Europeans, it still wasn't enough—they wanted you gone. You had to leave." An estimated "2,500 Creeks were put in shackles, held as prisoners," and forced to march 1, 200 miles when exiled. Butler makes it clear, forced removal of Indian peoples "really was about extinguishing a race of people."¹²³

Mark Jordan, a Tahlequah High School educator of U.S. and Oklahoma history, is confident that "Here in Tahlequah" the students are well-versed "they understand the forced nature" of removals. "I don't think I have ever heard a [student] say [removal] was voluntary. You're talking about their [...] great-grandparents. It is not forgotten for a lot

¹²³ Michael Dekker, "Never, ever going to forget: 180 years since the end of the Cherokee ~~Trail of Tears~~," *Tulsa World* (March 24, 2019), https://www.tulsaworld.com/news/state-and-regional/never-ever-going-to-forget-years-since-the-end-of/article_0c816f6f-b0f1-5d4e-b412-9423f4387d80.html?fbclid=IwAR2VIgccxUhN2eccAJdvrWuj03TU05QUZed-3fNbMZZzl5ld7_7Opy__Zec.

of their families.”¹²⁴ According to Chief Baker, “At the time of the Removal Act many of our leaders were better educated than most of those in Congress. We were very prosperous. We were masters of watching our white neighbors and seeing what they were doing and improved on it.” Baker continues, “most Cherokees were well-educated, literate, and Christian.”

The *Tulsa World* article points to Major Ridge and the Treaty Party, “Most Cherokees opposed removal. Yet a minority felt that it was futile to continue to fight. They believed they might survive as a people if they signed a treaty with the United States.”¹²⁵ The article goes on to describe the ethnic cleansing of Cherokee who were evicted from their homes by military force at bayonet point, held in prison camps, and forced on death marches. In 1836, John Ross declared, “We were stripped of every attribute of freedom and eligibility for legal self-defence (sic). Our property plundered before our eyes; violence may be committed on our persons; even our lives may be taken away... We are denationalized; we are disfranchised. We are deprived of membership in the human family!”¹²⁶

My aim in this thesis is to provide evidence that the Cherokee were targets of federal assimilation experiments to eradicate Indigenous nations. The relentless aggressions taken against the Cherokee situated leaders during the late eighteenth and nineteenth centuries in unimaginable positions to protect their nation and insure survival.

¹²⁴ Dekker, *Never, ever going to forget*.

¹²⁵ Dekker, *Never, ever going to forget*.

¹²⁶ The People v. Andrew Jackson, Letter from Chief John Ross, “To the Senate and House of Representatives” Red Clay Council Ground, Cherokee Nation, September 28, 1836. Evidence & witness information compiled and organized by Karen Rouse, West Sylvan Middle School, Portland Public Schools, 7 May, 2005, revised July 2006, https://www.stjoes.org/ourpages/auto/2012/10/4/57279254/jackson_trial_book.pdf.

Out of respect for those who lived our history my writing does not situate Cherokee leaders in opposition against one another. As Indigenous peoples we were all soul-raped.

CHAPTER II

REFRAMING POST REVOLUTIONARY WAR ERA CHEROKEE

Cherokee Experience through the Lens of Genocide and Holocaust Studies

Assimilation is an effective and essential part of genocide. It is the deadly erasure of memory and our whole conscious connection to who we are.

John Trudell

Power Authority and Tribal Genocide Documentary

US policies and actions related to Indigenous peoples, though often termed racist or discriminatory, are rarely depicted as what they are: classic cases of imperialism and a particular form of colonialism — settler colonialism.

Roxanne Dunbar-Ortiz

Yes, Native Americans Were the Victims of Genocide, (p. 1).

The ten stages of genocide that target groups for eradication are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial. Understanding the ten-stage process of genocide provides the framework necessary for re-evaluating Cherokee – United States relations leading up to the 1835 Treaty of New Echota. The United Nations made it clear at the 1948 Genocide Convention that genocide is intentional. Genocide is defined in United Nations Document A/760 Article II as “the intentional destruction, in whole or in part, of a national, ethnic, racial or religious group, as such.”¹

¹ The Ten Stages of Genocide noted here are outlined by Genocide Watch, a coordinating organization of The International Alliance to End Genocide (IAEG) which is an international coalition of organizations; 1948 United Nations Document A/760: ARTICLE II states, “genocide means any of the following acts committed with *intent to destroy in whole or in part*, a national, ethnical, racial or religious group, as such: Killing members of the group; Causing serious bodily or mental harm to the members of the group; Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; Imposing measures intended to prevent births within the group; Forcibly transferring children of the group to another group (9), access February 10, 2019, <http://undocs.org/A/760>;

This thesis does not decry ethnic cleansing of post American Revolutionary War era Cherokee as simply a tragedy. Instead, the Cherokee as a case study illustrates how American genocide came to be and how colonized rhetoric and settler violence was internalized to create a master narrative of American Indian history that normalizes crimes against Indigenous populations.² Genocidal ideology informed Indian policy, political thought, and agendas of settler colonialism, all of which were steeped in concepts of racialized *othering* (creating targeted out-groups). American Indian history framed by the Ten Stages of Genocide implores historians to explore whether interpretations of crimes against Indian nations were whitewashed and Indigenous perspectives silenced in conventional narratives.³

Decolonizing American Indian history shifts away from top-down conformist narratives that overlook Indigenous experiences in Eurocentric interpretations. This thesis is written with conscious attention to choice of language and semantics (the logic concerned with the meaning and implication of word choice). Here, Indian history is reframed through the lens of Holocaust Studies, incorporates language of international

Genocide Watch is an international organization that raises genocidal awareness as codified in the UN 1948 United Nations Document A/760 Genocide Convention via the US Bill of Rights or the 1948 United Nations Universal Declaration of Human Rights;
<https://www.jus.uio.no/lm/en/pdf/un.universal.declaration.of.human.rights.1948.portrait.letter.pdf>;
Raphael Lemkin coined the term “genocide” in 1944. Lemkin proposed this term to define actions aimed at the annihilation of essential foundations of life. See: <https://www.ushmm.org/confront-genocide/defining-genocide>.

² Christine Rogers Station, “The Curricular Indian Agent: Discursive Colonization and Indigenous (Dys) Agency in the U.S. History Textbook,” *Research Gate*, last modified December 2014, accessed May 5, 2019,
https://www.researchgate.net/publication/269042194_The_Curricular_Indian_Agent_Discursive_Colonization_and_Indigenous_DysAgency_in_US_History_Textbooks;

Stanton argues “Instead of decolonizing education, today's curricular agents typically misrepresent the historical and future agency of Native peoples while reinforcing the patronizing, normative, dominant-culture narrative.” Stanton states that textbook authors “use strategies of exclusion and passivation to control the historical and curricular agency of Indigenous peoples.”

³ “Historical Analysis and Interpretation,” UCLA Public History Initiative National Center for History in Schools; Conventional narratives tend to offer “one authoritative interpretation” but scholars today realize “written history is a dialogue among historians” who may agree or disagree on events in the past, how those events unfolded, why and how the events took place.

law, and standards of genocide as defined by the United Nations and the Rome Statute of the International Criminal Court (Rome Statute).⁴ This chapter argues that United States relations with the Cherokee during the 1790s through the 1830s meets all ten stages of genocidal intent as set forth by the United Nations and by the Genocide Watch organization. The Cherokee as a holocaust paradigm is imperative for re-examining American Indian history, analyzing Indian policy, and acknowledging crimes against humanity.

This chapter examines racialized violence surrounding post-American Revolutionary War Cherokee and the “discursive normality of genocide” to demonstrate the existence of a deteriorating climate of race relations that shaped Cherokee decisions and identity.⁵ This study of nineteenth-century Cherokee experience highlights racialized terror aimed at depeopling tribal nations which is defined as genocidal when compared to definitions of international law established in 1948 by the United Nations Genocide Convention.⁶ This research situates the Cherokee on an international stage referred to as

⁴ Roy S. Lee, *The International Criminal Court: The Making of the Rome Statute* (Boston, Kluwer Law International, 1999); The Rome Statute was adopted July 17, 1998 during the United Nations Conference held in Rome, Italy.

Article 6 of the Rome Statute defines genocide as “acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.”

Relative to framing Cherokee history through the lens of Holocaust Studies Article 7 lists and defines crimes against humanity to include: extermination; deportation or forcible transfer of population, rape, persecution against any identifiable group or collectivity political, racial, national, ethnic, cultural, or religious; enforced disappearance of persons; crime of apartheid, accessed April 11, 2019, http://legal.un.org/icc/statute/99_corr/cstatute.htm.

⁵ Martin Spiecker, “Discursive traces of genocide in Johannes Spiecker’s travel diary (1905-1907),” *Journal of Namibian Studies: History of Politics* 6 (2014), accessed April 10, 2019, <https://namibian-studies.com/index.php/JNS/article/view/182>.

⁶ *History of the Genocide Convention*, DAG Hammarskjöld Library, access January 30, 2019, <http://ask.un.org/faq/232870>; 1948 United Nations Genocide Convention: Resolution 96 is an instrument that codifies genocide as a crime under international law that states, “RECOGNIZING that at all periods of

the Global South in academic studies. As an international nation, the Cherokee are acknowledged as a sovereign nation that the United States targeted with Indian policies of apartheid, ethnic cleansing, and state sponsored genocide. This approach brings complexity to the Cherokee experience by studying the impact of human rights violations, settler colonialism, expansionism, and the rise of the U.S. as a nation-state. The Cherokee as an independent nation traces back to a 1789 letter to President George Washington from the Secretary of War, Henry Knox: “The independent nations and

history genocide has inflicted great losses on humanity.” Accessed January 31, 2019, <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>;

Article II of the Resolution defines the crime of genocide that was adopted by the UN General Assembly on December 9, 1948: “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.”, accessed January 31, 2019, https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf; Also see: <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>;

The Universal Declaration of Human Rights (UDHR) was officially announced by the United Nations General Assembly in Paris, France on December, 10, 1948. The Declaration (General Assembly resolution 217 A) established the fundamental human rights of all peoples and acknowledges those rights are to be universally protected. See transcription at the following link accessed January 31, 2019, <https://www.un.org/en/universal-declaration-human-rights>. All so see primary source at the following link accessed January 31, 2019, [https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/217\(III\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/217(III));

1947 United Nations document E/447: First draft of the Division of Human Rights presented at the Convention on the Crime of Genocide. Notions of genocide defined on page 16. What is meant by genocide is shown on page 17. This draft was presented by the Secretary-General and three experts of International Criminal Law. Accessed January 31, 2019, <http://undocs.org/E/447>;

1948 United Nations document E/RES/117 (VI). Genocide: The Economic and Social Council Taking cognizance of General Assembly Resolution 180 (II) on November 23, 1947. [This document states the United Nations shows the United States had not submitted the required comments on E/447.](http://undocs.org/E/RES/117(VI))

1948 United Nations document A/PV.179: Genocide Convention 3rd Session. Page 835 states, “While the draft convention might contain certain deficiencies, there were no fundamental omissions, Genocide, whether perpetrated in peace or in war, was defined in the convention as a crime against international law which the signatory parties undertook to prevent and to punish, Genocide covered certain acts committed with the intent of destroying, in whole or in part, national, ethnical, racial or religious groups,” accessed January 31, 2019, <http://undocs.org/A/PV.179>;

1948 United Nations document A/RES/260 (III): General Assembly unanimously adopted the Genocide Convention and entered into force January 12, 1951, accessed January 31, 2019, [http://undocs.org/A/RES/260\(III\)](http://undocs.org/A/RES/260(III)).

tribes of Indians ought to be considered as foreign nations, not as subjects of any particular State.”⁷

Crimes committed against Aboriginal peoples are a prominent vein throughout the historiography of the Americas. Yet, conventional narratives rarely refer to violence against pre-removal Indians as crimes. Instead, implicit and explicit bias in historical narratives favor Euroamerican culture, according to Tinker.⁸ Whitewashed narratives reduce settler-violence with “a predisposition to favor” and even “heroize Christianization and white perspectives at the cost of depreciating Indian peoples.” Tinker, an ordained Lutheran pastor, globally renowned Indian-rights advocate, member of the Leadership Council of the American Indian Movement of Colorado and Director of the Four Winds American Survival Project, argues that historical narratives need an “unabashedly American Indian point of view” that counters Eurocentric bias.⁹ American Indian perspectives and the lens of Genocide and Holocaust Studies reveal hostile race relations that normalized settler-violence and influenced Indian policy.

Early Indian policy was structured for more than indoctrination and assimilation. It aimed to depeople Indian societies. When frameworks of international law are integrated into historical narratives, racialized violence is then understood as state sponsored terrorism that enforced U.S. Indian policies of genocide. Genocide, according to Raphael Lemkin, who coined the term in 1944, is defined as actions aimed at the annihilation of essential foundations of life.¹⁰ *Annihilation* is a reoccurring term in this research and important to keep in mind because it points to evidence of genocide.

⁷ *American State Papers: Indian Affairs*, I, No.4:53, accessed March 7, 2019. <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=007/llsp007.db&recNum=54>.

⁸ Tinker, *Missionary Conquest*, 4.

⁹ Tinker, *Missionary Conquest*, 4.

¹⁰ 1948 United Nations Document A/760: ARTICLE II.

Historian and international human rights activist, Roxanne Dunbar-Ortiz argues that the responsibility of the United States involving the genocide of Indigenous peoples has gained acceptance within the academy based on historical evidence. However, genocide “is too often associated with assumptions of [complete] disappearance.” Dunbar-Ortiz frankly declares that Indian policy coupled with Christian ideology “were partners in genocide.” For Indian peoples, “surviving genocide by any means included assimilation” as tools for resisting eradication. Dunbar-Ortiz makes it clear, “non-Indians must know this in order to more accurately understand the history of the United States.”¹¹

Nineteenth-century Cherokee peoples as a case study for genocide exemplifies how cultural and political diplomacy has been central to the survival and advancement of Native peoples throughout Turtle Island and to the history of Indian resistance and survival of Euroamerican invasion.¹² Use of international law frames U.S. – Cherokee dynamics as bilateral relations between sovereign nations. This shift in defining U.S. – Indian affairs also reframes concepts of paternalism.

It is important to understand that even though the United States used condescending language of paternalism in dealings with Indigenous nations, the Cherokee were an independent international nation. In a February 12, 1831 edition of the *Cherokee Phoenix* newspaper, one article reflected on the 1785 Treaty of Hopewell which situated the Cherokee within the framework of international relations. The article reiterated that the Treaty of Hopewell stated the Cherokee were a “sovereign free and

¹¹ Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, xiii.

¹² Turtle Island is a term for North America that is commonly used by Native Americans, First Nations peoples, environmental activists, and indigenous rights activists instead of the term United States.

independent Nation, capable of declaring war against the States.”¹³ The same 1831 publication of the *Cherokee Phoenix* referenced the 1791 Treaty of Holston which, again, acknowledged the Cherokee as a sovereign nation. The Treaty of Holston stated, “the root of the principle laid down by the President [George Washington]” established “These people are now to be viewed as a nation possessing all the power of other independent nations.”¹⁴

On February 12, 1831, The *Cherokee Phoenix* published language used by President Jackson that showed he has no intention of honoring the sovereignty of the Cherokee nation that was established in the Treaty of Hopewell in 1785 and again in the 1791 Treaty of Holston. Jackson stated, “No act of the General Government has ever been deemed necessary to give the States jurisdiction over the persons of the Indians” nor “can this Government add to, or diminish it.” Jackson was referring to the sovereignty of Georgia and its authority. He asserted that Georgia had sovereign power over the Cherokee and that the federal government could not add to or reduce that state authority. Editor of the *Cherokee Phoenix*, Elias Boudinot, also quoted United States Senator

¹³ Editorial, *Cherokee Phoenix*, New Echota Feb. 12, 1831, Western Carolina University Digital Collections, accessed March 30, 2019, <https://www.wcu.edu/library/DigitalCollections/CherokeePhoenix/Vol3/no37/cherokee-phoenix-page-2-column-2a-page-3-column-5a.html>;

This letter to the editor of the Cherokee Phoenix from a Georgian regarding the case of a Cherokee named George Tassels. The Georgia writer cites the Treaty of Hopewell and the Treaty of Holston as both which established the Cherokee as a sovereign nation. The Georgian who wrote to the *Cherokee Phoenix* stated, “they [Cherokees] never having been considered and treated as citizens of Georgia-all these have taught them to believe that they were a sovereign and independent Nation-And as the extension of the laws of Georgia over the Indians, brings in question the validity of a treaty, the final Judgment of which is only cognizable by the Supreme Court.”

¹⁴ Editorial, *Cherokee Phoenix*, New Echota Feb. 12, 1831, Western Carolina University Digital Collections. From the section of the *Cherokee Phoenix* subtitled *National Journal*; “Proclamation on the Treaty of Holston, 11 November 1791,” *Founders Online*, National Archives, version of January 18, 2019, accessed March 30, 2019, <https://founders.archives.gov/documents/Washington/05-09-02-0100>. [Original source: *The Papers of George Washington*, Presidential Series, 9, no.23 September 1791–29 February 1792, ed. Mark A. Mastromarino. Charlottesville: University Press of Virginia, 2000, pp. 178–180.]

White of Tennessee, Senator White was “one of the most influential advisers of General Jackson.” White was quoted by the *Cherokee Phoenix* as stating, “I am not at liberty to doubt but the Cherokees are to be considered a nation a community, having a country distinctly marked out and set apart for their use; that their interest is as permanent and fixed in it as the pledge and the faith of the [United] States can make it, solemnly guarantied it to them, as a nation, without a limitation of time.” The Editor’s response was clear, “White leagued with those who would oppress, coerce, exile and destroy the unfortunate Cherokees.”¹⁵

Genocide and Holocaust Studies provides the understanding that since 1948 the United Nations confirmed “genocide, whether committed in time of peace or in time of war, is a crime under international law.”¹⁶ Through this lens, historians are able to re-examine Indian policy as it relates to the Cherokee and the constant volatile settler tensions that shaped Cherokee decisions and treaties. Throughout the twenty years following the American Revolution the Cherokee resisted settler warfare. In the area today known as Knoxville, Tennessee, Scots-Irish land poachers continued to illegally build settlements on Cherokee lands and warred against the Chickamauga Cherokee (Tsikamagi) in the form of mob violence and terrorism. Dunbar-Ortiz clarifies the intentions of illegal squatters. The encroaching land poachers “hated both the Indigenous peoples, whom they were attempting to displace, as well as the newly formed federal government.”¹⁷

¹⁵ *Cherokee Phoenix*, New Echota Feb. 12, 1831.

¹⁶ 1948 United Nations Genocide Convention Document A/760. A; Text of the Convention/Article I, page 9, accessed March 28, 2019, <https://undocs.org/A/760>.

¹⁷ Dunbar-Ortiz, *An Indigenous Peoples' History of the United*, 88.

As early as March 1775 Dragging Canoe (Tsiyu Gansini), Chief of the Chickamauga Cherokee, stated in response to the Treaty of Sycamore Shoals, that the “Whole Indian Nations have melted away like snowballs in the sun before the white man’s advance.” His response was in opposition to selling of Cherokee lands to British settlers in what is today Tennessee. Dragging Canoe argued that Whites would never be satisfied with the lands they had encroached upon. He intended to resist the “white man’s advance” and respond to their terrorism through warfare. Dragging Canoe knew settler encroachment and westward expansion of the United States would continue and “New sessions [sic] will be asked. Finally the whole country, which the Cherokees and their fathers have so long occupied, will be demanded, and the remnant of the Ani Yunwiya [Cherokee]...will be compelled to seek refuge in some distant wilderness.” He went on to say that wherever the Cherokee sought refuge they would be attacked because the greed of Whites drove invaders to want all Indian lands.

Dragging Canoe foresaw that when there was no longer Cherokee land for White encroachment, “the extinction of a whole [Cherokee] race would be proclaimed.” The language used by Dragging Canoe is important because it shows Cherokee leadership understood “the white man’s advance” would lead to “the extinction” of the Cherokee as “a whole race” if westward expansion and illegal settler encroachment was not resisted. This climate of settler violence provoked Dragging Canoe and the Chickamauga (Tsikamagi) to fight against American invaders and “run all risks, and incur all consequences, rather than submit to further laceration of our country.” Dragging Canoe’s response to the 1775 Treaty of Sycamore Shoals demonstrates decisions that Cherokee

communities had to make in response to the aggression of White settlers and violence used to seize Native lands during the eighteenth and nineteenth centuries.¹⁸

U.S. Treaty Making with Indigenous Nations

Akers argues that, “American historians relate a fictional account of a great and good nation-state, built on equality and the rule of law, which ‘expanded’ onto former Indigenous lands after the government purchased and paid for said lands.” She pushes against the narrative that the method used to procure Indian lands was through making legal treaties. According to Akers, the term *treaty* implies that these documents were secured as a result of un-coerced negotiations between sovereign nations and “identical to the international treaty-making process between the United States and European nations conducted using universal practices and protocols.” There were significant differences in treaties entered into with Native nations. “The methods used by the United States in procuring treaties with Indigenous nations did not abide by international standards and practices.”¹⁹

When examining American Indian treaties and land cessions it is important to understand that international practices of treaty making were founded on the nation-state territorial system of sovereignty which originated with the Peace of Westphalia of 1648.²⁰ Akers argues, the methods of treaty making employed by the United States “routinely

¹⁸ Dragging Canoe, *RESPONSE TO TREATY OF SYCAMORE SHOALS (1775)*. Text courtesy of <http://www.corntassel.net>; http://www.corntassel.net/archive_draggingcanoe.htm; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 3; John P. Brown, *Old Frontiers* (Kingsport: Southern Publishers, 1928), 9-10; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 3; <http://www.learnnc.org/lp/editions/nchist-revolution/4301>.

¹⁹ Akers, *Decolonizing the Master Narratives*, 59.

²⁰ Akers, *Decolonizing the Master Narratives*, 59.

violated all international norms of conduct between nations.” Treaties with Indigenous nations “were almost without exception procured through corrupt and dishonorable practices sanctioned by the highest levels of the U.S. government.” An exception to this, Akers includes, is during the last quarter of the eighteenth century when some treaties with Indigenous nations, prior to the creation of the United States, offered “at last a pretense of equality between parties.”²¹

The shift in treaty making came following the American Revolution. The United States believed the treaty signed that ended the war with Britain conferred title to all Indigenous territory west of the Appalachians to the Mississippi River. United States leaders then carried out a “system of invasion and conquest of Indigenous lands to which they *pretended* a ‘right’ bestowed by a legal system that they themselves created.” This ideology is traced to the 1493 Doctrine of Discovery set forth by Pope Alexander VI. European Christians, through the Doctrine of Discovery, were awarded “undisputed title to any land not claimed previously by another European country, immediately limiting the rights of Indigenous peoples to their ancient territories.” This doctrine allowed for waging war against Indian nations, “slaughtering them at will and forcing them into submission,” according to Akers.²²

“[G]enocidal wars of extermination against the indigenous peoples, or their enslavement, were perfectly legal under the Doctrine of Discovery,” explained historian, James E Folkoswki. The 1493 Doctrine of Discovery Papal Bull issued by Pope Alexander VI was applied to United States law by the Supreme Court ruling in 1823 with

²¹ Akers, *Decolonizing the Master Narratives*, 59.

²² Akers, *Decolonizing the Master Narratives*, 59.

Johnson v. M'Intosh.²³ In 1823, the United States Supreme Court ruled that American Indians “could occupy lands within the United States but could not hold title to those lands.”²⁴ Akers asserts that United States treaty making with Indigenous nations was distinctively different from the methods and practices used in international diplomacy and was crafted to present only a façade of legal treaty making. The system of treaty making used by the United States with Indigenous nations was “clearly a major tool of conquest.” In simple terms, Akers is clear, “no behavior was too low, no tactic too dishonorable, as long as the goals of cheating the Indigenous peoples out of their lands and wealth and the infliction of abject poverty and subjugation were achieved.”²⁵

1785 Treaty of Hopewell

The angry passions of the frontier Indians and whites, are too easily inflamed by reciprocal injuries, and are too violent to be controlled by the feeble authority of civil power...the boundaries between the whites and Indians must be protected by a body of at least five hundred troops.²⁶

Henry Knox, Secretary of War

Letter to President George Washington, July 7, 1789

I believe scarcely anything short of a Chinese Wall, or a line of Troops, will restrain Land jobbers, and the encroachment of Settlers upon the Indian Territory.²⁷

President George Washington

Letter to Timothy Pickering, Secretary of State, July 1, 1796

To borrow a term from Axtell, the federal government refused to *smash* terrorist attacks from encroaching squatters which the United States promised to do in the Treaty

²³ Akers, *Decolonizing the Master Narratives*, 60.

²⁴ “The Life of Major Ridge,” *Chieftains Museum Major Ridge Home*, last modified 2019, accessed June 26, 2019, <https://chieftainmuseum.org/2011/05/history-of-chieftains>.

²⁵ Akers, *Decolonizing the Master Narratives*, 59.

²⁶ *American State Papers: Indian Affairs: I*, 4:53, accessed March 7, 2019, <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=007/llsp007.db&recNum=54>; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 7.

²⁷ “George Washington to the Secretary of State, 1 July 1796,” *The Writings of George Washington*, 35:112; www.mountvernon.org/digital-encyclopedia/article/native-american-policy.

of Hopewell and the Treaty of Holston.²⁸ Tensions surrounding political affairs and the climate of mounting violence against the Cherokee led to the Treaty of Hopewell in 1785. Knox admitted that the Cherokee needed protection from Whites in Georgia who were afflicted with hostility and contempt for Indians. However, Knox had an agenda: “By this arrangement...Indians would be convinced of the justice and good intentions of the United States, and they would soon learn to venerate and obey that power from whom they derived security against the avarice and injustice of lawless frontier people.”²⁹ The United States promised federal protection from settler violence and illegal encroachment if the Cherokee entered the 1785 Treaty of Hopewell and ceded land.

Above all, the treaty swore United States protection for the Cherokee and tribal lands against vehement Euro-settler violence and theft of lands in exchange for more tribal land cessions, just as Dragging Canoe had forecasted. The 1785 Treaty of Hopewell was entered into in South Carolina.³⁰ The treaty was a template for three individual agreements between the United States and the Choctaw, Chickasaw, and Cherokee. The United States pledged its protection against American settlers who continued to violate laws and commit crimes and acts of violence against Indian nations including the Cherokee. The Cherokee’s Treaty of Hopewell had thirteen articles whereas the treaty with the other two nations had eleven. The focus here is on the agreement with the Cherokee, the requirements, and the promises made by the United States. This post-

²⁸ James Axtell, *Beyond 1492: Encounters in Colonial North America* (NY: Oxford University Press, 1992), 261.

²⁹ *American State Papers: Indian Affairs*: I, 4:53, Accessed March 7, 2019.

³⁰ *American State Papers: Documents, Legislative and Executive, of the Congress of the United States*, 38 vols. (1832–61); Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties*, 5 vols. (1904–41); <https://www.loc.gov/resource/bdsdcc.18101/?sp=1https://mississippiencyclopedia.org/entries/treaty-of-hopewell>.

Revolutionary treaty provides context for the racial violence and breached agreement by the United States that later led to the Treaty of Holston in 1791.

The Treaty of Hopewell forbade Americans from settling on Cherokee lands and insured “peace to all CHEROKEE, and receive them into the favor and protection of the United States of America.” The treaty laid out conditions the Cherokee must first have agreed to in order to receive protection from the United States. To be clear, the protection noted in the Treaty of Hopewell was protection for the Cherokee from illegal and violent actions of Americans and the individual states. The treaty identified geographical boundaries within which the United States would permit the Cherokee to peacefully live in addition to “The boundary allotted to the Cherokees for their hunting grounds.”³¹

Articles 4 through 13 are the most relative to the wave of terrorism by American invaders and the crimes they committed on Cherokee lands. It was mandatory, in the Treaty of Hopewell, for the Cherokee to relinquish more land, control over tribal commerce, and become informants for the United States in order to receive protection against American criminals. Articles 4 and 5 designated land boundaries. Article 4, limits boundaries for Cherokee hunting and forbid them to hunt on lands claimed by other European empires. Interestingly, the hunting territory on which the Cherokee were *permitted* was confined “between the said Indians and the citizens of the United States, within the limits of the United States of America.”³² In other words, the hunting territory was a borderland sandwiched between Cherokee settlements and hostile white settlements.

³¹ 1791 Treaty of Holston.

³² 1791 Treaty of Holston.

Article 5, clearly stated that citizens of the United States, that were not Cherokee, were forbidden to settle on Cherokee hunting grounds. Squatters already homesteading on those Cherokee lands had six months to vacate after the Treaty of Hopewell was ratified or “such person shall forfeit the protection of the United States, and the [Cherokee] Indians may punish him or not as they please.” The article then provided an exemption for squatters and settlers between the fork of French Broad and Holstein Rivers “whose particular situation shall be transferred to the United States in Congress assembled for their decision.”³³

Articles 6 through 8 outlined criminal acts and responsibilities. Article 6 stated, in return for protection provided by the United States against settler violence and crime, the Cherokee must surrender, to the United States, any person who resided among them that [was accused] of a crime against any American citizen. Article 7 assured any “citizens of the United States, or persons under their protection” who committed a robbery, murder, or other capital crime against a Cherokee would be punished to the same extent had the crime been committed against an American citizen. Article 8 prohibited the United States or the Cherokee Nation from retaliating against innocent persons “except where there is a manifest violation of this treaty: and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.”³⁴ Theoretically, this allowed for some measure of recourse for the Cherokee to hold settlers responsible for violence. However, it also allowed the United States to take action against the Cherokee by following the steps outlined.

³³ 1791 Treaty of Holston.

³⁴ 1791 Treaty of Holston.

The next two articles, 9 and 10, designated trade regulations. Article 9 transferred control to the United States and Congress to “have sole and exclusive right of regulating trade with the [Cherokee] Indians, and managing all their affairs in such manner as they think proper.” This measure relinquished all power of the Cherokee to make economic decisions in lieu of federal protection against violence and encroachment by Americans. Next, article 10 provided an enormous loop hole for Americans. It gave them legal permission to enter any Cherokee community they pleased while at the same time receive federal protection against the Cherokee so long as they claimed their presence was for business purposes. “Until the pleasure of Congres [sic] be known, all traders, citizens of the United States, shall have full liberty to go to any of the tribes [sic] or towns of the Cherokees to trade with them, and they shall be protected in their persons and property, and kindly treated.”³⁵

In lieu of federal protection against settler violence and land theft, the Treaty of Hopewell insured federal protection in exchange for the Cherokee who became informants for the United States. According to Article 11, the Cherokee were required to “give notice to the citizens of the United States, any designs which they may know or suspect to be formed in any neighboring tribe, or by any person whosoever, against the peace, trade or interest of the United States.” Article 11 served as a catalyst to impede social and economic trade amongst various Indian nations who had longstanding cooperatives. Once Article 11 was agreed to, Article 12 then rewarded the Cherokee by allowing them to send a “deputy of their choice” to Congres [sic] “whenever they think

³⁵ 1791Treaty of Holston.

fit” and “may have full confidence in the justice of the United States respecting their interests.”³⁶

Finally, with Article 13 came the promise of *eternal* peace toward the Cherokee from the United States, “The hatchet shall be forever buried, and peace given by the United States and friendship re-established between the said states...and all of the Cherokees.” The first sentence of the treaty was forceful and enthusiastic, “The Commissioners Plenipotentiary of the United States in Congress assembled, give peace to all the CHEROKEES, and receive them into the favor and protection of the United States of America...” However, it was the last four words of that sentence, *on the following conditions*, predicted the disingenuous intentions regarding federal protection. The Cherokee would only receive protection if they agreed to all terms of the unequal treaty.³⁷

The climate of race relations continued to deteriorate leading up to the Treaty of Hopewell. After the treaty was entered into, settler violence increased with support from the militia lead by John Sevier and the Franklinites. Provisions in the treaty assured the United States would provide protection for the Cherokee from hostile settlers and prohibit the encroachment of land poachers “east of the Blue Ridge Mountains.” Yet, thousands of squatters were allowed to “ignore the Treaty of Hopewell” and poached almost “one million acres” of Cherokee territory. In the wake of their travels and squatting, invaders destroyed entire Cherokee towns and crop fields. Their acts of terrorism created waves of Cherokee refugees who were homeless and starving. The federal government ignored their promises of protection that were guaranteed in the Treaty of Hopewell. Promises made in treaties hold legal responsibilities. Under international law a *promise* is

³⁶ 1791Treaty of Holston.

³⁷ 1791Treaty of Holston.

conditional in that it is final and binding.³⁸ Breached promises by the United States left the Cherokee with no protection except that of the Chickamauga to fight off Indian killers and their bloodthirst for tribal lands.³⁹

For two years after the Treaty of Hopewell, the federal government allowed settler encroachment and mob violence, or “extirpative settler warfare,” according to Dunbar-Ortiz, to push the Cherokee out of tribal territory that Americans called the “state of Franklin.”⁴⁰ The state of North Carolina claimed, but had not *settled*, what was to become Tennessee which was “carved out of the larger Cherokee Nation and became a state in 1796.” Eastern Tennessee, Knoxville and the surrounding areas, was a “warzone.”⁴¹ Cherokee land was plagued with thousands of Euroamerican families who trespassed, squatted, poached tribal land, murdered, and terrorized Cherokee citizens. To occupy Indian Territory invaders waged offensive attacks against Cherokee and burned their crop fields, harvests, homes, and property. Chickamauga warred against the invaders to defend Cherokee people and tribal lands.⁴²

In 1788, efforts by the Franklin government to gain legitimacy failed. Neither North Carolina nor Congress recognized the State of Franklin which was situated on North Carolina’s western lands which was ceded Cherokee territory after the American Revolution. Yet, that did not stop the new state of Franklin from warring with Cherokee communities to overtake tribal lands. John Sevier, who later became the Governor of

³⁸ “Promise,” *Oxford Public International Law Citator*, accessed April 10, 2019, <http://opil.oup.com/view/10.1093/law/epil/9780199231690/law-9780199231690-e2009>.

³⁹ Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 88.

⁴⁰ Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 90; Extirpative means to destroy totally, render absent, or completely nonexistent.

⁴¹ “1784 State of Franklin Declares Independence,” *History: This Day in History August 23*, accessed March 17, 2019, <https://www.history.com/this-day-in-history/state-of-franklin-declares-independence>.

⁴² Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 87.

⁴² Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 87-90.

Tennessee, joined the Franklin movement and Franklinites in 1784. As their hostilities gained momentum the Franklinites continued to force Cherokee off tribal land and establish illegal settlements.⁴³ Dunbar-Ortiz argues that Sevier ordered an unprovoked attack on the Chickamauga and killed thirty Cherokee. This pushed the remaining Cherokee out of their community to seek some level of safety in the South which was also under attack from settler violence.

Sevier's attack on the Chickamauga evoked more settler violence which became a "template for settler-federal relations" to force Cherokee out of their own territory. President Washington's Secretary of War, Henry Knox, "advised the squatters' leaders to continue building [squatted homesteads] which would attract more illegal settlers...with the intentions of the settlers destroying [the Cherokee] then seize their territories."⁴⁴ Depeopling a territory to then confiscate the property is the eighth stage of genocide, according to Ten Stages of Genocide model proposed by Gregory Stanton.⁴⁵

Federal Assimilation Experiment Targets the Cherokee

In 1789, four years following the Treaty of Hopewell, U.S. Secretary of War Knox communicated his thoughts in a letter to President Washington. Knox contemplated what to do with the Cherokee since land poaching and violence from Euroamericans did not lessen after the Treaty of Hopewell. Knox was convinced that rather than efforts to push back lawbreaking encroachers it was an advantage to the United States to design an

⁴³ "John Sevier (1745-1815)," *North Carolina History Project*, accessed March 27, 2019, <https://northcarolinahistory.org/encyclopedia/john-sevier-1745-1815>.

⁴⁴ Dunbar-Ortiz, *An Indigenous Peoples' History of the United State*, 88.

⁴⁵ Shelley J. Burleson and Alberto Giordano, "Spatiality of the Stages of Genocide: The Armenian Case," *Genocide Studies and Prevention: An International Journal* 10, no.3 (2016), 39-58, accessed March 28, 2019, <http://doi.org/10.5038/1911-9933.10.3.1410>; <https://pdfs.semanticscholar.org/d1d0/306df6128b25ea639029598e56bc8c8f2515.pdf>.

assimilation experiment and test it on the Cherokee. He stated that efforts to remodel Cherokee and shift them away from a culture which shared communal lands should be enforced. According to Knox, this could be achieved by first, sending “Missionaries appointed to reside in their nation.” Knox, wrote to the first President of the United States and admitted that the United States did not uphold their responsibilities to control mob violence against the Cherokee. He wrote, “The Indian tribes can have no faith in such imbecile promises, and the lawless whites will ridicule a government which shall, on paper only, make Indian treaties, and regulate Indian boundaries.”⁴⁶ The failure of United States to uphold the 1785 Treaty of Hopewell and control criminal activity and violence from trespassing Americans increased crimes on Cherokee lands.

The Secretary of War believed that even partial assimilation of the Cherokee and other southeastern Indian nations would at least “render them proper subjects for the [assimilation] *experiment*” and that would be more reflective of a “philosophic mind” rather than “exterminating a part of the human race.” However, Knox stated, “our Knowledge [sic] of cultivation, and the arts, to the Aborigines...impracticable to civilize the Indians of North America.” Knox went on to write of efforts to the “civilization of the Indians would be an operation of complicated difficulty” but worthwhile.⁴⁷ Knox argued that to introduce “Indian tribes [to] a love for exclusive property would be a happy commencement of the business” and that “Such a plan might not fully effect the

⁴⁶ *American State Papers: Indian Affairs*, I, No. 4:53, accessed March 7, 2019, <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=007/llsp007.db&recNum=54>; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 7-8.

⁴⁷ *American State Papers: Indian Affairs*, I, No. 4:53.

civilization of the Indians would probably be attended with the salutary effects of attaching them to the Interest [sic] of the United States.”⁴⁸

Two years later, Knox recommended an assimilation experiment to President Washington. The experiment targeted the Cherokee, aimed to refashion Indian identity and culture, then absorb them into larger American society. The title of the assimilation experiment was the Treaty of Holston.

1791 Treaty of Holston

[I]t has been conceived to be impracticable to civilize the Indians of North America—
This opinion is more convenient than Just [sic].
It is particularly important that something of this nature should be attempted with the southern nations of Indians, whose confined situation might render them proper subjects for the experiment [...] exterminating a part of the human race by our modes of population.⁴⁹

Henry Knox, Secretary of War

Letter written to President George Washington, July 7, 1789

A pivotal shift for the Cherokee came with George Washington’s Treaty of Holston. The treaty was presented as one of peace and friendship from the federal government and the states, but Washington’s agenda was westward expansion and a formula of assimilation to refashion the Cherokee. The Cherokee “reluctantly” signed the Treaty of Holston in 1791. The Treaty of Holston ceded more lands poached by avaricious American thieves in exchange for “an annual stipend of \$100,000” and yet another promise for peace and protection from settler violence. Shrinking territorial

⁴⁸ *American State Papers: Indian Affairs*, I, No. 4:53.

⁴⁹ *American State Papers: Indian Affairs*, I, No. 4:53, accessed March 7, 2019, <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=007/llsp007.db&recNum=54>; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 7-8.

boundaries were again redrawn.⁵⁰ The cycle of Euroamerican expansion repeated adhering to the earlier template of encroachment and squatter violence. Trespassers continued to poach Cherokee lands and the United States continued to allow it. As Dunbar-Ortiz stated, the template for settler-federal relations was established. The template was anchored in settler violence to push Cherokee off tribal lands while the United States promised protection in exchange for more land cessions; smaller tribal boundaries were drawn and westward expansion continued. This template was used by the United States over and over again against Indian peoples to gain title to tribal lands.

A synopsis of the Treaty of Holston reveals deep-seated agendas of Americanization intended to Christianize the Cherokee and procure tribal lands.⁵¹ The Cherokee incorporated “racialized chattel slavery in the late 18th century. Southern whites urged them to participate in the enslaving of black people as a part of the Federal Government’s Indian ‘civilization’ effort.”⁵² The Treaty of Holston was not a treaty of peace and friendship. It was a phase of ethnic cleansing that would lead to forced emigration and Cherokee diaspora nearly fifty years later with the 1835 Treaty of New Echota. The Treaty of Holston was the strategy of President George Washington and Secretary of War Henry Knox, presented as an option for Cherokee families to avoid forced removal by embracing a new identity as White elites. Knox, proposed the federal government “civilize the savages” as a more economical approach that would dissolve

⁵⁰ Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 89.

⁵¹ “Treaty with the Cherokee: 1791,” *The Avalon Project: Yale Law School Lillian Goldman Law Library*, accessed November 21, 2017, http://avalon.law.yale.edu/18th_century/chr1791.asp.

⁵² Arica L. Coleman, “How a Court Answered a Forgotten Question of Slavery’s Legacy,” *Time Magazine*, last updated September 11, 2017, accessed June 19, 2019, <https://time.com/4935802/chokeee-slavery-court-decision>.

tribal traditions and provide for federal ownership of Indian homelands without the expense of war.⁵³

The format for Americanizing the Cherokee was intended to groom them to become a sedentary agrarian society based upon the American model. The Cherokee saw this as a diplomatic prospect to recover great losses after the defeat of their British allies during the American Revolution. The Treaty of Holston promised to provide them with material assistance and financial aid in exchange for reshaping their gender roles to mirror Americans, become yeoman farmers, and incorporate the plantation economy.⁵⁴ Federal agent, Benjamin Hawkins, was appointed to oversee, enforce, and evaluate these changes in southeastern tribes and institute the Americanized methods of farming based on male toil, capitalism, and dependent upon slave labor.⁵⁵ For White society, this was their solution to the “Indian problem” and expanded the institution of slavery westward into Indian Territory.⁵⁶

One year after the Treaty of Holston, Dragging Canoe (Tsiyu Gansini), son of Little Carpenter (Attakullakulla), sieged Nashville for two years in response to settler terrorism. Five hundred “Chickamauga, Muskogee, and Shawnee warred together with Tecumseh’s brother” against increasing violence and illegal encroachment on Cherokee

⁵³ Tiya Miles, *African American History at the Chief Vann House*, (Ann Arbor: University of Michigan, 2006), viii; Eurocentric, archaic, or offensively racialized words by today’s standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

⁵⁴ Tiya Miles, *Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom* (Berkeley, CA: University of California Press, 2005), 35-36.

⁵⁵ Tiya Miles, *Ties That Bind*, 36.

⁵⁶ “A Solution to the ‘Indian Problem’ 1887,” *National Archives: David M. Rubenstein Gallery*, accessed March 3, 2019, <http://recordsofrights.org/events/54/a-solution-to-the-indian-problem>;

A Solution to the “Indian Problem” is an installation at the National Archives in the David M. Rubenstein gallery. This digital exhibit is located online at *Records of Rights.org*. The National Archives, General Records of the U.S. Government is relevant to Cherokee genocide in that the exhibit includes original images of the Memorial of the Cherokee 1829, Andrew Jackson’s Message on Indian Removal 1830, Indian Removal Act of 1830, Memorial From Ladies of Steubenville 1830, Lands Assigned to Emigrant Indians 1830, and the Dawes Act of 1877.

lands. Dragging Canoe and his allies aimed to protect Cherokee villages while pushing growing numbers of illegal squatters and mob violence out of Cherokee territory.⁵⁷ Henry Knox, professed in his July 7, 1789 letter to Washington that “it has been conceived to be impracticable to civilize the Indians of North America—This opinion is more convenient than Just [sic].” Knox goes on to state, “all the Indian Tribes once existing in those States, now the best cultivated and most populous, have become extinct...in a Short period the Idea of an Indian on this side of the Mississippi will only be found in the page of the historian.”⁵⁸

Critical to understanding the history of Cherokee assimilation, historians must note federal agendas of assimilation were in fact *experiments*, according to Knox in his letter to Washington dated 1789. Knox, architect of the 1791 Treaty of Holston, did not mince words in the 1789 letter. He boldly stated, “It is particularly important that something of this nature should be attempted with the southern nations of Indians, whose confined situation might render them proper subjects for the experiment.”⁵⁹ The words of Knox are archived evidence that Indian policies of assimilation intended, as the Secretary of War stated, to initiate “exterminating a part of the human race by our modes of population.”⁶⁰

In 1793, the now *General* Sevier gave orders for a “scorched-earth offensive” on Cherokee villages during harvest time which caused starvation for Cherokee refugees. This action of destroying the Cherokee food source by “Deliberately inflicting on the

⁵⁷ Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 89.

⁵⁸ *American State Papers: Indian Affairs*, I, No. 4:53, accessed March 7, 2019, <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=007/llsp007.db&recNum=54>; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 7-8.

⁵⁹ *American State Papers: Indian Affairs*, I, No. 4:53.

⁶⁰ *American State Papers: Indian Affairs*, I, No. 4:53.

group conditions of life calculated to bring about its physical destruction in whole or in part” constituted genocide under Resolution A/760 Article II of the 1948 United Nations Genocide Convention.⁶¹ According to the Genocide Education Project, forcing a group to exist with little food and few supplies is *persecution*, the eight stage of genocide.⁶²

After the “scorched-earth offensive” in 1793, a federal Indian agent reported to Knox that “the region was pacified with no Indigenous actions since.”⁶³ In 1796, President Washington wrote to Timothy Pickering, the third United States Secretary of State. Washington stated that the Cherokee urged the federal government to create a boundary protecting them from violent settlers and land poaching. On July 1, 1796 the President wrote, “it appears to be indispensable that the line between the United States and the Cherokee should be run, and distinctly marked, as soon as possible.” He admitted nothing could keep Whites from terrorizing the Cherokee and nothing would keep them off Cherokee lands. According to President Washington, nothing less than “a Chinese Wall, or a line of Troops, will restrain Land jobbers, and the encroachment of Settlers upon the Indian Territory.”⁶⁴

Unyielding accounts of colonizer avarice and settler terror against the Cherokee during the eighteenth and nineteenth centuries are well documented. In 1820, Cherokee daughters of Dick-es-sky described how White men destroyed their fathers home,

⁶¹ 1948 United Nations Genocide Convention Document A/760. A.

⁶² “Ten Stages of Genocide,” *The Genocide Education Project*, accessed March 26, 2019, https://genocideeducation.org/wp-content/uploads/2016/03/ten_stages_of_genocide.pdf.

⁶³ Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 89.

⁶⁴ “From George Washington to Timothy Pickering, 1 July 1796,” *Founders Early Access Papers of George Washington*, accessed January 22, 2019, <https://rotunda.upress.virginia.edu/founders/default.xqy?keys=FOEA-print-01-01-02-0674>; “George Washington to the Secretary of State, 1 July 1796,” *The Writings of George Washington*, 35: 112; <http://www.mountvernon.org/digital-encyclopedia/article/native-american-policy>; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 9.

livestock, and harvest in the Old Nation Town of Su Wo Ne. Their log home was “burnt and destroyed by white men who set the house on fire.” Fifteen acres of “growing corn was cut down by Intruders [White troops].” Dick-es-sky was “drove and forced by the white people the same year to move off and leave all he had behind.”⁶⁵

Historians of the American Revolution like Gary B. Nash contend southern militiamen were “eager to carryout genocidal attacks.”⁶⁶ The fervent climate of state sponsored violence did not stop at terrorizing living Indigenous peoples. Indian graves were robbed and disinterred bodies were desecrated. In the mid to late eighteenth century, Kentucky militia officer George Rogers Clark and his militiamen looted Indian burial sites, scalped the dead, and the militia kept the scalps as fetishes and “show-and-tell trinkets,” according to Nash.⁶⁷ Similar acts of terrorism throughout Indian Country described by Nash were “murderous attacks carried out by small groups becoming genocidal state policy.”⁶⁸

⁶⁵ Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 15; Marybelle W. Chase, *1842 Cherokee Claims, Goingsnake District* (M.W. Chase, 1989), 37-38; (from originals at Tennessee State Library and Archives, Nashville, TN); Dick-se-sky was never compensated for any of the loss.

⁶⁶ Gary B. Nash, *The Unknown American Revolution: The Unruly Birth of Democracy and the Struggle to Create America*, (NY: Penguin Books, 2005), 258; Nash states, William Henry Drayton, a slaveholder and delegate for South Carolina to the Continental Congress (1778-1779) order over 6000 militiamen to “cut up every [Cherokee] Indian cornfield, burn every Indian town and every Indian taken shall be the slave and property of the taker that the nation be extirpated [eradicate] and the lands become property of the public.” Drayton’s orders met all standards of genocide as defined by the United Nations; Genocide is acts committed with intent to destroy in whole or in part a national, ethnical, racial or religious group. Actions of intent include killing or causing bodily or mental harm to members of the group; deliberately inflicting conditions of life calculated to bring about its physical destruction in whole or in part...; or forcibly transferring children of the group to another group. <https://www.usmmm.org/confront-genocide/defining-genocide>.

⁶⁷ Nash, *The Unknown American Revolution*, 352; George Rogers Clark was a Kentucky militia officer and later the highest ranking military officer in the American Revolution on the northwestern frontier, attacked the Shawnee in August 1780.

⁶⁸ Nash, *The Unknown American Revolution*, 384; Graduate Lecture Course Fall 2018, November 29, 2018, Oklahoma State University, Dr. Richard J. Boles, HIST 5120 (61794) Readings in American History: Colonial to 1789 “Colonial and Revolutionary America,” George Washington’s “chief military

Template for Settler Violence Endorsed for Westward Expansion

Secretary of War Knox claimed to believe that the thickness of settler developments and converting Indigenous hunting grounds into farms would slowly overwhelm the Indigenous nations and drive them out.

Roxanne Dunbar-Ortiz

An Indigenous Peoples' History of the United States (p. 88).

As Dunbar-Ortiz made clear, the template for settler – federal relations was established. The pattern, anchored in settler violence, intended to push the Cherokee off tribal lands. Nash’s argument that murderous attacks by settlers became genocidal state policy supports claims by Dunbar-Ortiz. The prototype for mob violence was executed and enacted by Sevier and the Franklinites at harvest time again one year after the “scorched-earth offensive” in 1793. Sevier ordered Chickamauga submission but received no response. 1,750 Franklin Rangers returned to raid and attack Cherokee villages one month later, again near harvest time, and burned all Cherokee buildings and crop fields and shot any Indian who tried to escape the attack. The federal government allowed criminal squatters to remain on Cherokee lands. The magnitude of Cherokee land loss and the violence involved in extirpation through settler violence is unimaginable until recognizing the result was “nearly one million acres” of Cherokee land poached east of the Blue Ridge Mountains alone. According to Dunbar-Ortiz, “Secretary of War Knox claimed to believe that the thickness of settler developments [...] would slowly overwhelm the Indigenous nations and drive them out.”⁶⁹

Squatters, in return for relaxed policy on tribal land poaching, made peace with the American government after being allowed to stay on Cherokee land. The government

objective was to [completely] destroy the Iroquois nation. Washington sent one-third of the entire army to upstate New York to carry out this goal.”

⁶⁹ Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 88.

“in turn depended on [settler] actions to expand the republic’s territory.”⁷⁰ The model for settler-federal relations and westward expansion was firmly in place. Sevier’s career advanced as he became a revered Indian Killer and then Governor of Tennessee and onward to United States Representative of North Carolina. While still a General, Sevier wrote a blatantly clear genocidal threat to the Cherokee nation that stated: “War will cost the United State much money, and some lives, but it will destroy the existence of your people, as a nation, forever.”⁷¹ Sevier’s written words show how important archival evidence is when proving the United States intended nothing less than genocide of the Cherokee people.

In order to, as Sevier proclaimed, “destroy the existence of” the Cherokee “as a nation, forever,” required ethnic cleansing. Forced displacement depeopled (*cleansed*) tribal territories in preparation for land acquisition which required treaties that ceded lands in exchange for false promises of federal protection. A broad overview of westward expansion shows that preparation for forced displacement and exile of the Cherokee, involved land cession treaties with Southeastern Indian nations from at least 1803 through 1837. According to the Ten Stages of Genocide forced displacement, also referred to as deportment, is one component of *persecution*. Persecution is the eighth stage of genocide.⁷²

Land acquisition began for future forced displacement of the Cherokee one hundred and four years prior to Oklahoma statehood. The area that became known as

⁷⁰ Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 90.

⁷¹ John Grenier, *The First Way of War: American War Making on the Frontier, 1607–1814* (New York: Cambridge University Press, 2005), 176-177; Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 90.

⁷² Grenier, *The First Way of War: American War Making on the Frontier*, 90; “The Ten Stages of Genocide,”; Genocide Watch.

Oklahoma's Indian Territory was land included in the 1803 Louisiana Purchase which was inhabited and controlled by the Quapaw and Osage.⁷³ However, Indigenous landholders were only mentioned once in the Louisiana Purchase. In Article VI, the United States promised to "execute Such [sic] treaties and articles as may have been agreed between Spain and the tribes and nations of Indians until by mutual consent of the United States and the said tribes or nations other Suitable articles Shall [sic] have been agreed upon."⁷⁴ Land cession treaties eventually reduced Quapaw and Osage territory which later was used to displace the Five Southeastern Nations to apartheid containment reservations in Oklahoma's pre-statehood Indian Territory.

After the United States and the Cherokee entered the Treaty of 1817, also called the Treaty of the Cherokee Agency, it became mandatory to identify lands west of the Mississippi that would be used for eradicating the Cherokee from their southeastern homelands. The Treaty of 1817 established the first formal United States recognition of the Western Cherokee (Keetoowah). Although most of the Cherokee opposed the Treaty of 1817 (a treaty that required ceding lands in 1816) it was signed by General Andrew Jackson and thirty-one Cherokee leaders from North Carolina, Tennessee, Georgia, and Alabama in addition to fifteen Arkansas chiefs.⁷⁵ This treaty is significant to the Treaty of New Echota in 1835 and the Major Ridge – Ross myth as it is evidence that there was no single president or chief who had sole power to engage in treaties with the United States.

⁷³ "The Louisiana Purchase Transcriptions," *National Archives and Records Administration*, accessed March 29, 2019, https://www.archives.gov/exhibits/american_originals/louistxt.html or <https://www.ourdocuments.gov/doc.php?flash=false&doc=18>.

Charles M. Fecheimer, "History of the Treaty Relations of the United States with the Five Civilized Tribes." *American Periodicals: The American Lawyer 1893-1908*, Dartmouth College Library 14, no. 2 (February 1906), 59; The Quapaw controlled most of the territory situated north of the South Canadian River while the Great and Little Osage occupied the remainder of Indian Territory.

⁷⁴ The Louisiana Purchase Transcriptions.

⁷⁵ Cherokee Treaty of 1817, *Tag Archives: Chenocetah*, accessed March 29, 2019. <https://chenocetah.wordpress.com/tag/chokeee-treaty-of-1817>.

Instead, leaders or headsmen from various regions or Cherokee towns had this authority even without full support of the Nation's members. The Treaty of 1817 is also evidence that Cherokee headsmen ceded lands in order to preserve the future of their peoples and escape settler expansionism which foretold a similar decision nearly twenty years later by Major Ridge and the Treaty Party in 1835.

The Treaty of 1817 was one of the first federal exercises in the United States' civilization experiment for Indians that began with President Washington and Henry Knox in 1789, according to Mary E. Young and William G. McLoughlin.⁷⁶ The Treaty of 1817 promised to make the heads of Cherokee households citizens of the United States if they removed. According to McLoughlin, "Upwards of 300 Cherokees (Heads of families) in the honest simplicity of their souls, made an election to become American citizens."⁷⁷ The treaty aimed to carryout Washington and Knox's earlier agenda to shift Cherokee culture away from communal property and toward individual land ownership. Knox argued that to introduce "Indian tribes [to] a love for exclusive property would be a happy commencement of business" and that "Such a plan might not fully effect the civilization of the Indians would probably be attended with the salutary effects of attaching them to the Interest [sic] of the United States."⁷⁸ As an additional enticement, the Treaty of 1817 promised each head of household 640 acres of private land ownership that

⁷⁶ Mary E. Young, *Red Skins, Ruffle Shirts and Red Necks: Indian Allotments in Alabama and Mississippi* (Norman: University of Oklahoma Press, 1961), 11-12; Young's study examines assimilation and the allotment system of Cherokee, Choctaw, Chickasaw, and Muscogee nations during the 1830s.

⁷⁷ "Records of the Cherokee Indian Agency in Tennessee, 1801-1835," *National Archives* Microfilm M-208 roll 9, November 12, 1822, Meigs to Roane;

William G. McLoughlin, "Experiment in Cherokee Citizenship 1817-1829," *American Quarterly*, 33, no. 1 (Spring, 1981), 3-25, accessed march 29, 2019; <https://www.jstor.org/stable/2712531>; <https://www.jstor.org/stable/pdf/2712531.pdf>; Also see "The Turkey Town Treaty" <https://chenocetah.wordpress.com/tag/choerokee-treaty-of-1817/>.

⁷⁸ *American State papers: Indian Affairs*, I, No. 4: 53; <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=007/llsp007.db&recNum=54>; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 7-8

was located away from other Cherokee and “outside the bound of the Cherokee Nation, these Cherokee were automatically citizens.”⁷⁹ Knox communicated to Washington that assimilation of southeastern Indians would “render them proper subjects for the experiment” rather than “exterminating a part of the human race.” According to Knox, even partial “civilization of the Indians would be an operation of complicated difficulty” but worthwhile.⁸⁰

To continue the federal assimilation experiment many treaties were needed to shift land titles from Native nations to federal control in order to create containment areas for relocated Southeastern Native peoples. This is significant to the ethnic cleansing of the Cherokee who witnessed the federal removal of other southeastern nations prior to their own exile. The events surrounding this *paper genocide* (paper trail of ethnic cleansing) must have had a strong influence on the Cherokee and their headsmen when later determining to enter more treaties including the Treaty of New Echota in 1835.

Preparations for Apartheid Containment

The federal solution for eradicating Cherokee came in 1818 with a land cession treaty that reduced Quapaw territory and another treaty in 1825 that reduced territory of the Osage.⁸¹ A Creek removal treaty was in place by 1826. In an 1828 treaty, President John Quincy Adams and Peter Buell Porter, Secretary of the War Department, designated containment boundaries within Indian Territory for the Cherokee and Choctaw Nations.

⁷⁹ William G. McLoughlin, *Experiment in Cherokee Citizenship, 1817-1829*, American Quarterly, 33, no. 1 (Spring, 1981), 3-25.

⁸⁰ *American State papers: Indian Affairs*, I, No. 4: 53; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 7-8.

⁸¹ Charles M. Fecheimer, “History of the Treaty Relations of the United States with the Five Civilized Tribes.” *American Periodicals: The American Lawyer 1893-1908*, Dartmouth College Library 14, no. 2 (February 1906), 59.

A removal treaty for the Mississippi Choctaw was signed in 1830. In 1833, containment boundaries in Indian Territory were determined for the Muscogee. The federal government decided that the Seminole Nation would be considered a part of the Muscogee people and were designated to live in Western Creek territory. An 1837 treaty resulted in the Chickasaw paying the Choctaw \$530,000.00 for a portion of Choctaw territory to establish a new reservation.⁸² All of these treaties show a pattern of preparation for ethnic cleansing of Indian peoples from the Southeastern United States including the Cherokee.

Episodes of Cherokee genocide from 1791 through 1835 strongly contrast the rights of Indigenous peoples required by the 2007 United Nation General Assembly. The Sixty-first session Report of the Human Rights Council adopted the text of the 2006 *United Nations Declaration on the Rights of Indigenous Peoples*. Relative to this research Article 7.2 states that “Indigenous peoples...shall not be subjected to any act of genocide,” while Article 8.1 adds “Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.” Article 8 echoes experiences of pre-removal Cherokee with language that itemizes prevention and redress for actions that aimed to deprive Cherokee of Indigenous cultural values and ethnic identity. Those actions also intended to dispossess the Cherokee from tribal territory and resources. Cherokee rights were undermined through policies of integration and propaganda that promoted racial and ethnic discrimination.”⁸³ The *United Nations Declaration on the Rights of Indigenous Peoples* is an important modern document to

⁸² Fecheimer, “History of the Treaty Relations of the United States with the Five Civilized Tribes.” *American Periodicals*, 14.

⁸³ United Nations General Assembly 12 September 2007. United Nations Document A/61/L.67, accessed March 11, 2019; <https://undocs.org/A/61/L.67>.

utilize in juxtaposition when analyzing pre-removal Cherokee experience. Historians can examine prior history through the modern protection of Indigenous rights in order to identify early human rights violations and prevent future violations.

Post-Revolutionary Cherokee were targets of federal policies of assimilation aimed at eradicating them through violent actions including forced removals. Based upon the Cherokee experience of genocide, decolonization historians reject antiquated terms like “~~Trail of Tears~~” that minimalize crimes against humanity, racialized violence, and generational trauma that are consistent themes in Holocaust Studies.⁸⁴ When historians bring American Indian removals into the same context as forced removals globally, it integrates the severity of land cession treaties, settler violence, and Indian losses. Richard Harless, George Mason University and writer for Mount Vernon, echoes the argument of Dunbar-Ortiz. Harless states that George Washington and Henry Knox, recognized “it was the settlers pouring into the western frontier that controlled the national agenda regarding Native Americans and their land.” Even Washington recognized by 1796 “that holding back the avalanche of settlers had become nearly impossible.”⁸⁵ The avalanche of settlers illegally pouring into Cherokee lands became the master archetype used for illegal westward expansion that expelled Indian nations from their territory. This model for invasion and depeopling territory embodies the terrorism associated with settler colonialism.

⁸⁴ Primary sources in this thesis are used to analyze language and lexical semantics (logic and concerned with word meanings and word relations). Eurocentric, archaic, or offensively racialized words, by today’s standards are left as they are found in the primary document but I have ~~stricken them~~ to indicate I choose not to use them in my own scholarship.

⁸⁵ Richard Harless, “Native American Policy,” *George Washington’s Mount Vernon*, accessed January 15, 2019, <https://www.mountvernon.org/library/digitalhistory/digital-encyclopedia/article/native-american-policy>.

Settler colonialism is occupation of land through invasive and replacement of Indigenous populations with invader societies that develop a distinctive identity. Settler colonial invasion is a structure, not an event, according to global social theory. Settler colonialism “persists in the ongoing elimination of indigenous populations and the assertion of state sovereignty and juridical control over their lands.” Invaders then lay claim to lands “by eliminating indigenous peoples themselves and asserting false narratives and structures of settler belonging.”⁸⁶ Settler colonialism defines the fourth stage of genocide, *dehumanization*. Carefully constructed propaganda campaigns with racist narratives dehumanize Indigenous people as ~~savage~~.⁸⁷ Indigenous men are “often portrayed as violent, women as hyper-sexualized, and both in need of care from the ‘civilized’ settler state.” This narrative “supports parallel narratives of peaceful, adventurous and virtuous settlement and expansion, and ‘brave pioneers’ held up as exemplars of new settler nations.”⁸⁸ In contrast, emboldened Indigenous perspectives amplify the historical impact of settler colonialism, human rights violations, imperialism, and the rise of nation-states. The relationship between pre-removal Cherokee and the United States serves as a seminal paradigm for examining “discursive genocide” and dispossession from tribal homelands.⁸⁹

⁸⁶ “Settler Colonialism,” *Global Social Theory*, accessed April 10, 2019, <https://globalsocialtheory.org/concepts/settler-colonialism>.

⁸⁷ Primary sources in this thesis are used to analyze language and lexical semantics (logic and concerned with word meanings and word relations). Eurocentric, archaic, or offensively racialized words, by today’s standards are left as they are found in the primary document but I have ~~stricken them~~ to indicate I choose not to use them in my own scholarship.

⁸⁸ “Settler Colonialism,” *Global Social Theory*.

⁸⁹ “Discursive genocide” is a term I first heard used by University of Oklahoma doctoral scholar Misty Penuelas during a dinner on April 17, 2019, in Stillwater, Oklahoma. Discursive theory and debate is a strong element in Genocide and Holocaust Studies and in the studies of race and ethnicity. However, to date, I have not seen or heard the term “discursive genocide” used by anyone other than Penuelas and credit her for coining the term unless determined otherwise; Martin Spiecker, “Discursive traces of genocide in Johannes Spiecker’s travel diary (1905-1907),” *Journal of Namibian Studies: History of Politics*

Discursive Dispossession from Homelands: Cultural Dislocation and Diaspora

Indigenous nations in the east during the late eighteenth century experienced dispossession by degrees which rendered them invisible and allowed for the perpetuation of the myth of Indian extinction.

Removal proponents used stories of tragic decline to justify dispossessing eastern Indians.

Jean M. O'Brien

Dispossession by Degrees (p. 3).

The ethnic cleansing of Cherokee, settler colonialism, and the underpinnings of westward expansionism relied upon the numeration of Native peoples, the action or process of calculating and assigning a number to the Indigenous population. This process of calculation was paramount in “discursive genocide.”⁹⁰ *Discursive genocide* has eliminated endless numbers of Indigenous peoples throughout American history. Martin Spiecker, author of “Discursive Traces of Genocide in Johannes Spiecker’s Travel Diary (1905-1907)” refers to this as the “discursive normality of genocide.”⁹¹ Discursive constructs and themes are common imperialist narratives that debate the demographics of Indigenous peoples prior to Euroamerican colonialism and onward. Colonialism is another vehicle for discursive action, according to Sarah de Leeuw, author of “Artful Places: Creativity and Colonialism in British Columbia’s Indian Residential Schools.” Leeuw asserts, “Colonialism is also a practice and is ideological of discursive framework constructed to cast [brand] Indigenous peoples as *othered* in reference to Euro-colonial norms.”⁹²

6 (2014), accessed April 10, 2019, <https://namibian-studies.com/index.php/JNS/article/view/182>; “discursive normality of genocide.”

⁹⁰ “Discursive genocide” I believe this term to be coined by University of Oklahoma doctoral scholar Misty Penuelas.

⁹¹ Martin Spiecker, “Discursive traces of genocide in Johannes Spiecker’s travel diary (1905-1907),” *Journal of Namibian Studies: History of Politics* 6 (2014), accessed April 10, 2019, <https://namibian-studies.com/index.php/JNS/article/view/182>.

⁹² Sarah de Leeuw, “Artful Places: Creativity and Colonialism in British Columbia’s Indian Residential Schools” (Ontario, Canada: Queen’s University, 2007), 10; Department of Geography Doctoral

Discursive practices minimized the enumeration and erased volumes of Indian peoples from statistics. Discursive production and consolidation de-legitimizes “the enormity of pre-contact Indigenous populations” and also minimizes the “enormity of populations affected by ethnic cleansing and genocidal campaigns.” Jeylan Wolyie Hussein of Haramaya University argues, “This interactive relation is true to all systems of suppression and the discursive system upon which they are founded.”⁹³ Jean M. O’Brien bases her argument of discursive genocide on Indian land and identity. O’Brien identifies the Natick Indians to demonstrate that Indigenous nations in the East during the late eighteenth century experienced “dispossession by degrees” which “rendered them invisible within the larger context of the colonial social order, and enabled the construction of the myth of Indian extinction.”⁹⁴ According to O’Brien, in reference to Andrew Jackson’s Indian Removal Act and the forced removal of eastern Indian nations: “Removal proponents used stories of tragic decline to justify dispossessing eastern Indians.”⁹⁵ O’Brien challenges narratives of Indian extinction as “self-serving” and states that “Indian resistance serves as a counter point to stories of extinction” and the myth of the “vanishing Indian.”⁹⁶ She argues that the proponents’ vision of “Indian decline provided Euro-Americans the ideological justification for forcibly removing Indians from

Dissertation, accessed April 18, 2019; <https://www.collectionscanada.gc.ca/obj/s4/f2/dsk3/OKQ/TC-OKQ-870.pdf>.

⁹³ Jeylan Wolyie Hussein, *Discursive and Processual Socialization of the Mass into Acts of Violence: The Case of Rwandan Genocide* (2017), accessed April 17, 2019, https://pdfs.semanticscholar.org/c0b8/e379152e90c45bc1475f124c11d0fa1b90f6.pdf?_ga=2.153680504.1719587747.1555509396-648355017.1555509396; This essay also speaks of word metaphors to dehumanize a targeted group.

⁹⁴ Jean M. O’Brien, *Dispossession by Degrees: Indian Land and Identity in Natick, Massachusetts, 1650-1790* (Lincoln, NB: University of Nebraska Press, 2003), Prologue.

⁹⁵ O’Brien, *Dispossession by Degrees: Indian Land and Identity in Natick, Massachusetts, 1650-1790*, 3.

⁹⁶ Jean M. O’Brien, *Dispossession by Degrees*, 4.

Native homelands to protect them from frontiersmen they refused to restrain who lawlessly encroached on Native lands and jeopardized Indian survival.”⁹⁷

To be clear, illegal and violent activity from Euroamericans was recognized as criminal acts that jeopardized the safety and the lives of Cherokee people but the criminals and their violence was protected by the United States. The United States ignored its commitments to international bilateral agreements like the Hopewell Treaty of 1785 and the 1791 Holston Treaty, which included articles that the federal government vowed to enforce laws to diminish settler terrorism and illegal activity from Whites who encroached on Cherokee lands. The United States breached both of those treaties and did not restrain the lawlessness of the Whites, this *White crisis*.

Ethnic cleansing of Indian peoples is greater than dispossession from a physical location. Ethnic cleaning is a stage of intent in the genocidal process. Removal is cultural dislocation and includes “the memory of generations of oppression by invading Europeans and the imposition of white social, economic, and political structures.”⁹⁸ Tinker argues that from the perspective of the Indian experience, removal was the disenfranchisement of the cultural, spiritual, psychological, and political dimensions in addition to the physical. Trudell agreed that assimilation was an essential part of genocide and the “deadly erasure of memory and our whole consciousness connection to who we are.”⁹⁹ Genocide includes disenfranchisement and dispossession from tribal land. In brief, forced diaspora is ethnic cleansing. Ethnic cleansing is a stage of genocide. Ethnic cleaning is not a euphemism for genocide. Ethnic cleansing and genocide are two

⁹⁷ O’Brien, *Dispossession by Degrees*, 3.

⁹⁸ Tinker, *Missionary Conquest: The Gospel and Native American Cultural Genocide*, 1.

⁹⁹ John Trudell, *Power, Authority and Tribal Genocide*, Youtube.com, accessed December 2, 2018. https://www.youtube.com/watch?v=WbEGYIxx2_I.

separate crimes against humanity according to the United Nations. One can happen without the other but both are crimes against humanity.

Ethnic cleansing is one stage in the process of genocide. Ethnic cleansing is the expulsion, deportation, removal, and resettlement of an ethnic group from a geographical area, region, or territory. Ethnic cleansing is often encouraged, supported, and carried out by violence and “often comes along with the price paid in human lives.”¹⁰⁰ *Genocide* is the complete destruction, attempted complete destruction, or intent for complete destruction of an ethnic group like the Cherokee or, on a larger scale, Indian peoples. The United Nations recognizes ethnic cleansing and genocide as two separate crimes against a targeted group based on their ethnicity, race, nationality, or religion. “Ethnic cleansing is considered a crime against humanity, while intent plays a huge part in the definition of genocide. For crimes to be considered genocide there must be a specific end goal behind the actions – eradication.”¹⁰¹

Cherokee diaspora included confiscation of tribal land which is the eighth stage of genocide. Once the Cherokee and other Native nations were removed from the southeast, their homelands were confiscated and became property of the United States. In 1802, the state of Georgia agreed to give land from the western part of state to the federal government if the United States would revoke aboriginal title to Indian homelands in Georgia and if Cherokees Indians were removed.¹⁰² Thomas Jefferson responded to this

¹⁰⁰ “The Difference Between Ethnic Cleansing and Genocide,” *Knowledge Nuts.com*, last modified August 2, 2015, accessed June 2, 2019, <https://knowledgenuts.com/2015/08/02/the-difference-between-ethnic-cleansing-and-genocide>.

¹⁰¹ *The Difference Between Ethnic Cleansing and Genocide*.

¹⁰² *Aboriginal title* is a common law doctrine referred to as *Indian title* in the United States. Indian title is the right of occupancy granted by the federal government to an American Indian tribe centered on the tribe’s immemorial possession of the area and grounded in the assumption of sovereignty under settler colonialism. “Indian Title,” *US Legal*, 2016, accessed October 1, 2017, <https://definitions.uslegal.com/i/indian-title/>.

opportunity for land acquisition in 1806. In an address to the Cherokee Nation on January 10, 1806, Jefferson elaborated on the commercial use of the Mississippi River. He informed the Cherokee that the United States owned the Mississippi and land west of the river. Jefferson told the Cherokee the United States would permit them to visit and live on the land west of the Mississippi if they stopped fighting removal. Jefferson stated, “The Mississippi now belongs to us. It must not be a river of blood...all of our people [...] are constantly passing with their property, to and from New Orleans.” Jefferson encouraged the Cherokee to send their “young men” to visit Indian Territory in what later became Oklahoma. “If they go to visit or to live with the Cherokees on the other side of the river we shall not object to that. That country is ours. We will permit them to live in it.”¹⁰³

Jefferson insisted the Cherokee and other Native nations should *voluntarily* move themselves west of the Mississippi River to lands gained by the United States in the Louisiana Purchase.¹⁰⁴ The Cherokee had a long history of entering treaties that ceded land to the United States but treaties never halted land poaching or violence from Whites. Knox verified anti-Indian sentiment in 1798: “the representations of people on the frontiers [borderlands] who have imbibed the strongest prejudices against the Indians perhaps in consequence of the murders of their dearest friends and connexions [sic].”¹⁰⁵ This statement by Knox not only verifies the climate of racial hatred against Indians but it is also an example of *victim blaming* which is included in the tenth stage of genocide,

¹⁰³ Richard Holland Johnston, “The writings of Thomas Jefferson, Vol. 19-20 by Thomas Jefferson,” *Thomas Jefferson Memorial Association of the United States*, 148-149, accessed March 7, 2019, <http://millercenter.org/the-presidency/presidential-speeches/january-10-1806-address-chiefs-cherokee-nation>.

¹⁰⁴ Tim Alan Garrison, *The Legal Ideology of Removal: The Southern Judiciary and the Sovereignty of Native American Nations* (Athens, GA: University of Georgia Press, 2002), i.

¹⁰⁵ “Indian Affairs: I:13,” *American State Papers*. Page 13, accessed March 7, 2019, <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=007/llsp007.db&recNum=14>.

denial. Knox insinuated that the Cherokee murdered Whites who in return, then, acquired prejudice against them. He failed to mention those *murders* were in self-defense and a response to decades of settler terrorism and murdering of Cherokees.

The Cherokee witnessed the removal of other Indian nations who had similar experiences with Whites and who eventually entered unequal treaties that ceded lands as the White crisis and encroachment increased as did anti-Indian sentiment which grew more aggressive.¹⁰⁶ Whites and prospectors became more violent and insistent that Indian people should be removed each time gold was found on tribal land. An 1830 article in the *Cherokee Phoenix* describes an “underestimated \$10,000 of gold” illegally taken from the Cherokee each day with United States approval. The “number of gold diggers is accumulating daily,” digging up over an estimated \$1,000,000 every 150 days while the Cherokee poor were “starving and naked.”¹⁰⁷

Andrew Jackson was elected President of the United States the year following discovery of gold on Cherokee land in Georgia. President Jackson signed the Indian Removal Act on May 28, 1830 and in a December congressional address he declared the Cherokee had no constitutional right to refuse relocating their nation and their removal would be enforced.¹⁰⁸ This 1830 address by Jackson is more evidence that Cherokee

¹⁰⁶ Tim Alan Garrison, *The Legal Ideology of Removal: The Southern Judiciary and the Sovereignty of Native American Nations*, I; “The Compact of 1802,” *American State Papers: Public Lands*, I:114; <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=028/llsp028.db&recNum=123>; E. Merton Coulter, *Auraria: The Story of a Georgia Gold Mining Town* (Athens, GA: University of Georgia Press, 1956), i; The Georgia Gold Rush was the second in the United States and was larger than the first gold rush in North Carolina.

¹⁰⁷ *Cherokee Phoenix*, May 22, 1830, Page 2 Column 2b-4b, *Western Carolina University Digital Collections*, accessed February 4, 2019, <https://www.wcu.edu/library/DigitalCollections/CherokeePhoenix/Vol3/no05/cherokee-phoenix-page-2-column-2b-4b.html>.

¹⁰⁸ Gerhard Peters and John T. Woolley, “Andrew Jackson: First Annual Message December 8, 1829,” *The American Presidency Project*, accessed October 8, 2018,

leaders and the Cherokee people knew the United States fully intended to exile them. By 1835, many Cherokee statesmen, including Major Ridge, recognized the urgency in negotiating the conditions for removal.

President Jackson signed the Indian Removal Act but it is imperative to recall that his successor, President Martin Van Buren, was responsible for carrying out the Indian Removal campaign. Following Van Buren's election, in 1837, he administered ethnic cleansing of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole nations by military force. Three years later, the 1840 Census did not report any citizens identified as Cherokee, Creek, Choctaw, or Chickasaw east of the Mississippi.¹⁰⁹ *Extermination* from a geographical region is the ninth stage of genocide.

Updated historical narratives convey an international consciousness to Indian policies of ethnic cleansing. Cherokee history, through the lens of Genocide and Holocaust Studies, positions the Cherokee experience in conversation with Spain's efforts to expel Jews in the 1400s, the Soviet Union and 1940s ethnic cleansing of minority groups from the Caucasus and Crimea, or forced relocations in Rwanda during the 1990s.¹¹⁰ George J. Andreopolus, Professor at John Jay College of Criminal Justice, argues all of the aforementioned removals are standard examples of ethnic cleansing. Andreopolus firmly states the "forced displacement of Native Americans by white

<http://www.presidency.ucsb.edu/ws/?pid=29471>; The Indian Removal Act was the historical apex that led to Indian slaveholders and their enslaved Blacks repeople the territory that later became Oklahoma.

¹⁰⁹ James Taylor Carson, *Native American Removal, 1800–1840* (Chapel Hill, NC: University of North Carolina Press, 2013), i.

¹¹⁰ George J. Andreopolous, *Genocide: Conceptual and Historical Dimensions, Concepts, and Strategies in International Human Rights* (Philadelphia: University of Pennsylvania Press, 1997); "Ethnic Cleansing: War Crime," *Encyclopedia Britannica*, last modified August 09, 2016, accessed January 25, 2019, <https://www.britannica.com/topic/ethnic-cleansing>.

settlers in North America in the 18th and 19th centuries” is also a paradigm of genocide as is the Nazi holocaust of European Jews in the 1930s and 1940s.¹¹¹

Exemplifying American Indian history as a genocidal holocaust at the hands of the United States is certainly not a new or novel concept. Rather, it is a movement toward a more accurate interpretation of a long history of international crimes against Indigenous peoples in the United States. Is post American Revolutionary War era Cherokee history one of ethnic cleansing and other stages of genocide? When set within the framework established by the United Nations and the Ten Stages of Genocide the answer is yes. These stages of ethnocide include racial and cultural assimilation, unequal treaties, and forced dislocation.¹¹² The United Nations defines genocide as a multi-dimensional process. Initiation of genocide begins with endorsing and perpetuating polarized racial categories that nurture cultural fears and racialized hatred. Each stage of genocide establishes a foundation for the next.¹¹³ Interdisciplinary scholars recognize forced removals of American Indian nations and the stages leading up to exile as ethnic cleansing of America’s original peoples rather than an abridged “Trail of Tears.”

¹¹¹ Andreopoulos, “Ethnic Cleansing: War Crime,” *Encyclopedia Britannica*, date published August 09, 2016, last modified 2019, accessed January 25, 2019, <https://www.britannica.com/topic/ethnic-cleansing>.

¹¹² Genocide Watch: The International Alliance to End Genocide. <http://www.genocidewatch.org/genocide/tenstagesofgenocide.html>; The Ten Stages of Genocide are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial.

¹¹³ 1946 United Nations Genocide Convention Resolution 96 is an instrument that codifies genocide as a crime under International Law. Article II defines the crime of genocide that was adopted by the UN General Assembly on Universal Declaration of Human Rights December 9, 1948; <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>; For more information see: “What is the Genocide Convention?” United Nations Daf Hammarkskjöld Library, accessed January 31, 2019, <http://ask.un.org/faq/232870>; 1947 United Nations document E/447: First draft of the Division of Human Rights presented at the Convention on the Crime of Genocide. Notions of genocide defined (16). Description of genocide (17). This draft was presented by the Secretary-General and three experts of International Criminal Law; <http://undocs.org/E/447>.

CHAPTER III

SHAPESHIFTING AND TRANSFORMATION

Shifts in Cherokee Ethnogenesis

Native nations have from the beginning resisted modern colonialism. The objective of U.S. authorities was to terminate their existence as peoples. This is the very definition of modern genocide. Euro – American colonialism is an aspect of the capitalist economic globalization with a genocidal tendency.

Inherited Indigenous trauma, cannot be understood without dealing with the genocide that the United States committed against Indigenous peoples.

Roxanne Dunbar-Ortiz

Yes, Native American Were the Victims of Genocide,
(p. 4).

Forced removal of all the Indigenous nations east of the Mississippi to Indian Territory during the Jackson administration was a calculated policy intent on destroying those peoples ties to their original lands, as well as declaring Native people who did not remove to no longer be [Cherokee], Muskogee, Sauk, Kickapoo, Choctaw, destroying the existence of up to half of each nation removed.
(p. 16).

This chapter is an arduous undertaking of a wide breadth of topics. Each topic is important to examine and demonstrates complex and ongoing factors that influenced changes in Cherokee identity, culture, government, and lifestyle. The format of this chapter has three major sections. First, “Americanizing Cherokee Political Structures” looks at Cherokee leadership and assimilation as a form of resistance to ethnic cleansing from 1802 to 1832. This section attempts to heal divisive narratives and addresses politicization for support against Cherokee Removal. Second, “Shapeshifting: Racial

Identity, Racialized and Sexualized Ideology” explores miscegenation, racialized and sexualized attitudes toward Cherokee women, and racialized hierarchy in Cherokee Country. The third section, “Amalgamation: Cherokee Intermarriage, Slavery, and Race Prejudice” drills down to trace ideals of racial identity and Cherokee antipathies toward Blacks (prior to Indian removal), including the creation of Indian racialized attitudes and the push to transform the Cherokee through marriage to Whites. All three sections and their subsections provide evidence of shifting Cherokee *ethnogenesis* (delineated markers of cultural group identity that shifted over time). Markers that identified the Cherokee as an ethnic or racial group include shared common language, ancestry, culture, and territory.¹ The summary, “Assimilating to Survive Genocide is a Complex History,” ties together the key takeaways from this chapter.

Racial hierarchy, identity politics, settler colonialism, and dispossession from tribal territories were all elements that affected Cherokee cultural and racial shapeshifting. Americanizing and Christianizing the Cherokee resulted in a racialized hierarchy founded on Eurocentric ideals of White supremacy, classism, and disenfranchisement of those Cherokee who were less assimilated. Federal agendas and settler violence aimed to annihilate essential foundations of Cherokee life and push them out of tribal lands. Would assimilation into White society and acculturation of White standards exempt the Cherokee from Indian Removal and forced exile from their eastern territory? Arguably, one of the most significant factors to allow for exemption was the federal requirement for the Cherokee to prove they were actively engaged in assimilation and efforts to become an agricultural society according to Americanized standards. Shifts in Cherokee cultural and ethnic identity were influenced by this federal pressure to

¹ Weik, “The Archaeology of Ethnogenesis,” *Annual Review of Anthropology* 43, (2014), 291-305.

assimilate and by settler violence, inter-cultural relations with larger society, intermarriage, religious conversion, and engagement with foreign governments. Additionally, Cherokee makers of group identity shifted as a result of unequal treaties, or what I refer to as *paper genocide*, policies of ethnocide.

On May 26, 1826 Elias Boudinot (who later used the name “Buck” Waite) delivered a speech to promote support against Cherokee removal before a White congregation at the First Presbyterian Church in Philadelphia. As he beckoned for support, the passionate words of Boudinot provide answers about debates of Cherokee identity, assimilation, acculturation, and land cession treaties. Note the language Boudinot uses to describe the diminishing number Indian peoples as he articulates extinction.

There is, in Indian history, something very melancholy, and which seems to establish a mournful precedent for the future events of the few sons of the forest, now scattered over this vast continent. We have seen every where [sic] the poor aborigines melt away before the white population. I merely speak of the fact, without at all referring to the cause. We have seen, I say, one family after another, one tribe after another, nation after nation, pass away; until only a few solitary creatures are left to tell the sad story of extinction. Shall this precedent be followed? I ask you, shall red men live, or shall they be swept from the earth? With you and this public at large, the decision chiefly rests. Must they perish? Must they all, like the unfortunate Creeks, (victims of the unchristian policy of certain persons,) go down in sorrow to their grave? They hang upon your mercy as to a garment. Will you push them from you, or will you save them? Let humanity answer.²

Cherokee cultural and ethnic identity became increasingly more multicultural as a result of inter-cultural relations with larger society that informed tribal identity.³

² Elias Boudinot, “An Address to the Whites: Speech Delivered in the Frist Presbyterian Church Philadelphia May 26, 1826,” *National Humanities Center*; accessed April 12, 2019, <http://nationalhumanitiescenter.org/pds/triumphnationalism/expansion/text3/addresswhites.pdf>.

³ Weik, *The Archaeology of Ethnogenesis*, accessed April 12, 2019, <https://www.annualreviews.org/doi/10.1146/annurev-anthro-102313-025920>; *Types of Ethnogenesis*,

Acculturation and assimilation into larger society was a means of surviving policies of westward expansionism rooted in a complex history of genocide. This chapter argues that there existed many factors that shifted Cherokee identity including the pressure of federal policies of assimilation and federal agendas of Indian removal from the eastern United States. In response to those policies, the Cherokee acculturated or appropriated political, social, and religious models of White society while Cherokee leaders vigorously advocated for their treaty rights to remain in tribal territory.

Historian Daniel K. Richter encourages us to revisit history while consciously attempting to understand events through Native perspective. Richter refers to this in the title of his monograph, *Facing East from Indian Country*.⁴ *Facing East* to examine factors that contributed to Cherokee assimilation and acculturation offers a necessary corrective to political and administrative top-down histories that stigmatized Cherokee identity with myths of desires to relinquish Indigenous culture.⁵ Did the Cherokee desire to become White? Why did the Cherokee perceive assimilation into White society as a tool of resistance to ethnic cleansing, forced exile, and genocide? When *facing east*, the answers to these questions become more clear.

Assimilation was a diplomatic tool to survive American encroachment and the push for westward expansion that upheld efforts to eradicate the Cherokee. The push to exterminate the Cherokee accelerated in 1828 when gold was discovered on Cherokee land in Georgia, near Dahlonega. Unauthorized Whites with an unquenchable greed for

<https://www.worldatlas.com/articles/what-is-ethnogenesis.html>; “The violence brought about by [Euro] exploration, killing, and disease in the 1700s” blended differing Indian peoples into new groups from “refuges who survived the Spanish invasion.”

⁴ Daniel K. Richter, *Facing East from Indian Country: A Native History of Early America* (Cambridge: Harvard University Press, 2003).

⁵ Eric Evans, “Social History,” *University of London School of Advanced Study*, accessed February 3, 2019, https://www.history.ac.uk/makinghistory/resources/articles/social_history.html.

gold illegally flooded into Cherokee territory. This hastened the state of Georgia's insistence to remove the Cherokee and resulted in the 1830 Cherokee Removal Bill and the Indian Removal Act the same year. The 1830 Indian Removal Act, in clear language, stated that the United States would gain ownership of all tribal lands east of the Mississippi River if Indigenous populations were removed, became *extinct*, or left their territories. The Congressional Record calls for "the Indians residing in any of the states or territories and for their removal west of the river Mississippi [...] That such lands shall revert to the United States, if the Indians become extinct, or abandon the same."⁶

Section 1: Americanizing Cherokee Political Structures

A snapshot of the 1808 through 1835 demonstrates efforts of the Cherokee and their leaders to assimilate that resulted in shifts in tribal languages, culture, political and legal structures, social norms, education, and religious identity. The erosion of traditional Cherokee culture was expected by the United States. Cultural erosion made way for assimilation. Proving assimilation served as evidence that the Indian nation could merge into American society and remain in the East. Yet, all the while the United States intended to exile the Cherokee no matter how deeply they complied with treaties or how strongly tribal leaders campaigned for their legal right to remain in Cherokee Country. Both Cherokee leaders, Major Ridge and John Ross lobbied for the rights of the Cherokee to remain in their eastern territory.

⁶ Statutes at Large, 21st Congress, 1st Session, "U.S. Congressional Documents and Debates, 1774-1875," *Library of Congress*, accessed February 3, 2019, <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=004/llsl004.db&recNum=458>; <https://www.loc.gov/rr/program/bib/oudocs/Indian.html> Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 43.

▪ Anti-Removal Leadership: Major Ridge and John Ross

Unlike conventional interpretations of pre-removal Cherokee leadership this segment of the chapter introduces a decolonized narrative that breaks from rhetoric that depicts Major Ridge (Nunnehidihi or Ganundalegi), his son John Ridge (Skah-tle-loh-skee), his nephew Elias Boudinot (Gallegina Uwati), and the Treaty Party as traitors of the Cherokee people.⁷ This thesis does not note Major Ridge and John Ross as the apex of Cherokee leadership or juxtapose Ross in opposition to the signatories of the 1835 Treaty of New Echota which included the brother of Ross, Andrew Ross. Often overlooked are signatories Robert Rogers, grandfather of Will Rogers, and William Rogers. William C. Rogers was Principal Chief who “worked with the U.S. government signing documents” during the final liquidation of the independent Cherokee government.⁸

⁷ “Treaty of 1835,” *Cherokee Heritage Documentation Center*, accessed April 1, 2019, https://cherokeeregistry.com/index.php?option=com_content&view=article&id=233&Itemid=311;

This page includes the transcription of Cherokee Treaties from the 1785 through 1868. The transcription of the Treaty of 1835 at New Echota include Articles 1-19. Article 20 was a supplemental article that was stricken by Senate. Articles of the treaty were concluded at New Echota in the state of Georgia on December 29, 1835 by General William Carroll and John F. Schermerhorn (commissioners on the part of the United States), “Chiefs Head Men,” and people of the Cherokee tribe of Indians.

The transcription lists the signatories of the treaty: Andrew Ross (brother of John Ross), Wm. Carroll, J. F. Schermerhorn, Major Ridge, James Foster, Tesa-ta-esky, Charles Moore, George Chambers, Tah-yeske, Archilla Smith, William Lassley, Cae-te-hee, Te-gah-e-ske, Robert Rogers, John Gunter, John A. Bell, Charles F. Foreman, William Rogers, George W. Adair, Elias Boudinot, James Starr, Jesse Half-breed. The treaty was signed and sealed in presence of Western B. Thomas, Secretary, Ben. F. Currey, Special Agent, M. Wolfe Batman, First Lieutenant, Sixth U. S. Infantry Disbursing Agent, Jon. L. Hooper, Lieutenant Fourth Infantry, C. M Hitchcock, M. D., Assistant Surgeon, U.S.A. G. W. Currey, Wm. H. Underwood, Cornelius D. Terhune, John W. H. Underwood, Stand Watie, and John Ridge on March 1, 1836. Witnesses: Elbert Herring, Alexander H. Everett, John Robb, D. Kurtz, Wm.Y. Hansell, Samuel J. Potts, Jno. Litle, S. Rockwell. In testimony December 31, 1835, James Rogers, and John Smith. Delegates from the Western Cherokees Test: Ben. F. Currey, Special Agent, M. W. Batman, First Lieutenant Sixth Infantry, Jno. L. Hooper, Lieutenant Fourth Infantry, and Elias Boudinot.

⁸ “William C. Rogers,” *Cherokee Nation.org*, accessed June 22, 2019, <https://cherokee.org/About-The-Nation/History/Chiefs/William-C-Rogers>; Members of the Cherokee National Council who opposed Chief Rogers were elected to Council “and proceeded to impeach him and chose Frank J. Boudinot as Chief” but Rogers was given “official recognition by the U.S. Department of the Interior.” Rogers is the founder of Skiatook, Oklahoma.

This chapter rejects narratives of a binary Major Ridge – John Ross debate in conflict with one another. Instead, this thesis argues both Cherokee leaders understood that complete eradication of the Cherokee was eminent and fought against forced removal. Both leaders negotiated for removal conditions once they realized the United States was determined to ignore proof of assimilation and Christian conversion as evidence to support exemption from removal. This chapter, and later in Chapter 4, demonstrates that John Ridge and Elias Boudinot were as involved as Major Ridge, if not more so, in roles of Treaty Party leadership. John and Elias were formally educated in Christian missionary schools for elite nonwhites and fully bilingual. They and Major Ridge were primary actors in the forefront of anti-removal campaigns rather than pro-removal campaigns. Elias Boudinot converted to Christianity whereas John Ridge remained non-Christian in his faith. John's father, Major Ridge rejected Christianity but near his death accepted the faith. Perhaps to give peace of mind to his Christian wife.

Major Ridge was not as highly acculturated as his son John, his nephew Elias, and John Ross. He did not speak, read, or write the English language. Yet, indeed he was among the “bourgeois middle class” of the Cherokee planter class that “sat comfortable atop the political and economic power structures.”⁹ Major Ridge, John Ridge, Elias Boudinot, and John Ross were all prominent plantation gentry who held positions of leadership in the Cherokee Nation and were prominent statesmen in American society. All four statesmen protested Cherokee removal, lobbied for, and garnered support in their fight against forced removal of the Cherokee from their eastern territory.

John Ridge and Elias Boudinot were biracial Cherokees and married to prominent White-Christian women but were never accepted as non-Indian by larger society or

⁹ Daniel Black Smith, *An American Betrayal* (New York: Henry Holt and Company, 2011), 33.

American authorities. John Ross, although a Cherokee citizen, was racially ~~seven-eighths~~ White according to blood quantum theory. He was a Methodist and fully recognized as a southern elite by American statesmen and by White society. Daniel Blake Smith, author of *An American Betrayal*, clarifies that Ross “had been raised and educated by whites. To most whites, Ross appeared to be one of them; strangers he met in Washington were nearly always surprised to learn he was Cherokee.”¹⁰

According to Smith, Ross “cemented his [Cherokee] identity by his marriage to his ~~full-blood~~ [Cherokee] wife, Quatie, and by his decision to join the Methodist in October 1829.”¹¹ The Methodist and Baptist organized missions in Cherokee Country after the War of 1812. The Methodists “funded six to nine circuit riders per year” with goals of “converting Cherokee to Christianity.”¹² Smith points to William G. McLoughlin in his quote that “Ross joined the Methodist” with the agenda of “galvanizing popular support behind his leadership.”¹³ Becoming a Methodist galvanized support for his leadership from the Christian community in the Cherokee Nation and from the American Christian community.

To be clear, both leaders, Major Ridge and John Ross resisted Cherokee removal as did many Cherokee headsmen. John Demos argues that Major Ridge, albeit with great reluctance, became convinced that “the case was hopeless” for the Cherokee to remain in their eastern territory. Demos makes a strong break from conventional narratives that places Major Ridge as leader of the Treaty Party which, according to some

¹⁰ Black Smith, *An American Betrayal*, 32.

¹¹ Eurocentric, archaic, or offensively racialized words by today’s standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

¹² Black Smith, *An American Betrayal*, 20.

¹³ Black Smith, *An American Betrayal*, 32; William McLoughlin, *Cherokees and Missionaries: 1789-1839* (Norman: University of Oklahoma Press, 1995), 177.

interpretations, justified his assassination by Ross loyalists. Demos states, “John Ridge [not Major Ridge] became the acknowledged leader of a faction favoring emigration. On the other side stood a much larger number, [of Cherokee] led by principal chief John Ross, who remained doubtful, or fully opposed [to removal].”¹⁴ This should not translate to mean that Major Ridge supported Cherokee removal. Cherokees nor Cherokee leaders favored removal. Instead, Major Ridge understood clearly, prior to the same understanding later obtained by Ross that continued resistance against the United States and the Indian Removal Act would result in even greater tragedy for the nation as a whole. Negotiations to survive genocide became crucial.

▪ Healing Divisive Narratives

My interpretation aims to remove the stains of historical whitewashing that perpetuate tribal divisions and glamorize some leaders while vilifying others. A decolonized narrative dilutes the rhetoric of *victim blaming* Cherokee leaders. It is ever so important to shift away from victim blaming leadership so not to continue elements identified in the final stage of genocide. Recall, that *denial* is the tenth stage of genocide which includes blaming victims in order to appease those who know what transpired.¹⁵ Denial and victim blaming followed the ninth stage of genocide, *extermination*. The importance of this is clear as demonstrated in primary sources that repetitively used the

¹⁴ John Demos, *The Heathen School: A Story of Hope and Betrayal in the Age of Early the Early Republic* (New York: Alfred A. Knopf, 2014), 254.

¹⁵ The ten stages of genocide are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and **denial**.

term *extermination* of Indian people. Propaganda that blames the victims of crimes against humanity is one faucet within the tenth stage of genocide.¹⁶

Both Major Ridge and John Ross employed the pen to battle the American Empire for the survival of the Cherokee people. Activist narrative offers healing to historical narratives and interpretations of intra-tribal divisions. Instead of casting Major Ridge and John Ross in opposition, I interpret their resistance to removal and their negotiations for removal conditions as activism. Major Ridge, as a Cherokee leader and headman was recognized by the United States as a chief and was one of many signatories of the Treaty of New Echota including Andrew, the brother of John Ross. A multitude of headmen in the Cherokee Nation signed land cession treaties with the United States in efforts to preserve a Nation under the attack of imperialism.¹⁷ A long pattern of unequal treaties signed by Cherokee headmen and Cherokee tribal members relinquished title and ceded lands in exchange for promised peace with the United States. This pattern existed in treaties that include the 1785 Treaty of Hopewell, the 1791 Treaty of Holston, and the 1835 Treaty of New Echota. The same is true in treaties signed in 1794, 1798, 1804, 1805, 1806, 1816, 1817, 1819, 1828, and 1833.¹⁸

In the words of Kashmira Gander, a features writer for *Newsweek*, by 1830 the Cherokee were “targeted by President Andrew Jackson’s Indian Removal Act, which

¹⁶ *The Genocide Education Project*, accessed April 2, 2019, https://genocideeducation.org/wp-content/uploads/2016/03/ten_stages_of_genocide.pdf.

¹⁷ Imperialism is policy or ideology of extending a nation's rule over foreign nations, often by military force or by gaining political and economic control of other areas. The term can be applied to the colonization of the Americas between the 15th and 19th centuries. The political science definition of imperialism is “state policy, practice, or advocacy of extending power and dominion, especially by direct territorial acquisition or by gaining political and economic control of other areas. Because it always involves the use of power, whether military force or some subtler form, imperialism has often been considered morally reprehensible, and the term is frequently employed in international propaganda to denounce and discredit an opponent’s foreign policy,” last modified March 14, 2019, accessed March 14, 2019, <https://www.britannica.com/topic/imperialism>.

¹⁸ “Treaty of 1835,” *Cherokee Heritage Documentation Center*, ccessed April 1, 2019, https://cherokeeregistry.com/index.php?option=com_content&view=article&id=233&Itemid=311.

mandated ethnic cleansing of Native People from east of the Mississippi River.”¹⁹ Major Ridge recognized this as did John Ross and other Cherokee leaders. Cherokee leaders witnessed the ethnic cleaning of Indian nations prior to Cherokee removal. Howard Zinn declared that Andrew Jackson’s Indian Removal Act was “the most complete genocide in U.S. history.”²⁰ Jackson’s mandate intensified the urgency of leaders in the Cherokee Nation to convince American authorities that they qualified for exemption to federal removal campaigns.

- Assimilation and Christianity: Politicization for Support against Cherokee Removal

On January 26, 1832 John Ridge, the son of Major Ridge, along with Elias Boudinot, editor of the *Cherokee Phoenix* and nephew of Major Ridge, traveled to the heart of the bustling commercial district in New York City to deliver an address at Clinton Hall. The argument presented that the Cherokee Nation met all stages of assimilation which excluded them from Indian Removal and the ethnic cleansing they witnessed of other southeastern nations. John and Elias reminded those in attendance at Clinton Hall that the Cherokee assimilated and implemented Americanized standards of society and government: “You asked us to throw off the hunter and warrior state: We did

¹⁹ Kashmira Gander, “Cherokee Inscriptions in Alabama Cave Deciphered by Scientists, Tell of Sacred Ceremony from the time of Crisis,” *Newsweek*, last modified on April 11, 2019, accessed April 14, 2019, https://www.newsweek.com/chokeee-inscriptions-discovered-alabama-cave-deciphered-scientists-tell-1392885?fbclid=IwAR0WNAirQ_3w5G73UUpDXZpeqIXVx5paLV96pSnWPOo-MfKc5qwY5lLnddo.

²⁰ Michael Coard, “Trail of Tears: White America’s ‘Indian’ Holocaust,” *The Philadelphia Tribune*, last updated May 27, 2017, accessed April 21, 2019, https://www.phillytrib.com/commentary/trail-of-tears-white-america-s-indian-holocaust/article_aa3f244f-491a-5dc8-b0d8-6a39fa0e708b.html.

so—you asked us to form a republican government: We did so. Adopting your own as our model.”²¹

Together, Major Ridge with John Ross “laid out a capital for the Cherokee at New Echota, modeled after Washington” which included a Council House for two legislative bodies, Supreme Court building, post office, education academy, and printer shop for the first Native language newspaper.²² To further appease the United States, John Ridge argued that the Cherokee transformed into an Americanized agrarian society of private landownership, converted to Christianity, and learned the English language. He stated, “You asked us to cultivate the earth, and learn the mechanic arts. We did so. You asked us to learn to read. We did so. You asked us to cast away our idols and worship your god. We did so.”²³ That evening, John Ridge and Elias Boudinot garnered “more than six thousand names on a petition to Congress” that supported Cherokee efforts to resist removal.²⁴

During his lecture on May 26, 1826, Elias Boudinot addressed White members of the First Presbyterian Church in Philadelphia. Boudinot offered proof of assimilation, including religious conversion that mirrored White society. He was determined to demonstrate proof the Cherokee had adequately adopted aspects of White society and Indian *improvement* and therefor exempt from forced exile. Boudinot noted how the

²¹ John Ehle, *Trail of Tears: The Rise and Fall of the Cherokee Nation* (New York: Anchor Books, 1988), 254; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 20; Brian Hicks, *Toward the Setting Sun: John Ross, the Cherokees, and the Trail of Tears* (New York: Atlantic Monthly Press, 2011), 210.

²² Dee Brown, “The End of the Cherokee Trail: Trail of Tears The Rise and Fall of the Cherokee Nation,” *Los Angeles Times*, accessed April 12, 2019, <https://www.latimes.com/archives/la-xpm-1988-09-11-bk-2871-story.html>; Dee Brown is the author of *Bury My Heart at Wounded Knee*. In this article he gives a review of *The End of the Cherokee Trail* by John Ehle.

²³ Ehle, *Trail of Tears*, 254; Hicks, *Toward the Setting Sun: John Ross, the Cherokees, and the Trail of Tears*, 210.

²⁴ Brian Hicks, *Toward the Setting Sun: John Ross, the Cherokees, and the Trail of Tears*, first page of Chapter Nine.

Cherokee adopted several aspects of white society: “First. The Invention of letters. Second. The translation of the New Testament into Cherokee. And Third. The organization of Government.”²⁵ Boudinot implored the community, on the principles of Christianity, to admit the Cherokee people “into all the privileges of the American family.” He spoke of how tribal government was reconfigured to mimic the American structure, polygamy was abolished, the Sabbath respected. Cherokee “inhabitants as industrious and intelligent people,” adopted the lifestyle of privately owning farms.²⁶ The Cherokee adopted the White model of private property and ownership of livestock, mills, spinning wheels, cotton machines, blacksmith shops, attended Christian missionary-operated schools, and in “many places the word of God is regularly preached by missionaries and natives.”²⁷

Assimilation advanced through interdenominational Christianization of the Cherokee. Boudinot argued the “Cherokees have advanced so far and so rapidly in Civilization” that among no other Indian nation “has the faithful minister of God experienced greater success, greater reward for his labour” than among the Cherokee. He went on to confess Christian missionaries had eradicated Cherokee religion and that the Cherokee no longer had an “established religion of their own.” Boudinot attributes this, at least partially, due to “the facilities with which missionaries have pursued their ends.”²⁸ He argued his point of Christian dominance thoroughly to push against the federal agenda of Cherokee removal. The Cherokee like other Indian nations had undergone

²⁵ Boudinot, *An Address to the Whites: Speech Delivered in the First Presbyterian Church Philadelphia May 26, 1826.*

²⁶ Boudinot, *An Address to the Whites: May 26, 1826.*

²⁷ Elias Boudinot, Theda Perdue, ed., *Cherokee Editor: The Writings of Elias Boudinot* (Athens: University of Georgia Press, 1983), 72-73; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 18-19; These words are from “An Address to the Whites” delivered at the First Presbyterian Church May 26, 1826.

²⁸ Boudinot, *Cherokee Editor: The Writings of Elias Boudinot*, 73.

interdenominational efforts to Christianize Indian Country starting with the Moravians who were the “earliest missionaries arriving in the Southeast” and who “established a mission at Springplace [Georgia] in 1801” on a portion of the Joseph H. Vann plantation. Cherokee Country was inundated with Christianizing efforts from Presbyterian ministers who came to eastern Tennessee in 1804. Methodists and Baptists were next to besiege Cherokee Country. Smith states the most organized missionary efforts in Cherokee territory came from the American Board of Commissioners for Foreign Missions beginning in the early nineteenth century.²⁹

The American Board were Congregationalists and Presbyterians. They were funded “by wealthy merchants and textile manufactures in New England, the board sought to elevate the aborigines.” Starting first with the Cherokee, “The American Board set up ten mission schools” while the “Baptist established three schools, and the Moravians and Presbyterians” each established two. The “Methodists funded six to nine circuit riders per year” and “ran a handful of itinerating schools.”³⁰ The two primary goals of the missionaries, regardless of denomination, were to Christianize the Cherokee Nation and assimilate their children into Americanized gender roles.³¹

Being a Christian did not protect against racialized prejudice if the Christian happened to be Indian. Boudinot admitted the “prejudices in regard to [the Cherokee] in the general community are strong and lasting. The evil effects of their intercourse with their immediate white neighbours are easily to be seen.”³² He added, “the term *Indian* is

²⁹ Smith, *An American Betrayal*, 20.

³⁰ Smith, *An American Betrayal*, 20.

³¹ Smith, *An American Betrayal*, 21.

³² Boudinot, Theda Perdue, ed., *Cherokee Editor: The Writing s of Elias Boudinot*, 72-73; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 18-19.

pregnant with ideas of the most repelling and degrading.”³³ Boudinot asked the White congregation: “What is an Indian? Is he not formed of the same material with yourself? For of one blood God created all the nations that dwell on the face of the earth.”³⁴

Boudinot poured out a bountiful and eloquent speech using the religiously charged language of his mission schooling. He aimed to convince the congregation to see the Cherokee as Christian allies and American patriots. Boudinot regurgitated the rhetoric of White Christian elites. What was his motive in doing this? His motive was to appeal to religious empathy in order to garner their support and prevent further ethnic cleansing. He appealed to the ethos of nationhood and Christianity. Standards of Cherokee assimilation and acculturation of Euroamerican society were Boudinot’s evidence of Cherokee ethnogenesis (cultural shifts). He listed these cultural shifts in an attempt to solicit support from the White Presbyterians in efforts to save his nation from genocidal forced removal. If the Cherokee “completes her civilization—then may we hope that all our nations will” be encouraged “to make this world of the West, one continuous abode of enlightened, free, and happy people.”³⁵

- Ridge and Ross Defend the Cherokee Nation against Settler Terrorism

The Cherokee witnessed the outcome of U.S. Indian Removal policy on neighboring Indian nations prior to their own removal. Boudinot, a Cherokee headmen, and other tribal leaders were clear that the urgency to persuade and assure American authorities of Cherokee assimilation meant life or death. In the words of Boudinot during

³³ Boudinot, *An Address to the Whites: May 26, 1826.*; Boudinot, Theda Perdue, ed., *Cherokee Editor*, 68.

³⁴ Boudinot, *An Address to the Whites: May 26, 1826.*

³⁵ Boudinot, *An Address to the Whites: May 26, 1826.*

his Philadelphia address, the Cherokee only had “two alternatives; they must either become civilized and happy, or share in the fate of many kindred nations, become extinct.”³⁶ Here again, in the words of a Cherokee leader, the notion that the United States intended to eradicate their Indian nation into extinction was recognized and not doubted.

Less than four years after Boudinot appealed to the First Presbyterian Church in Philadelphia, racialized violence continued to invade Cherokee communities. On February 17, 1830, the *Cherokee Phoenix* published a letter from John Ross written to Elias Boudinot, editor of the bilingual newspaper. Ross addressed the White “lawbreaking, the fires, the whiskey, the kidnapping, the body dumped by the side of the road,” according to historian Steve Inskeep. Ross referred to the thousands of violent invaders who rushed onto Cherokee land as “diver intruders.”³⁷ The diver intruders trespassed and raped the land of its resources. Ross wrote of White intruders who took over Cherokee homes but the United States did not send troops to make arrests or to protect the Cherokee as agreed in the Treaty of Hopewell and again in the Treaty of Holston.

The February 13, 1830 letter from John Ross, published in the *Cherokee Phoenix* four days later, stated that Ross chose to invoke and enforce the 1829 treaty that allowed the Cherokee to punish non-Cherokee trespassers and criminals. Ross called on Major Ridge, by then an Elder headsman and nearly sixty years of age, to organize enough Cherokee citizens to remove the lawbreakers. A group of more than twenty armed intruders returned and “barbarously” used their guns to beat several Cherokee men “in the head, face, breast and arms.” One victim died from the beating and “the next morning

³⁶ Boudinot, “*An Address to the Whites: May 26, 1826.*”

³⁷ Steve Inskeep, *Jacksonland: President Andrew Jackson, Cherokee Chief John Ross, and the Great American Land Grab* (London: Penguin Books, 2016), 212.

his corpse was left on the ground.” Ross described the “corpse of the murdered man” as “shockingly mangled.” Ross questioned, “Is it not strange and unaccountable that they should be protected by the laws of Georgia, when they commit outrageous acts upon the peaceable and inoffensive Cherokee’s, upon whose lands they have intruded?”³⁸

This letter written by Ross is evidence, he and Major Ridge were still working together to protect the Cherokee nation against settler terrorism. Ross stated, “the lawless intruders had threatened to kill Major Ridge and myself, and to burn our dwellings.”³⁹ The letter also demonstrates the climate of violent race relations in Cherokee territory and is also evidence that the Cherokee could not gain protection against violent Whites as promised to them in more than one treaty with the United States. Only a few weeks earlier John Ridge and Elias Boudinot had spoken in D.C. arguing that the Cherokee Nation had met all stages of assimilation which should allow them to peacefully remain in their tribal lands.

▪ Assimilation: Broken Promises for Removal Exemption

The actions of George M. Troup, Governor of Georgia, provided plenty of reasons to convince Ridge and Boudinot that it was urgent to address authorities in 1832 and petition for exclusion from forced removal based on the Americanization of the Cherokee Nation. Nearly ten years prior, Governor Troup wrote a letter in 1825 to U.S. Congressman John Forsyth. Troup’s words show the Cherokee were led to believe

³⁸ *Cherokee Phoenix*, February 17, 1830; accessed February 5, 2019, <https://www.wcu.edu/library/DigitalCollections/CherokeePhoenix/Vol2/no44/cherokee-phoenix-page-2-column-5b-page-3-column-2b.html>; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 39.

³⁹ *Cherokee Phoenix*, February 17, 1830; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 39.

continued assimilation and improvements to their communities moved them closer to safety and stronger in their determination to remain in the southeast. This idea was reiterated in Troup's April 6, 1825 letter to Forsyth: "The United States are bound, in justice to themselves, instantly to arrest the progress of improvement in the Cherokee country; it is the reason constantly assigned by the Cherokees for their refusal to abandon the country."⁴⁰ Recall, according to the United States if Indian peoples could be pressured in to *abandoning* their lands then ownership of that land became that of the American government.

Troup acknowledged that a delegation of Cherokees arrived annually in D.C., met with the President of the United States, and presented evidence of assimilation and evidence against ceding more territory. Troup wrote that, "On the 12th of March [1825], the delegation of Cherokees at Washington, laid before the President their customary annual protest against a cession of lands on any terms." Troup adamantly stated, "The Cherokees must be told, in plain language, that the lands they occupy belongs to Georgia . . . Why conceal from this misguided race the destiny which is fixed and unchangeable? Why conceal from them the fact that every advance in the improvement of the country is to ensure to the benefit of Georgia; every fixture will pass with the soil into our hands."⁴¹

Improvements and fixtures refers to Cherokee property and homesteads including

⁴⁰ *American Sate Papers: Indian Affairs II*: 776; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 21; <https://quod.lib.umich.edu/cgi/t/text/text-index?c=moa&cc=moa&view=text&rgn=main&idno=ABT3932.0001.001>; <https://memory.loc.gov/ammem/amlaw/lwsplink.html>; Edward J. Harden, *The Life of George M. Troup* (Savannah, GA: E.J. Purse, No. 6 Whitaker Street, 1859), 278; This book is a biography of the Governor of Georgia, George M. Troup.

⁴¹ *American Sate Papers: Indian Affairs II*: 776; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 21; Edward J. Harden, *The Life of George M. Troup*.

residences, barns, mills, fences, livestock, barns, schools, churches, government structures, commercial properties, transportation, roads, and supplies etc.

Governor Troup's letter of April 6, 1825 explained that the Cherokee continued to assimilate and develop their communities to reflect American society because they understood the United States would allow them to remain in their homelands if they demonstrated efforts to assimilate and proved Americanized lifestyle. Major Ridge and other headsmen recognized the United States had been lying to them about the right to remain in their territory if they assimilated fully enough. Ridge and others who signed the Treaty of New Echota (in 1835) had no doubts the United States fully intended to exterminate the Cherokee if they did not negotiate to remove and ceded their lands.

One year prior to Troup's letter, on March 30, 1824, President James Monroe sent a message to Congress that postured United States relations with the Cherokee and "the inability of the Executive to make any further movement of this tribe, without the special sanction of Congress."⁴² President Monroe expressed his shared zeal of earlier presidents to enforce the 1802 compact between the United States and the state of Georgia. The compact relinquished Georgia's claim to land west of the Chattahoochee River in exchange for the federal government "to removal all Indians from the state."⁴³ Today, we have the language of international law that identifies this statement clearly as one of intended ethnic cleansing which is a stage of genocide according to the United Nations.

⁴² Edward J. Harden, *The Life of George M. Troup*.

⁴³ *American State Papers: Class VIII Public Lands, I*: 114; <https://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=028/llsp028.db&recNum-123>;

"The Compact of 1802," *Trail of Tears*; http://trailofthetrail.com/?page_id=174.

The 1802 compact served to “extinguish the Indian title to all other lands within the state of Georgia.”⁴⁴

A few years following the 1802 compact, President Thomas Jefferson, in his January 10, 1806 “Indian Address to Chiefs of the Cherokee Nation,” spoke of land west of the Mississippi River and encouraged the Cherokee to “go visit or to live with the Cherokees [Old Settlers/Western Cherokees] on the other side of the river we shall not object to that. That country is ours. We will permit them to live in it.” Jefferson urged them to continue to assimilate and “go on in learning to cultivate the earth and to avoid war.” Jefferson spoke to the chiefs of the Cherokee Nation in the patronizing and passive-aggressive tone of paternalism validating their efforts to assimilate and insured them this would “secured their happiness. I see with my own eyes that the endeavors we have been making to encourage and lead you in the way of improving your situation.”⁴⁵

President Jefferson then used agrarian rhetoric to address the Cherokee cultural and social shift to yeoman farming which he saw as “like grain sown in good ground, producing abundantly. You are becoming farmers, learning the use of the plough and the hoe [...] employing that labor in cultivation which you formerly employed in hunting and in war.” He expressed admiration for their cotton clothing and livestock. “I see handsome specimens of cotton cloth raised, spun and woven by yourselves [sic]. You are also raising cattle and hogs for your food, and horses to assist your labors.”⁴⁶ This evidence of assimilation and implementing the model of White society presented by President

⁴⁴ *American State Papers: Class VIII Public Lands, I*: 114; “The Compact of 1802,” *Trail of Tears*.

⁴⁵ “Jefferson’s Indian Address: Washington, January 10, 1806,” *Yale Law School Lillian Goldman Law Library: The Avalon Project*; http://avalon.law.yale.edu/19th_century/jeffind4.asp; *American State Papers: Class VIII Public Lands, I*: 114.

⁴⁶ Jefferson’s Indian Address: Washington, January 10, 1806.

Jefferson is the same evidence leaders of the Cherokee Nation presented during their visits to D.C. throughout the decades.

During President Jefferson's January 10, 1806 "Indian Address to Chiefs of the Cherokee Nation," he spoke to leaders of the sovereign Cherokee Nation in language that would have been disdainful if spoken to leaders of European nations. "Go on, my children, in the same way and be assured the further you advance in it the happier and more respectable you will be."⁴⁷ This insulting familial façade aside, it is apparent the United States continued to mislead the leadership of the Cherokee Nation during international assemblies in Washington D.C. Jefferson deceitfully encouraged assimilation through the adoption of Americanized methods of food production and homesteading practices. He did this to insure the Cherokee continued to make improvements to the lands and establish homesteads that would later be confiscated and distributed to White society. This also falsely insured the Cherokee would continue to trust that they would not be exiled.

Confiscation of property that belongs to a group targeted for forced exile and then redistribution of that property to members of dominant society is categorized as *persecution*, the eighth stage of genocide according to international law. The eighth stage of genocide occurs when territory is confiscated from a targeted group and communal or private property is then awarded to the members of dominant society through sale, lottery, poaching, or looting.⁴⁸ This is exactly what happened to Cherokee property with the 1832 Land Lottery in Georgia. Prior to removal, the state of Georgia initiated the Act of December 26, 1831 (which was passed on December 2, 1832) that took Cherokee

⁴⁷ Jefferson's Indian Address: Washington, January 10, 1806; *American State Papers: Class VIII Public Lands, I*: 114.

⁴⁸ Ten Stages of Genocide, *The Genocide Education Project*.

Indian territory, renamed it Cherokee County, and divided it into ten separate counties. The counties were named Cass (renamed Bartow), Cherokee, Cobb, Floyd, Forsyth, Gilmer, Lumpkin, Murray, Paulding, and Union. In a drawing of land lottery tickets and in the granting of the land, the area was treated only as Cherokee territory. It was divided into land lots distributed by the sixth land lottery and “gold” lots were distributed by the seventh land lottery.⁴⁹

President Jefferson continued to push for cultural shifts in gender roles and tribal legislation that moved the Cherokee to even more closely mirror Euroamerican society. Jefferson wrote, “You will find your next want to be mills to grind your corn, which by relieving your women from the loss of time in beating it into meal, will enable them to spin and weave more.” Men, the President defined, should be the head of household, fence in his property, and establish laws that provided for inheritance: “When a man has enclosed and improved his farm, builds a good house on it and raised plentiful stocks of animals, he will wish when he dies that these things shall go to his wife and children, whom he loves more than he does his other relations, and for whom he will work with pleasure during his life. You will, therefore, find it necessary to establish laws for this.”⁵⁰

Jefferson’s address fully laid out the conditions for assimilation that restructured communal concepts of tribal culture, aimed to create American individualism that demanded remade government structures to uphold these new ideals. The President even encouraged murder and justified it as the taking of life on the grounds of killing to defend personal property. Jefferson went on to encourage the Cherokee to situate men in legal positions to pass judgment over such killings. “When a man has property, earned by his

⁴⁹ “1832 Land Lottery,” *Georgia Archive University System of Georgia*, accessed June 10, 2019, https://www.georgiaarchives.org/research/1832_land_lottery.

⁵⁰ Jefferson’s Indian Address: Washington, January 10, 1806.

own labor, he will not like to see another come and take it from him because he happens to be stronger, or else to defend it by spilling blood. You will find it necessary then to appoint good men, as judges, to decide contests between man and man.”⁵¹ The agenda of the federal government was ethnocide; a continued call for assimilation at the cost of Cherokee cultural identity. The agenda of Major Ridge and John Ross was less about assimilation to more closely resemble structures of White society but more so a focus on assimilation for the survival of the Cherokee.

Section 2: Racial Identity and Racialized Ideology

Still today some people make the false assumption that the Cherokee desired to relinquish indigeneity and adopt the likeness of White culture. Efforts to Americanize and Christianize the Cherokee were incorporated into state and federal agendas aimed to fully absorb them into White society, according to Santos Alonso academic editor of the *Journal of Anthropology*. Alonso pushes against assumptions that early Cherokee preferred Euroamerican culture, traditions, or structures of government.⁵² Ryan W. Schmidt, historian of American identity and Indian blood quantum, argues that identity has “continually been a subject of argumentative debate among legal scholars, federal policy-makers, anthropologists, historians, and even within Native American society itself.”⁵³

⁵¹ Jefferson’s Indian Address: Washington, January 10, 1806; *American State Papers: Class VIII Public Lands, I*: 114.

⁵² Santos Alonso, “Review of Schmidt, Ryan W. ‘American Indian Identity and Blood Quantum in the 21st Century: A Critical Review.’” *Journal of Anthropology* 2011, Article ID 549521: 9, accessed September 2, 2018. <https://www.hindawi.com/journals/janthro/2011/549521>.

⁵³ Santos Alonso, Review of Ryan W. Schmidt’s *American Indian Identity and Blood Quantum in the 21st Century: A Critical Review*.

According to Schmidt, the catalyst that perpetuates assimilation debates is the federal government's continued obsession to juxtapose racialized comparison between Indians and Whites. Methods for defining Indian identity have included "complex questions since initial contact between Native American tribes and European Americans." One method to define Indian identity was through "blood quantum, a metaphorical and increasingly physiological construction for tracing individual and group ancestry." According to Schmidt, blood quantum was "initially used by the federal government to classify 'Indianness' during the late 1800s in the United States" as a criteria for inclusion and exclusion. Schmidt critiques the application of blood quantum in contrast to "a cultural-specific approach" of inclusion and exclusion criteria for group membership that is "not based upon one's genetic and biophysical makeup." Schmidt argues blood quantum theory was an "imposed racial past" which was "artificially created." Ethnicities, he asserts, are fluid cultural constructions that can change multiple times and that the etymological of "blood" extends "deep into the Anglo-Saxon tribal psychology."⁵⁴

As Cherokee – U.S. relations progressed so did adoption of the "strictly physiological meaning of blood" which deemphasized the "metaphorical extension of kinship and lineage." Color lines were drawn that constructed "the racial caste system" which was "impermeable unless an individual looked lighter and associated with and behaved like those of 'purer blood.'" Cherokee "people with admixed blood," according to Schmidt, perceived "white blood" might "uplift darker blood." Schmidt notes Ward Churchill, M. Annette Jaimes, and Kimberly Tallbear who argue "participating in tribal

⁵⁴ Ryan W. Schmidt, "American Indian Identity and Blood Quantum in the 21st Century: A Critical Review." *Journal of Anthropology* 2011, Article ID 549521: 9, accessed Sept 2, 2018. <https://www.hindawi.com/journals/janthro/2011/549521>.

enrollment internalized a racist colonial practice by incorporating blood quantum.”

Tribes who based tribal enrollment on blood quantum, according to Churchill, Jaimes, and Tallbear were “ubiquitously forced or duped into acceptance of Euro-American racial ideology.” This “obliged the descendants of Native people to think about where they fit in a white-dominated, racialized world.”⁵⁵

Historically, Cherokee assimilation led to waves of racial stratification, but never a thorough erasure of indigeneity (the qualities of Indigenous culture). Pre-removal Cherokee were a multi-racial society who practiced the traditions of cultural adaption and tribal exogamy. A long tradition of marrying outside the community or tribe is not unique to the Cherokee. Exogamy is an ancient practice among Indian and non-Indian nations around the globe to avoid intra-marriages, or incest, among other reasons. Circe Sturm, historian of Cherokee identity, defines White identity in Cherokee Country as a synthesis of “traditional Cherokee, southern white culture, and the South’s rural working class.” Sturm argues that race mixing, assimilation, and acculturation all trace to Indigenous nations in America who “bore the brunt of European and Euroamerican colonialism.”⁵⁶

Cherokee assimilation, as argued by Sturm, is “a process encouraged by ideology, informal social practice, state-sanctioned policy, and law,” which counters debates and assumptions that the Cherokee allegedly rejected Indian identity.⁵⁷ To be clear, Cherokee

⁵⁵ Schmidt, *American Indian Identity and Blood Quantum in the 21st Century: A Critical Review*; <https://www.hindawi.com/journals/janthro/2011/549521>; (Regarding Churchill, D. L. Beaulieu, “Curly hair and big feet: physical Anthropology and the implementation of land allotment on the White Earth Chippewa reservation,” *The American Indian Quarterly*, vol. 8, no. 4, pp. 281–314, 1984A. M. Jaimes, “Federal Indian identification policy: a usurpation of indigenous sovereignty in North America,” in *The State of Native America: Genocide, Colonization, and Resistance*, A. M. Jaimes, Ed., pp. 123–139, South End Press, Boston, Mass, USA, 1992; K. Tallbear, “DNA, blood, and racializing the tribe,” *Wicazo Sa Review*, vol. 18, no. 1, pp. 81–107, 2003.)

⁵⁶ Circe Sturm, *Becoming Indian: The Struggles over Cherokee Identity in the Twenty-first Century*, (Santa Fe, NM: School for Advanced Research, 2010), 49.

⁵⁷ Circe Sturm, *Becoming Indian*, 183.

adaptation of white identity was a response to federal policies of genocide rather than a desire to become White.⁵⁸ Following the American Revolutionary War, Cherokee – U.S. relations were built upon the prolongation of unequal treaties or coercive and predator treaties. These agreements are a historical category of bilateral treaties during the late eighteenth through nineteenth centuries which ultimately led to Indian Removal. Unequal treaties, for the Cherokee, required assimilation and land cessions.⁵⁹ Cherokee peoples acclimated to the requirements found in treaties, utilized apparatuses of government, diplomacy, and employed levels of assimilation to resist not only forced exile but complete eradication of Indigenous societies from the American landscape.

Efforts by the United States to Americanize the Cherokee focused on establishing racial hierarchy through Christianity, racialized violence, and the American institution of slavery as reoccurring interconnected elements that shaped Cherokee ethnogenesis. Racial hierarchy has occupied a central place in American ethos and identity politics throughout Cherokee history. Historian Heather Miyano Kopelson argues that the English colonies were rooted in transatlantic intellectual culture and local conditions that focused on racial hierarchy. Euroamerican intellectualism categorized differentiation based “notions of biological race, religion, skin color and freedom.” Ethnogenesis (shifts in development as a racial and cultural group) evolved from Euroamerican “concepts of race

⁵⁸ Paul Schor, *Counting Americans: How the US Census Classified the Nation*, 241.

⁵⁹ *1791 Treaty of Holston*, <https://founders.archives.gov/documents/Washington/05-09-02-0100>; and the *1835 Treaty of New Echota*, accessed February 2, 2019, <http://neptune3.galib.uga.edu/ssp/cgi-bin/tei-natamer-idx.pl?sessionid=7f000001&type=doc&tei2id=tcc221>; Unequal treaties served as the archetype for the westward expansion of slavery, Americanization, Christianity, and more Indian genocidal policies.

that remained inflected by religious ways of marking difference in seventeenth-century social structures.”⁶⁰

Euroamerican concepts of race carried forward into the eighteenth and nineteenth centuries. Those racialized concepts were absorbed into Cherokee society through Christianity ideology and other methods such as the expansion of slavery. Membership into Christian society came through conversation for Indian people. Christianity strengthened racial hierarchy upheld in secular social structures. “Christian membership grew more conditional as the association between darker skin color and servitude strengthened,” according to Kopelson.⁶¹

James Sweet, historian of comparative slavery, race, and nation in the Atlantic world, emphasizes “the quiet violence of ethnogenesis” can be traced to race and identity construction of African and Indian identity that descended from the institution of slavery in Bermuda and was transplanted to South Carolina.⁶² Probate inventories combined enslaved Indians from North America and Indigenous Bermudians into a single racial category of Black Bermudian, according to Sweet. In the first decade of the eighteenth century, one-fifth of all slaves listed were Indian.⁶³ This historical context is profoundly relevant in tracing the meaning of race and identity of early Cherokee who later became slaveholders of Blacks of African descent. In pre-removal Cherokee society, the difference between Indian and African was determined by ongoing Euroamerican debates

⁶⁰ Heather Miyano, Kopelson, *Faithful Bodies: Performing Religion and Race in the Puritan Atlantic* (New York: New York University Press, 2014), 16-17.

⁶¹ Kopelson, *Faithful Bodies: Performing Religion and Race in the Puritan Atlantic*, 19.

⁶² James H. Sweet, “The Quiet Violence of Ethnogenesis,” *The William and Mary Quarterly* 68, no. 2 (2011): 209–214; Kopelson, *Faithful Bodies: Performing Religion and Race in the Puritan Atlantic*, 20.

⁶³ Kopelson, *Faithful Bodies*, 20.

over “the meaning of race as a way to classify humanity into hierarchical categories based on sets of characteristics marked by skin color.”⁶⁴

- Miscegenation, Racialized and Sexualized Attitudes

Identity politics and the construction of racial categories from the mid eighteenth century into the nineteenth century were traced to racial divisions found in Euroamerican society. A March 30, 1757 letter written by Peter Fountaine of Westover, Virginia, embraced the terms ~~squaw~~ and ~~whore~~ as synonyms. Fountaine stated, “we ought to have intermarried with them, which would have incorporated them with us effectively, and [...] made them good Christians.” Fountaine reflected on his earlier mention of Frenchmen who had interracial relationships with Indigenous women. His statement serves as a primary source and historical evidence of British philosophy regarding coupling with or having sexual intercourse with Indigenous women as a vehicle for conversion to Christianity. Fountaine admits, “Our traders have indeed their ~~squaws~~ at the Indian towns where they trade, but they leave their offspring like bulls or bears to be provided for at random by their mothers.”⁶⁵ Fountaine’s conversation implores the counter argument that it was in fact the White traders who were the ~~whores~~ that abandoned the females they impregnated, abandoned their biracial children, abandoned the physical and financial upbringing of their own children, and abandoned their duty to bring up their children in the Christian faith.

⁶⁴ Kopelson, *Faithful Bodies*, 21; “By the 1660s darker complexion was legally synonymous by enslaved status.”

⁶⁵ John Oldmixon, *The British Empire in the American* (London; 1708), II, 232; James Hugo Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860* (Amherst: University of Massachusetts Press, 1970), 169.

Fontaine continued his racialized banter using Christianized references in his letter to a recipient whose name was Moses. Fontaine seems certain Moses would be stunned and perhaps repulsed at the idea of White men having sexual intercourse or *marrying* with Indian females. I use the term *female* rather than woman as we cannot be certain of the age of the females with whom these White men were *whoring* and abandoning their offspring. Fontaine wrote, “methinks, I can hear you observe, What! An Englishman intermarry with Indians? But I can convince you they are guilty of much more heinous practices in the sight of God.”⁶⁶

What, pray tell, could be more heinous to Fontaine in the sight of his god than intermarriage with Indians? He argues, heinous in the sight of god “many base wretches among us take up with ~~negro~~ women, by which means the country swarms with ~~mulatto~~ bastards, and these ~~mulattoes~~, if but three generations removed from the black father or mother, by the indulgent laws of the country intermarry with white, and actually do every day so marry.”⁶⁷ Fontaine’s letter discloses racialized and Christianized attitudes but it also serves as proof of a multi-racial environment dating to mid eighteenth century in Indian Country. Reverend Peter (Pierre) Fontaine was the son of Nobel French Huguenots and a clergyman at Westover Church near today’s Charles City, Virginia. Marriage was the better choice, Fontaine rationalized, than just having sex with Indian females as it would allow White men to gain ownership of tribal lands.

Apparently, equally heinous to Fontaine were biracial offspring. Unmarried sex with Indians produced biracial children who, according to Reverend Fontaine, dirtied

⁶⁶ Oldmixon, *The British Empire in the American* (London; 1708), II, 232; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 170.

⁶⁷ Oldmixon, *The British Empire in the American*, II, 232; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 170; Inter-ethnic children, were “born in a state of slavery” if their mother was enslaved.

White blood and afforded no land gains. Fontaine argued, “Now, if, instead of this abominable practice which hath polluted the blood of so many among us, we had taken Indian wives in the first place it would have been some compensation for their lands. We should become the rightful heirs to their lands and should not be suttred our blood, for the Indian children when born are white as the Spaniards or Portuguese.”⁶⁸ Biracial, or inter-ethnic, identity of Anglo-Indians and Afro-Indians was strongly based on phenotypes and blood politics as demonstrated in Fontaine’s 1757 letter.

These socially constructed racialized identities exhibited tensions and divisions among Indian communities that historians and social scientists refer to as *internalized colonialism*. Tinker states that tensions and divisions among Indigenous communities result from “self-serving illusions of white superiority” that becomes internalized.⁶⁹ Tinker argues that one part of the illusion of White superiority that “the denominations of American churches live with too comfortably, is the historical interpreting of their missionary outreach to native peoples.”⁷⁰

Assimilation through conversion to Christianity did not mean the Cherokee escaped Christian prejudice. Christian prejudice against Indians, as seen with Fontaine, traces to eighteenth and nineteenth century ideals of inter-ethnic marriage as a legal tool to gain access to Indian land and as a tool for religious conversion. The phenomenon of Christian evangelizing involved internalized larger illusions of Indian inferiority and

⁶⁸ Oldmixon, *The British Empire in the American*, 232; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 170.

⁶⁹ Tinker, *Missionary Conquest: The Gospel and Native American Cultural Genocide; Religion in the Service of Evil*, 2. Tinker juxtaposes the psychological outcomes of child abuse and the psychological effects of evangelized Indians to demonstrate broader context. He uses this allegory to compare the paradoxical relationship of an abused child who gradually internalizes parental abuse and comes to believe the abuse is caused by his/her own inadequacies.

⁷⁰ Tinker, *Missionary Conquest: The Gospel and Native American Cultural Genocide; Religion in the Service of Evil*, 2.

idealized White cultures and religion. This is also referred to as *internalize racism* that “results in a praxis of self-hatred.” Tinker argues this is also true of “oppressed peoples who internalize their own oppression and come to believe implicit and explicit” ideas of inferiority. From Indian perspective, Tinker explains, “[p]ain and devastation become dominant elements in the memory of Indian people” in a clear connection to “Indian suffering and the missionary presence.”⁷¹

Colonel William Byrd of Westover, Virginia, revealed that he shared the views of Fountaine regarding intermarriage with Indians. Byrd was convinced that “The natives could by no means persuade themselves that the English were heartily their friends so long as they disdained to intermarry with them.” Byrd’s intentions were not to convince Indian populations of genuine British friendship. No, he too had settler avarice for tribal lands at heart. No matter how much disdain was harbored for intermarriage with Indians by those who shared the views of Fountaine and Byrd, miscegenation was considered a duty to the colony and a duty to the church that made having sex with Indian females palatable for White men. “And in earnest, had the English consulted their own security and the good of the colony, had they intended either to civilize or convert these gentiles, they would have brought their stomachs to embrace this prudent Alliance,” Byrd professed.⁷²

According to Byrd, good Christians should have taken on the burden of marrying Indian people for the purpose of converting them. Byrd was confident the dark complexion of the Indian could be over looked because the “Indian was usually tall and

⁷¹ Tinker, *Missionary Conquest: The Gospel and Native American Cultural Genocide*, 3.

⁷² John Spencer, ed., *The Writings of Colonel William Byrd, of Westover in Virginia, esqr* (New York: Doubleday, Page & Co., De Vinne Press, 1901), 8-9; Maury, *Memoirs of a Huguenot Family*, 349-250; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 170-171.

well proportioned, which makes full amends for the darkness of their complexions. I can't think the Indians were very much greater heathen than the first Adventurers, who, had they been very good Christians, would have had the Charity to take this only method of converting the Natives to Christianity.”⁷³

The letters of Fountaine and Byrd are primary evidence of the sexualized and racialized Eurocentric mind that the Cherokee encountered on every level of society. Byrd analogized the rationale of breeding out phenotypes (real or imagined physical markers of race or ethnicity) that identified Indians and Blacks. According to Byrd, Indians and Blacks could be bred into appearing White within two to three generations. Byrd concluded, “Besides, the poor Indians would have had less reason to complain that the English took their Lands, if they received it by way of a marriage portion with their daughters. Had such affinities been contracted in the beginning [...] Nor would the shade of the skin have been any reproach at this day; for if the Moor may be washed in three generations, surely the Indian might be blanched in two.”⁷⁴

Let's not put lipstick on a pig here. To be direct, Colonel William Byrd argued Indian peoples would have complained less if tribal lands had been taken through the act of White men having sex with Indian daughters rather than through unequal treaties or perhaps war. He also argues that through sexual intercourse the Indian could biologically altered Indigenous peoples to White within two generations and that features associated with Blacks could be bred out within three generations. This ideology of these White Christian men in positions of social and military power is at the very least alarming.

⁷³ Spencer, *The Writings of Colonel William Byrd, of Westover in Virginia*, 8-9; Maury, *Memoirs of a Huguenot Family*, 349-250; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 170-171.

⁷⁴ *The Writings of Colonel William Byrd*, 8-9.

Historian James Hugo Johnston claims White men in seaboard states enslaved and debased Indian women just as they did Black women.⁷⁵ This is one reason historians must understand language like *wife*, *husband*, and *marriage* is used loosely in the context of colonial and post-colonial race relations. This is even more evident considering “Legal marriages with the Indians became as unthinkable for the average white man as were legal marriages with the” Black. The slave code was the loop hole that made it “possible a race of mulattoes, mestizos, and griffes while both law and custom forbade and frowned upon legal marriages of the white man and the other two races.”⁷⁶

When researching the dynamics of White men and Cherokee wives it is important to note the epistemology and use of the term *Indian wife*. A missionary in Indiana as early as 1818 wrote, “I can with truth, inform you that there are among the Indians, white men who have a dozen wives.”⁷⁷ In 1824, a missionary’s letter to Secretary of War John C. Calhoun described “White men living among the Indian tribes and the offspring of such men and the Indian women exercised a powerful influence over the Indian, and this influence must be given special consideration in the study of racial attitudes.”⁷⁸ The study of racial attitudes and racial hierarchy in Indian Country requires a double consciousness,

⁷⁵ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 272.

⁷⁶ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 272; Eurocentric, archaic, or offensively racialized words by today’s standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

⁷⁷ Jedidiah Morse, *Report to the Commissioner of Indian Affairs, 1820* (New Haven: 1829); Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 172.

⁷⁸ *Office of Indian Affairs, Osage Tribe (Letters Received)*, January 25, 1824; Note, this letter refers to White-Osage inter-ethnic relations not Cherokee but is important to establish the reasons that White men took Indian wives were often connected to pursuit of tribal land and resources; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 172.

a term coined by W. E. B. DuBois in his 1903 auto-ethnographic work *The Souls of Black Folk*.⁷⁹

▪ Slavery and Racialized Hierarchy in Cherokee Country

Historian and sociologist, W. E. B. DuBois wrote of the necessity for African Americans in the United States to live with an acute awareness of double consciousness. Novelist Ralph Ellison argued, nonwhites perform double consciousness because: “We possess two basic versions of American history: one which is written and neatly stylized as ancient myth, and the other unwritten, chaotic and full of contradictions.”⁸⁰ When examining slavery in Indian Country stylized history dilutes plural narratives and omits the complex dynamics of race relations that intersects with Christianity.

Double consciousness and racial hierarchy were central themes in early American Indian policy that were saturated with Eurocentric ideologies of settler colonialism and federal campaigns to Christianize and Anglicize Indigenous peoples. Social constructs formed Anglo-Indian and Afro-Indian identities based on phenotypes believed to be associated with race and blood quantum politics that today is understood as theories of social Darwinism. An analytical inquiry into the intersecting connection between race relations, ideology of White supremacy, federal assimilation policies, and the origin of

⁷⁹ According to the Special Collections and University Archives at the University of Massachusetts at Amherst *Double Consciousness* “is a term coined by W. E. B. Du Bois to describe an individual whose identity is divided into several facets. As a theoretical tool, ‘double consciousness’ reveals the psycho-social divisions in American society and allows for a full understanding of those divisions. Du Bois’ focus on the specificity of black experience allows for challenging injustice in national and world systems. The term was first used in an Atlantic Monthly article titled “Strivings of the Negro People” in 1897. It was later republished with minor edits under the title “Of Our Spiritual Strivings” in 1903 book *The Souls of Black Folk*. Du Bois describes double consciousness as follows: “It is a peculiar sensation, this double-consciousness, this sense of always looking at one’s self through the eyes of others.”

⁸⁰ Barbara Krauthamer, *Black Slaves, Indian Masters: Slavery, Emancipation, and Citizenship in the Native American South* (Chapel Hill, NC: University of North Carolina Press, 2015), 139-152.

Cherokee slaveholding is needed to grapple with racial hierarchy in Cherokee Country. This inquiry begins with the arrival of the first Euro-invaders which led to an extensive transatlantic business of Indian slavery. Human trafficking of Indians lasted well into the late eighteenth century. By the time enslavement and sale of Indian slaves was outlawed, Christian colonists had firmly established the African slave trade.⁸¹ Framing this history in binary terms of White and Indian leaves a gaping void that is satisfied only when including the Black populous, specifically the enslaved Black and the interracial Black-Indian. Tiya Miles articulates this best when she stated that “Cherokee history has been written as a story about Cherokees and whites, it was an invisible third element, the presence of black people, on which the story often turned.”⁸²

American missionaries in Indian Country did not advocate for racial egalitarianism nor did American leaders. Four years before George Washington’s 1791 Treaty of Holston with the Cherokee, Thomas Jefferson’s *Notes on the State of Virginia* 1787 show that Jefferson contemplated the determination of racial hierarchy between Indians and Blacks as they compared to Whites.⁸³ This was a routine exercise for Enlightenment Thinkers, Euroamerican reformers, during the first twenty years of the 1800s, according to Barbara Krauthamer. Jefferson concluded Indians, by Euroamerican standards, were more intelligent than Blacks. He proclaimed Indians were more beautiful

⁸¹ The Cherokee and other Indigenous nations practiced raiding and capture of those they enslaved to repeople their nations. However, it was the continual incursion of European immigrants into Cherokee lands that exposed them to foreign ideas of racial hierarchies that reinforced the idea of black inferiority. <https://www.thoughtco.com/slavery-and-identity-among-the-chokeee-4082507>.

⁸² Miles, *Ties that Bind*, 24.

⁸³ The Treaty of Holston was crafted by President George Washington and Secretary of War Henry Knox. It was signed with the Cherokee in 1791 in Knoxville, Tennessee, requiring Cherokee takeover of sedentary farming as a formula for assimilation into White society. The 1818 James Monroe Indian Civilization Act of 1819 aimed at removing tribal traditions and replacing them with traditions Euroamerican authorities considered civilized. Although some Cherokee owned Black slaves the greater portion of slaveholding was by biracial Whites who had some to little Cherokee ancestry or were intermarried. <https://www.thoughtco.com/slavery-and-identity-among-the-chokeee-4082507>; Krauthamer, *Black Slaves, Indian Masters: Slavery, Emancipation, and Citizenship in the Native American South*, 53.

and ranked higher morally than Blacks. Both Indians and Blacks ranked significantly lower in all categories to Whites, according to Jefferson. Congressman and member of the Senate, Henry Clay, argued the opposite. Clay felt Indians were inferior to Blacks and believed Blacks could fully thrive if they were returned to Africa and colonized.⁸⁴

The American institution of chattel slavery was saturated in Christian ideology and racialized hierarchy. Hence, race and ethnic relations were anchored in tensions and violent subjugation of humans as property and forced removal of Indigenous peoples from their territories. Racialization of the Cherokee is rooted in ideology found in Eurocentric ideas about religious conversion of Indigenous and African peoples and Americanizing Indians. Racial divisions were deliberately fashioned to support agendas of western expansion and the enslavement of Indians then Blacks and often both. According to Jon Butler, resurgence in institutional Christianity in the colonies after 1680 supported a renewed Christian absolutism during the eighteenth century that reshaped New World society for Indigenous nations, Africans, and Euroamericans.⁸⁵ These American traditions strengthened federal efforts to assimilate and absorb Indigenous peoples into White society.

American Indians were first enslaved by Christian colonists and later were used to finance the African slave trade. Prior to enslavement of Africans in colonial America, Indians were owned as human chattel throughout the English colonies. Colonists continued to hold some Indians as slaves throughout the eighteenth century. By the nineteenth century assimilated White-Cherokee elites were principal slaveholders of Black chattel in the southern plantation economy as were a minority of nonwhite

⁸⁴ Krauthamer, *Black Slaves, Indian Masters*, 53.

⁸⁵ Jon Butler, *Awash in a Sea of Faith: Christianizing the American People*, (Cambridge: Harvard University Press, 1992), 130.

Cherokee.⁸⁶ Slavery in the antebellum South is more complex than binary narratives found in popular culture. An in-depth examination finds slavery propagated through Indian policy and Christian dogma that created a Deep South where a “diametrical opposition between slavery and freedom” evolved into a culture where “Native Americans and African Americans were as southern as their white contemporaries,” according to Christina Snyder, author of *Slavery In Indian Country: The Changing Face of Captivity in Early America*.⁸⁷ Snyder affirms, that the history of slavery in the South is one where “disparate racial, ethnic, and religious groups have competing visions of the region’s future.”⁸⁸ American Indians were largely erased from historical memory in the South according to Snyder but were in fact leading players both as victims and as masters in slavery until forced displacement to Indian Territory in the 1830s.

Snyder insists that understanding Indians as slaveholders in the plantation society begins with unpacking slavery and the form it took in the antebellum South and in the colonial Americas. “American slavery, the most ridged form of captivity the world has ever known targeted people of African descent almost exclusively.”⁸⁹ American slavery grew out of the American Revolutionary War and the Industrial Revolution which created international markets for American staple crops that were satisfied through chattel labor. After the American Revolutionary War the United States became more invested in slavery and some White-Cherokee elites became slaveholders.⁹⁰

⁸⁶ Christina Snyder, *Slavery in Indian Country: The Changing Face of Captivity in Early America*, (Cambridge: Harvard University Press, 2012), 8-9.

⁸⁷ Snyder, *Slavery in Indian Country*, 8.

⁸⁸ Snyder, *Slavery in Indian Country*, 8.

⁸⁹ Snyder, *Slavery in Indian Country*, 6.

⁹⁰ Miles, *African American History at the Chief Vann House*, viii.

Racial hierarchy occupied a central place in American ethos and identity politics throughout Cherokee history. The pre-removal Cherokee nation was a multi-racial society influenced by Euroamerican concepts of race. Those racialized concepts were absorbed into Cherokee society and resulted in racial and cultural shifts. Kopelson argued that concepts of race remained inflected by religious ways of marking difference.⁹¹ Christianity strengthened racial hierarchy upheld in secular social structures, according to Kopelson and “Christian membership grew more conditional as the association between darker skin color and servitude strengthened.”⁹² Sweet, emphasized “the quiet violence of ethnogenesis” can be traced to race and identity construction of African and Indian slavery in Bermuda that was later transplanted to South Carolina.⁹³

Section 3: Amalgamation: Intermarriage, Slavery, and Race Prejudice

Recall, the interconnectedness between religion and racial hierarchy is found in primary evidence from Reverend Fountaine and Colonel Byrd that revealed racialized views which advocated for what we will assume was consensual sex and intermarriage with Indians as a duty to access Indian land, breed out Indian culture and identity, and a duty to the church aimed to civilize and convert the Cherokee and other nations. Byrd professed that the dark complexion of the Indian could be over looked in order “to take this only method of converting the Natives to Christianity.”⁹⁴ While Byrd argued that White men should be able to breed out identifying phenotypes and wash Black peoples of

⁹¹ Kopelson, *Faithful Bodies: Performing Religion and Race in the Puritan Atlantic*, 16-17.

⁹² Kopelson, *Faithful Bodies: Performing Religion and Race in the Puritan Atlantic*, 19.

⁹³ James H. Sweet, “The Quiet Violence of Ethnogenesis,” 209–214Kopelson, *Faithful Bodies: Performing Religion and Race in the Puritan Atlantic*, 20.

⁹⁴ *The Writings of Colonel William Byrd*, 8-9; Maury, *Memoirs of a Huguenot Family*, 349-250; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 170-171.

their physical identity with in three generations and blanch the Indian within only two generation.⁹⁵ Writings from Fountaine and Byrd are primary evidence of the daily racialized Eurocentric mindset and sexual violence that the Cherokee encountered which shifted racial identity.

There were no laws that prohibited inter-ethnic relations between Indians and Blacks, “both held the antipathies of the white man and when held as slaves their treatment differed in no essential degree.”⁹⁶ According to James Franklin’s 1784 *Philosophical and Political History of the Thirteen United States*, “The end of Indian slavery came with the final absorption of the blood of the Indian by the more numerous Negro slave.” The pearl of wisdom in Franklin’s 1784 argument is that miscegenation laws did not prohibited inter-ethnic relationships between Indians and Blacks.⁹⁷ Native nations have a long multi-ethnic and multi-cultural history with peoples of African descent.

Americanization of the Cherokee was immersed in interracial marriages with Whites and Blacks as the push westward intensified and slavery expanded in Indian Country. Miles states that by the 1790s few White women lived within Cherokee families. The majority of interracial marriages were White men and Cherokee women.⁹⁸ This promoted further shifts in racial identity in an already multicultural society that was becoming increasingly diverse. White men sought out business relations with Indians. They saw tribal women as a vehicle to gain opportunities they would not otherwise have

⁹⁵ *The Writings of Colonel William Byrd*, 8-9.

⁹⁶ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 272-273.

⁹⁷ Lauber, op. cit., James Franklin, *Philosophical and Political History of the Thirteen United States* (London, 1784), 20; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 273.

⁹⁸ Miles, *Ties that Bind*, 18.

had access. Miles is clear, “Marrying an Indian woman was a wise investment” that allowed White men to “become familiar with the language and culture and the added advantage of family and community ties.”⁹⁹ White men took full advantage of their identity as *husbands* and exploited Cherokee women.

White men found they could gain access to the tribal property and homes of their Cherokee *wives* through the Cherokee matrilineal descent system. They did this by engaging in real and pretend marriages. The Cherokee National Council had to pass a resolution in 1819 to protect tribal women and their tribal assets from White men who were opportunists. The tribal law insisted on legal marriages within the Cherokee nation before men could identify themselves as the husband of a Cherokee woman. By 1825 the Council had to fortify the 1819 Act to make polygamy illegal because so many White men claimed several Cherokee women as wives. The 1825 law “was the first to acknowledge the presence of intermarried white women in the nation.” Greed and inheritance agendas in addition to multi-racial and non-Indian families in the Cherokee nation complicated the hierarchy especially where inheritance was concerned. The Cherokee government had to modify laws and customs based on old traditions of matrilineal inheritance that passed from Indigenous mother to Indigenous child. The Council also had to consider the legal standing of White women who became mothers of biracial Cherokee children. The Cherokee “enacted a special provision for biracial Cherokee children” giving them legal and automatic tribal citizenship with equal standing within Cherokee society.¹⁰⁰

⁹⁹ Miles, *Ties that Bind*, 19.

¹⁰⁰ Miles, *Ties that Bind*, 19.

▪ Cherokee Antipathies: Creation of Indian Racialized Attitudes

Interracial relations in Cherokee society developed into classism. In some southern states like South Carolina, racial policies were devised to “keep the Indian, the ~~mulatto~~, and the ~~Negro~~ in distinct castes to create a feeling of superiority on the part of the Indian toward the free ~~mulatto~~, and on the part of the free ~~mulatto~~ toward the slave.” Hugo Johnston argues that it is highly probable that “South Carolina Indian policy affected Indian relations in the entire southwest territory.” Johnson states “racial prejudices are especially evident among the Chickasaws and Cherokees in which the attitude of the Indian toward the ~~Negro~~ resembled that of the slaveholder toward the slave.”¹⁰¹ Johnston attributes this to “the entire southwestern territory [that] was very much infested by settlers from the slaveholding states. Many of these white settlers intermarried with the Indians and became leading men in the tribes.”¹⁰²

The elite class within Cherokee society during the mid-nineteenth century was composed of “mainly the offspring of intermarriages between the whites and the Cherokees...In this class may be included a few ~~full-blooded~~ Indians,” according to Bureau of Indian Affairs agent, David Reese.¹⁰³ Johnston proposed an interesting argument about racial attitudes inside Cherokee country. He puts forth that “white settlers who came into the Indian country brought with them the antipathies of the slave south, and from them the tribes learned to regard the ~~Negro~~ as he was regarded in the slave country.”¹⁰⁴

¹⁰¹ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 282.

¹⁰² Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 282-283.

¹⁰³ Office of Indian Affairs, *Cherokee of the East File (Letters Received)* March 10, 1832; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 283.

¹⁰⁴ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 283.

Whites saw the monetary and political advantages of creating familial relationships with the Cherokee. Their agendas for assimilated inter-ethnic offspring are made clear in an 1832 letter from Governor Wilson Lumpkin of Georgia to the legislature. Lumpkin, who later became a United States Senator, wrote:

“a class of individuals chiefly of white or ~~mixed blood~~, and who claim the rights of natives within the limits of Georgia, are persons, who, under the treaties of 1817 and 1819 took valuable fee simple reservations of the best land then ceded.... [sic] Moreover these very individuals, by their superior intelligence and advantages of education, now have had once abandoned to their fate—so far as a to rule, govern, and influence them in all matter relating to their most important interests.”¹⁰⁵

Johnston argues that these biracial Whites referenced by Governor Lumpkin “were slaveholders and carried slaves into the Indian territory, and from them the Cherokee became a holder of the Negro slaves.”¹⁰⁶ A Cherokee citizen named David Brown wrote a letter to the Secretary of War Cass in 1832 that stated: “White men in the nation enjoy all the immunities and privileges of the Cherokee people.” Brown provides the racial demographics of the Cherokee nation and specified that “there are some Africans among us. They have from time to time been brought in and sold by white men. There is hardly any intermixture of the Cherokee and African blood.”¹⁰⁷ Why did Brown feel the need to disclose, perhaps deny, inter-ethnic familial relations between Cherokees and Blacks inside the Cherokee nation? I propose his denial validates a further movement toward Eurocentric racialized ideology.

Anti-black sentiments become more clear in another letter of 1832 written by a Cherokee citizen who requested that the United States government come to Cherokee

¹⁰⁵ *Office of Indian Affairs, Cherokee of the East File (Letters Received)*, March 10, 1832; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 283.

¹⁰⁶ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 283.

¹⁰⁷ *Office of Indian Affairs, Cherokee of the East File Letter Book No. 2 (Letters Sent)*, 303, March 10, 1832 Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 284.

Country and remove Blacks that were believed to be the enslaved of the Seminole but were residing within the boundaries of Cherokee territory. The letter was in reference to, “a large number of negroes [...] We speak” for “all classes of the Cherokee people that this state of affairs is objected to and that some other disposition should be made of the said negroes.” The author of the letter continued, “we do most earnestly protest against their longer continuance in our country, as so large a number of that description of persons is a nuisance to themselves and to the people we represent. We do, therefore, respectfully ask that for their own safety as well as for that of the rights of the Cherokee they may be removed without necessary delay beyond our limits.”¹⁰⁸ Both of the above mentioned letters indicate racialized attitudes of antipathies toward Blacks but it is most pertinent to acknowledge this is not reflective of earlier feelings between Indians and peoples of African descent. Instead, the racialize language indicates acculturated ideals of racial hierarchy from larger society.

The ideals of racial hierarchy communicated in the 1832 letter were transplanted animosities that Johnston stresses “must rather be considered as the attitude of a Southern-White-Slaveholding-Indian toward people that he hoped to enslave.” Johnston makes it clear that Cherokee antipathies were symptoms resulting from acculturation and assimilation that were not consistent with tradition Cherokee culture. Many Cherokee and other Indian nations who were “living more nearly in the tribal states and less influenced by the opinions of civilization of the white many welcomed Negroes into the tribes and united freely with him.”¹⁰⁹ David Reese, an agent for the Bureau of Indian Affairs (BIA), wrote a letter in 1832 to the BIA that witnessed, “there are different grades or ranks or

¹⁰⁸ *Office of Indian Affairs, Cherokee of the East File (Letters Received)*, July 17, 1848; Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 284.

¹⁰⁹ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 285.

society” among the Cherokee “as in all communities.” Reese asserted, the highest ranking was “composed mainly of the offspring of intermarriages between whites and the Cherokees” and that the views of “white settlers or their halfbreed children may not represent the attitudes of the true Indian.”¹¹⁰

Johnston argues, that in most cases Indigenous peoples welcomed Black persons into their nations and a population of interethnic Indian-Black demographics grew. However, there is “evidence that the Indian disdained the Negro, the antipathies seems to be the result of artificial influences of the white slaveholder over the Indian or of the tribe of men of mixed white and Indian.”¹¹¹ Johnston’s argument upholds that there is no evidence that suggests there was natural race prejudices between Indian and Black unions. Instead, the biases that existed inflected Cherokee Country through acculturation of the slave economy and the racialized concepts of White southern patriarchy.

▪ Marriages to Whites Pushed to Transform the Cherokee

Biracial demographics shifted tribal hierarchy and evolved to parallel power structures and racial tensions found in White society. Political and economic shifts reflected the shifts in racial identity. Social shifts and gender roles, too, are seen in the ethnogenesis of the Cherokee as the “dominant American definition of proper feminine virtues” influenced and took form in Cherokee society. Prior to capitalist farming in Cherokee Country, “men and women alike formed the gadugi” and tended “fields and garden lots of elderly or infirm members.” The shift in gender roles increased as Cherokee elites, primarily White-biracial citizens of the nation, urged their daughters to

¹¹⁰ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 283.

¹¹¹ Johnston, *Race Relations in Virginia and Miscegenation in the South 1776-1860*, 292.

model themselves into replicas of Euroamerican females “represented in American mass culture.”¹¹² Wilma Dunnay argues some women resisted the transformation of gender roles and resisted abandoning communal work that “white elites did not consider respectable duties for wives.” Although gender roles were being redefined to mirror that of the “civilization program,” Cherokee women continued “historical participation in five forms of gender-integrated work: farming, fishing, hunting, livestock raising, and the gadugi.”¹¹³ To be clear, settler colonialism enforced racialized ideology governed by behavioral norms, secular, ecclesiastical institutions, and Indian policy that shaped Cherokee race and identity politics, economy, and gender roles.

Assimilation into White society meant that the character of the Cherokee was to be re-made and intermarriage with White Christians provided an effective vehicle. Miles points to Emmet Starr’s argument that intermarriage with White Christian males and females promoted social, economic, and federal benefits for biracial White-Indian families: “Starr reports that the Cherokee married more freely with the whites than did the other tribes and with exceptional results.”¹¹⁴

Protestant missions and missionaries were encouraged by authorities in the federal government to push the Cherokee to marry White Christians. Daniel Butrick, a Protestant missionary who was assigned to live within Cherokee Country and monitor assimilation, stated that Thomas Jefferson was an advocate for White-Indian marriages as was his Secretary of War Henry Dearborn. Intermarriage to Whites “represented transformation

¹¹² Miles, *Ties that Bind*, 19.

¹¹³ Wilma Dunnay, “Rethinking Cherokee Acculturation: Agrarian Capitalism and Women’s Resistance to the Cult of Domesticity, 1800-1838.” *American Indian Culture and Research Journal* 21, no. 1 (1977): 155-192; “The Origin of Gadugi,” Cherokee Nation, last modified 2019, accessed June 26, 2019, <https://cherokee.org/About-The-Nation/History/Facts/The-Origin-of-Gadugi>.

¹¹⁴ Miles, *Ties that Bind*, 20-21. Starr quoted John McFerrin’s comments about intermarriage in his (Emmet Starr’s) book, *Early History of the Cherokee: Embracing Aboriginal Customs, Religion, Laws, Folk Lore, and Civilization* (Claremont [Claremore?], Oklahoma, circa 1917), 96.

and civilization of Indians.”¹¹⁵ For the Cherokee, intermarriage to White Christians meant proving they were taking the required steps to assimilate into the greater American society as outlined in federal treaties in order to remain in their original homelands. Assimilation was resistance to eradication. Assimilation meant survival.

Through intermarriage, as argued by Starr and Miles, came benefits. Self-preservation for Cherokee individuals, families, and the nation was at stake. Jefferson advocated for the improvement and assimilation of the Cherokee into White society, “The day will soon come when you will unite yourselves with us, join in our great councils, and form a people with us, and we shall all be Americans; you will mix with us by marriage; your blood will run in our veins and will spread with us over this great continent.”¹¹⁶ Jefferson intended to breed the Indian out of the Cherokee and transform the Cherokee nation into, not simply a reflection of but a complete assimilation into, the White population of United States. Benjamin Hawkins, a leading United States Indian agent agreed, “The ultimate point of rest and happiness for them is to let our settlements and theirs blend together, to intermix, and become one people. Incorporating themselves with us as citizens of the United States.”¹¹⁷

Incorporating inter-ethnic White Cherokees into the United State citizenry did not mean racial equality or acceptance. Two exemplary couples of Cherokee intermarriage with White Christian women are John Ridge (Skah-tle-loh-skee/Yellow Bird) and Elias Boudinot (Gallegina Uwati/Buck Watie). The mother of John Ridge was a White

¹¹⁵ Miles, *Ties that Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom*, 21.

¹¹⁶ Demas, *The Heathen School*; Notes #15 Chapter 5 from *The Heather School*, William G. McLoughlin, “Writings of Jefferson,” *The Indian Policy of an ‘Empire for Liberty’* page 50; *Cherokee Renascence in the New Republic* (Princeton, NJ: 1986), 35; Wallace, *Jefferson and the Indians*, 223.

¹¹⁷ Demas, *The Heathen School*, 134 and Notes #15 Chapter 5; William G. McLoughlin, “Writings of Jefferson,” *The Indian Policy of an ‘Empire for Liberty’* page 50; *Cherokee Renascence in the New Republic* (Princeton, NJ: 1986), 35; Wallace, *Jefferson and the Indians*, 223.

Cherokee and both parents of Elias Boudinot were White Cherokees. These two biracial Cherokee cousins were each scholars educated and Americanized at the Foreign Mission School in Cornwall, Connecticut, for international elite nonwhites. Their ethnicity, complexion, formal education, and Christian education seemed to have molded them into the specimen of Americanism President Jefferson envisioned. Apparently, their traces of Cherokee ethnicity was enough for the Christian community of Cornwall to reject both Ridge and Boudinot. Harriot R. Gold asked “a good many Christian people” if a Cherokee scholar from the Foreign Mission School could, “return to marry one of the Christian students, “they all said, no!”¹¹⁸ The Cherokee scholar Harriot alluded to was Elias Boudinot who later became her husband.

Boudinot’s cousin John Ridge married Sarah Bird Northrup. Northrup was a White Christian whose father was steward of the American Board of Commissioners for Foreign Missions School in Cornwall. Elias Boudinot married Harriet Ruggles Gold, who was from a White prominent English Congregationalist family. Ridge and Boudinot’s interracial coupling with White females resulted in racialized tensions and public eruptions of violence from the Connecticut Christian community including family members of the brides. The Foreign Mission School banned all future Indians from attending the school and decided it was in the best interest of White society to missionize Cherokee “youth in their own lands.”¹¹⁹ The 1824 *Litchfield Gazette* reported: “intermarrying with Indians and Blacks of the Missionary School at Cornwall, now begun, is not a subject for irony.” The *Litchfield Gazette* stated that for Sarah: “to marry an Indian and taken into the wilderness among savages, must indeed be a heart-rending

¹¹⁸ Demas, *The Heathen School*, 177.

¹¹⁹ Miles, *Ties that Bind*, 23.

pang.” Some in the Cornwall community urged to have her “publically whipped, the Indian hung, and the mother drown’d [sic].” The Church leader intended to bring “Mr. Smith to trial...for performing that marriage.”¹²⁰ Not all missionaries disapproved of John and Sarah’s inter-ethnic marriage. One missionary wrote, “If I am not mistaken, the President and Secretary of War, but a few years since, recommended intermarriages with the Indians as a means of promoting their improvement.”¹²¹

A writer for the *Boston Recorded and Telegraph* was blatant about the benefits for Whites who intermarried with the Cherokee. One benefit, it was perceived, was to prevent, “these educated ~~heathen~~ youth [from] reverting back to paganism.” Another benefit was to “unite the Indian tribes to the United States in bonds of permanent friendship” in order to prevent “those expensive and bloody wars which have hitherto prevailed.”¹²² The *Boston Recorder and Telegraph* article was clear in its message that Indian females had long been targeted and victimized by White men with economic motives. “Their wives and daughters have been debased by our travelers, our fishermen, and our hunters. Sexual intercourse has been mostly illicit, and marriage from motives of gain.”¹²³ White society in Cornwall and a many Christian people eventually came to revere the two interracial couples when they learned Ridge and Boudinot came from wealthy elites in the Cherokee nation who were slaveholders. “Wealth derived from slave labor made Ridge worth respect.” The identity, persona, and reputation of his wife, Sarah,

¹²⁰ Demas, *The Heathen School*, 154; *American Eagle* (Litchfield, CT), February 23, 1824; April 19, 1824, February 2, 1824; See article “Married,” *Massachusetts Spy* (Worcester), February 25, 1824, and *Litchfield Gazette*, reprinted in *Nantucket Inquirer*, February 23, 1824.

¹²¹ Demas, *The Heathen School*, 157; Daniel Buttrick to Jeremiah Evarts, November 4-7, 1824 ABC 18.3.1 (1st series), vol. 4, no. 5; Moody Hall to Jeremiah Evarts, September 18, 1824, American Board of Commissioners for Foreign Missions 18.3.1 (1st series), vol. 5, no. 328.

¹²² Demas, *The Heathen School*, 187; *Western Recorder*, October 4, 1825; *Boston Recorder and Telegraph*, August 16, 1825.

¹²³ Demas, *The Heathen School*, 187; *Boston Recorder and Telegraph*, August 26, 1825.

were salvaged when the Christian community remade her identity from a “white squaw to a princess.”¹²⁴

Chapter Summary: Assimilation to Survive Genocide is a Complex History

As a reminder, words or terms ~~stricken through~~ are my effort to note antiquated or obsolescent language use in some historical narratives. This chapter argues that shifts in the formation and development of the Cherokee as a racial and cultural group is evident through assimilation, intermarriage, acculturation, slaveholding, and land cession treaties. For the Cherokee, intermarriage to White Christians meant proving they were taking the required steps to assimilate into the greater American society as outlined in federal treaties in order to remain in their original homelands. Through intermarriage and religious conversion, according to Starr and Miles, came benefits that included self-preservation for Cherokee individuals, families, and the nation.

The racial, cultural, and political identity of the Cherokee was influenced by racial prejudice toward Blacks. Racial antipathy against those of African descent developed among some Cherokees as a result of exposure to the biased ideology of Whites and Christian society. Incorporating slaveholding, the southern plantation economy, and federal policies of assimilation deepened racial attitudes that closely mirrored Euroamerican society. As a response to federal policies, the Cherokee acculturated politically, socially, and religiously. Cherokee markers of cultural group identity delineated over time including identifiers of shared “common language, common ancestry, common culture, and common territory or ancestral homelands.” Shifts in Cherokee cultural and ethnic identity resulted from settler violence, inter-cultural

¹²⁴ Miles, *Ties that Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom*, 23-24.

relations with larger society, intermarriage, religious conversion, and engagement with foreign governments.¹²⁵

This chapter demonstrates there were many complex and ongoing factors that influenced changes in Cherokee racial and cultural identity that shifted over time (ethnogenesis). The factors included in this chapter are evidence that the Cherokee did not desire to become White. The rise of the United States centered Indian policies on removing Indian racial and cultural identity and replacing it with White ideology to create a Cherokee identity that was a reflection of Americanized traditions. The goal of presidential administrations was to thoroughly erase Indian identity as a method to eradicate all evidence of Indian nations from the landscape without the expense of war.

Assimilation into White society and acculturation of Euroamerican ideology, racial prejudice, Christianity, plantation economy, racialized views and hierarchy, and intermarriage contributed to shifts in Cherokee identity. Treaties, land cessions, federal policies, settler violence and avarice also influenced shifts in Cherokee culture and tribal structure. To further prove assimilation, the Cherokee who once were the enslaved property of White Christian settlers became the owners of enslaved Blacks.

The ethnogenesis of pre-removal Cherokee is a complex history and out of respect for survivors of the American Indian Holocaust deserves our careful attention.¹²⁶ All factors considered, the leading element that pressured the Cherokee to alter nearly every aspect of life was the urgency to prove to United States administrations that they had assimilated *fully enough* into White society to escape ethnic cleansing from their tribal

¹²⁵ Weik, "The Archaeology of Ethnogenesis," *Annual Review of Anthropology*, 291-305, accessed March 4, 2019, <https://www.annualreviews.org/doi/10.1146/annurev-anthro-102313-025920>.

¹²⁶ "Types of Ethnogenesis," accessed March 4, 2019, <https://www.worldatlas.com/articles/what-is-ethnogenesis.html>; "The violence brought about by [Euro] exploration, killing, and disease in the 1700s" blended differing Indian peoples into new groups from "refuges who survived the Spanish invasion."

territory. Surviving genocide was at the core of assimilation. The formula for survival required Americanizing tribal, social, and political structures. The Cherokee did this by shapeshifting racial identity and adopting racialized ideology, engaging in race-based economics, and interethnic unions.

The United States breeched treaty agreements that exempted the Cherokee from forced exile. U.S. administrations led the Cherokee to believe assimilation would protect them from Indian Removal legislation so that they would continue establishing Americanized homesteads and communities. In preparation for more westward expansion, confiscated Cherokee property and improvements to the land were distributed to members of Euroamerican society as the United States advanced preparation for deeper ethnic cleansing of the Cherokee from the eastern region.

The Cherokee witnessed ethnic cleansing of Indian nations prior to their own.¹²⁷ Tribal leaders and headsmen understood the American force for depeopling regions it intended to repeople with White society. The political and diplomatic interactions that tribal leaders had with American authorities and presidential administrations influenced Cherokee determination to resist forced removal and utilize assimilation as tool for exile exemption. Finally, Cherokee leaders became sure that negotiating removal conditions was their strongest option to resist complete eradication of their nation.

One United States administration after another dedicated policies and agendas intended to eradicate any visible reference of Indian identity by refashioning or *remaking* Indigenous peoples and nations into Americanized models. The James Monroe Indian

¹²⁷ Coard, "Trail of Tears: White America's Indian Holocaust," *The Philadelphia Tribune*; Senate Bill 102, Indian Removal Act, was United States legislation that provided for the ethnic cleansing of many Indian nations in the southeast that included the Cherokee, Chickasaw, Choctaw, Creek, Seminole, Fox, Kickapoo, Lenape, Miami, Omaha, Ottawa, Potawatomie, Sauk, Shawnee, Wyandot, and others.

Civilization Act of 1819 is a seminal document that verifies the federal government's intention to erase the existence of Indian peoples. President Monroe clearly stated, "independent ~~savage~~ communities can not long exist within the limits of a civilized population," and that "it seems to be indispensable that their independence as communities should cease, and that the control of the United States over them should be complete and undisputed."¹²⁸ Presidents, Thomas Jefferson, James Madison, and James Monroe all were early authorities that carried forward the agenda of George Washington and Henry Knox. They pushed federal policies to strip Indigenous peoples of tribal traditions and lifestyles at the hands of civilization programs backed with federal funding.

Monroe, in his 1818 State of the Union Address, stressed to civilize (Americanize, Christianize, and reshape Indians into Whites) was a requirement for every single Indigenous person. "The hunter state will then be more easily abandoned, and recourse will be had to the acquisition and culture of land and to other pursuits tending to dissolve the ties which connect them together as a ~~savage~~ community and to give a new character to every individual."¹²⁹ By 1819, President Monroe's Civilization Fund Act garnered congressional approval of \$10,000 annually for Indian schools to refashion Indigenous students by replacing their identity with the indoctrination of American ideology of civilization.

¹²⁸ 1819 Fifteenth Congress, Session II. Ch. 83, 84, 85, accessed June 11, 2019, <http://legisworks.org/congress/15/session-2/chap-85.pdf>; Statute II, March 3, 1819, *An Act making provision for the civilization of the Indian tribes adjoining the frontier settlements*, <https://federaleducationpolicy.files.wordpress.com/2015/09/indian-civilization-act-1819-1.png>; Eurocentric, archaic, or offensively racialized words by today's standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

¹²⁹ "1818 James Monroe - Indian Civilization Act of 1819," *State of the Union History*, accessed June 11, 2019, <http://www.stateoftheunionhistory.com/2017/04/1818-james-monroe-indian-civilization.html>.

A thirty year span prior to Monroe's 1819 Indian Civilization Act demonstrates three decades that Presidents Jefferson, Madison, and Monroe focused on a partnership of civilization agendas that invoked fear. In a 1786 letter to Benjamin Hawkins, Thomas Jefferson stated that after all the "injuries" done to Indian peoples that "fear" must be used to suppress retaliation. In 1801, Jefferson introduced an Indian "Civilization Program" aimed at shifting Indian life from hunting to "husbandry and household arts." In 1813, President Madison admitted the United States took the position to "chastise the savages into present peace but [must] make a lasting impression on their fears." In 1816, Madison asserted that the goal to refashion Indians from their "habits of savage" must continue by stripping them of millions of acres of tribal hunting grounds in exchange for a few thousand acres of farmland and protection from the violence of White settlers.¹³⁰ Finally, by 1817 President Monroe pledged to provide financing for husbandry supplies to further indoctrinate Indians as subjects via treaties "made with a view to individual ownership" and "cultivation of the soil."¹³¹

¹³⁰ "1818 James Monroe - Indian Civilization Act of 1819," *State of the Union History*; William G. McLoughlin, "Writings of Jefferson," *The Indian Policy of an 'Empire for Liberty'* page 50; *Cherokee Renascence in the New Republic* (Princeton, NJ: 1986), 35; Wallace, *Jefferson and the Indians*, 223.

¹³¹ "1818 James Monroe - Indian Civilization Act of 1819," *State of the Union History*.

CHAPTER IV

INTERVENTION

Mediating Complexities of Cherokee Leadership and Forced Diaspora

On September 18, 1839, a few months following the assassination of Major Ridge, his son, and his nephew, *The Houston Telegraph Weekly* and *Texas Register* published that Major Ridge was, formerly one of the principal chiefs of his nation and was a man of [a] strong and discriminating mind.¹

John Demos

The Heathen School: A Story of Hope and Betrayal in the Age of the Early Republic,
(p. 261).

This chapter is not a regurgitation of the thoroughly written details and opinions that center around Cherokee leaders Major Ridge and John Ross. Neither does this chapter rehash political loyalties or romanticize the ~~Trail of Tears~~.² Instead, this chapter centers on the climate of mounting state and federal insistence to force an entire nation out of its territory. The complexities are numerous and demanded Cherokee leadership engage a foreign government who was determined to eradicate the nation. The epicenter of debates that position Chief Major Ridge and Chief John Ross in opposition is the 1835

¹ Demos, *The Heathen School*, 261, 317 note 87; Comment about Major Ride is in the *Houston Telegraph* and *Texas Register* September 18, 1839;

The words *one of the principle chiefs of his nation* is a very significant statement that requires a deep analysis through the lens of lexical semantics which studies word meanings and word relations, and conceptual semantics, which studies the cognitive structure of meaning. Probing discourse among scholars must dissect the word choice and the cross-cultural meaning of the phrase “*one of the principle chiefs of his nation*”.

² Primary sources in this thesis are used to analyze language and lexical semantics (logic and concerned with word meanings and word relations). Eurocentric, archaic, or offensively racialized words, by today’s standards are left as they are found in the primary document but I have ~~stricken them~~ in my own scholarship.

Treaty of New Echota. In this chapter, I present evidence in an attempt to put this 184 year debate to rest, liberate the legacy of both leaders, and dilute tensions between generations who the debate has divided.

Relinquishing the Ridge – Ross debates and myths that continue to divide generations begins by respecting the memory of all Cherokee leaders. They were in the unimaginable positions of fighting against a rising Euroamerican empire determined to eradicate all Indigenous nations residing in the East. The divisive binary approach has little validation when acknowledging Cherokee leaders and headsmen recognized complete eradication was the agenda of the United States years prior to the signing of the Treaty of New Echota in 1835. The Treaty of New Echota was never a treaty for removal. It was a treaty for survival. The most significant augment in this thesis that leads to Cherokee removal is not the Treaty of New Echota. The removal of the Cherokee is traced to the Catholic Church in 1493 which established internationally enforceable laws to extinguish the rights of Indigenous people to their own territories. The 1493 Doctrine of Discovery is a papal bull which established the authority of European countries to take ownership and control of land from Indigenous peoples around the world.¹

The Doctrine of Discovery was upheld in U.S. law in 1823 in the Supreme Court case *Johnson v. M'Intosh*. This landmark decision, handed down by United States Supreme Court Justice John Marshall, held that the United States expounds upon the Doctrine of Discovery which gives European powers *radical title* (sovereignty) and the exclusive right to extinguish Indian peoples *right to occupancy*, right to occupy their own

¹ Stuart Banner, *How the Indians Lost Their Land: Law and Power on the Frontier* (Cambridge, MA: Harvard University Belknap Press, 2005), 178-188.

lands.² According to Justice Marshall's ruling in 1823 (twelve years prior to the Treaty of New Echota) when the American colonies declared independence from Britain following the American Revolutionary War the U.S. inherited (from the British) the right of *preemption* over American Indian territories.³ Finally, the Doctrine of Discovery in combination with the *Johnson v. M'Intosh* ruling provided footing for the Indian Removal Act of 1830. The Treaty of New Echota did not decide Cherokee removal to the west in 1835. The Treaty of New Echota negotiated conditions for removal. The United States would have enforced removal with or without a treaty. Cherokee removal did not take place because of signatories of the Treaty of New Echota. The cornerstone of Cherokee removal is the 1493 Doctrine of Discovery in addition to two touchstones; the 1823 *Johnson v. M'Intosh* Supreme Court Ruling and the 1830 Indian Removal Act.

This section of the thesis severs as an intervention to a long history of polarized debates about the nearly mythical Ridge – Ross opposition paradigm and the 1835 Treaty of New Echota. Historical narratives often juxtapose Ridge and Ross in hostility toward one another and refer to Ridge and the Treaty Party as supporting Cherokee removal from their eastern territory. Ross and the National Party are then situated as opposing Cherokee removal. Seismic vibrations associated with the unequal Treaty of New Echota (1835), land cessions east of the Mississippi River and removal of the Cherokee have created a divisive gulf that continues to reverberate in Cherokee Country.

In this chapter I argue *polarization*, as describe in the Ten Stages of Genocide, accurately defines the manufactured tensions in Cherokee leadership as decisions for removal that were being formed. I argue that the United States *jacketed* Cherokee

² Banner, *How the Indians Lost Their Land: Law and Power on the Frontier*, 178-188; "The Life of Major Ridge," *Chieftains Museum Major Ridge Home*.

³ Banner, *How the Indians Lost Their Land: Law and Power on the Frontier*, 178-188.

statesman Major Ridge.⁴ To be clear, by *jacketing* I mean that the United States intentionally fostered leadership divisions which not surprisingly led to weakened tribal unity and the later assassination of Major Ridge by fellow Cherokees. The longstanding argument for the murder of Chief Ridge is based on interpretations that he held the political role of principal leader in the Treaty Party and was a signatory of the Treaty of New Echota. However, that argument weakens when examining the list of family, friends, and colleagues of John Ross who were prominent leaders of the Treaty Party and signatories of the Treaty of New Echota, including Andrew Ross, the younger brother of John Ross.

The 1827 interim Principal Chief, William Abraham Hicks, was the initial leader of the early Treaty Party along with Andrew Ross. William Hicks was a Scot-Irish-Swiss Cherokee and is said to have been the cousin of John Ross. I did not find evidence that is clear enough to validate or dispute that kinship. William Hicks, John Ross, and Major Ridge all held political positions in the Cherokee Nation during the same period. Hicks succeeded his brother (Chief Charles Hicks) as interim Chief from 1827-1828 and John Ross served as second Chief. William Hicks was a Principal Chief who served in Cherokee Nation East, according to the Cherokee Nation of Oklahoma's website. "Historically, there were tribal town chiefs, and then Principal Chiefs whose jurisdiction encompassed all tribal towns and districts."⁵

Andrew Ross was one of the first negotiators for Cherokee removal. He negotiated for less favorable terms for removal as early as one year prior to Major Ridge's negotiations with Indian Commissioner John F. Schermerhorn for a provisional

⁴ "Ten Stages of Genocide," *The Genocide Education Project*.

⁵ "Chief of the Early Times," Cherokee Nation, last modified 2019, accessed June 26, 2019, <https://cherokee.org/About-The-Nation/History/Chiefs/Chiefs-of-the-Early-Times>.

agreement.⁶ According to historian, Ovid Andrew McMillion, Andrew was “willing to agree to any [removal] treaty offered” by the Jackson administration. President Jackson refused to have dealings with Andrew Ross and the original delegation (Andrew Ross, J. Pack, James Starr, and John West) unless more prominent and experienced Cherokees were added to the delegation.⁷ The Cherokee General Council then appointed Major Ridge, Elias Boudinot, and David Vann to the removal treaty delegation. Appointment of Major Ridge to the removal delegation is an important historical note. Appointment by the Cherokee Council pushes against the myth that the Major was negotiating with the United States without approval of Cherokee authorities. According to McMillion, Ridge and Boudinot withdrew from the treaty removal delegation upon seeing how easily Andrew was willing to agree to Cherokee removal.⁸ John Ross agreed with Major Ridge and a petition of thirteen thousand Cherokee also rejected Chief Hicks and Andrew’s delegation.⁹ There were many Cherokee leaders involved in negotiations with the United States and many who pushed against Cherokee removal. At times, Major Ridge and John Ross traveled to D.C. and lobbied against Cherokee removal together.¹⁰

The Treaty of New Echota evolved from the United States’ breeches of earlier treaties with the Cherokee. Assimilation was the *Holy Grail* that held the powers to spare the Cherokee from the same ethnic cleansing that the Choctaw and other Indian nations had experienced earlier.¹¹ The Cherokee were assured exemption from forced removal if

⁶ Wilkinson, *The Cherokee Tragedy: The Ridge Family and the Decimation of a People*, 268; WP Treaty of New Echota.

⁷ Ovid Andrew McMillion, *Cherokee Indian Removal: The Treaty of New Echota and General Winfield Scott* (East Tennessee State University, 2003), 36.

⁸ Ovid Andrew McMillion, *Cherokee Indian Removal*, 36.

⁹ Ovid Andrew McMillion, *Cherokee Indian Removal*, 36.

¹⁰ Demos, *The Heathen School*, 245.

¹¹ According to the Daniel Webster definition, the term "holy grail" is often used to denote an elusive object or goal that is sought after for its great significance.

they proved adequate assimilation into White society and adequate acculturation of White culture.

As human atrocities are illuminated, the responsibilities and consequences involved in making decisions to prevent a nation from annihilation is unimaginable. Cherokee delegations pressed fellow American statesmen and presidential administrations for peace and safety of the Cherokee Nation.¹² Major Ridge, John Ridge, Elias Boudinot, John Ross, and many others Cherokee headsmen were in positions of tribal leadership and functioned as international diplomats among other roles. They were liaisons to American authorities in white society, the church, and the United States government. To remain in eastern Cherokee territory was not an option. To delay removal meant annihilation of the Cherokee people. This chapter shows that both, Cherokee leadership of the Treaty Party (associated with Major Ridge) and leadership of the National Party (led by John Ross) were initially against relocation of their nation. Both leaders negotiated with the United States to remain in eastern Cherokee Country and both leaders negotiated for removal conditions when they found the United States would stop at nothing to eradicate the Cherokee people.

Of course, it is unreasonable to expect the leadership of any nation, government administration, or peoples to have consistent unity. Americans, for example, have never been a homogenous or unified society. Neither should idealist assumptions of the Cherokee expect homogenous or unified support for the Treaty Party or the National Party. Both parties resisted removal of the Cherokee, the removal of their enslaved Blacks, and the removal of a minority of Whites living within their nation. For the

¹² Thurman Wilkinson, *The Cherokee Tragedy: The Ridge Family and the Decimation of a People* (Norman: University of Oklahoma Press, 1989).

Cherokee to survive genocide, both Ridge and Ross realized negotiations with the United States involved removal to the West. Ridge and Ross traveled to Washington D.C. and negotiated their nation's future survival with President Jackson and his administration.¹³ The 1835 Treaty of New Echota was not a treaty that any Cherokee leader favored. The forced exile of the Cherokee from eastern territory was the final demand by the United States and it is the United States who is responsible for thousands who perished on the death march westward.

It is important not to overlook the Old Settlers (also referred to as Western Cherokee or Keetoowah). The Old Settlers were removed to present day Arkansas and northeastern Oklahoma under the Treaty of 1817 two decades prior to the ~~Trail of Tears~~ removal in 1838-1839. The Treaty of the Cherokee Agency was entered into on July 8, 1817 and pushed for tribal land cessions and Cherokee expatriation westward in exchange peace and the possibility for American citizenship. Today's Keetoowah, *Kituwah*, are direct descendants of the Western Cherokee who continue to be less inundated with interethnic ancestry and remain more engaged with ancient traditions, cultural, and first language. This does not imply romanticized assumptions. The Keetoowah balance modern lifestyles with a continue connection to Cherokee traditions. According to the United Keetoowah Band of Cherokee Indians in Oklahoma, the name Kituwah, or *Kituhwagi*, is not a chosen name.¹⁴ Instead, "the name Kituwah being the true name of the Cherokee people, [is] a name given directly from the Creator."¹⁵

¹³ Demos, *The Heathen School*, 245.

¹⁴ James Mooney, "Myths of the Cherokees," *19th Annual Report of the Bureau of American Ethnology* (Washington Government Printing Office, 1900), 15; John L. Springston, "Keetoowah History Essay," United Keetoowah Band of Cherokee Indians in Oklahoma, accessed June 8, 2019, <http://www.keetoowahcherokee.org/about-ukb/history.html>.

¹⁵ Money, *Myths of the Cherokees*.

Ethnic Cleansing

Forced removal of a peoples from their territory is *ethnic cleansing*, a stage of genocide according to the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide.¹ Primary sources in this chapter are evidence that United States military units held the Cherokee as prisoners of war during peacetime and carried out ethnic cleansing under inhumane conditions. The eighth stage in the process of genocide is *persecution* of a specific or targeted group. The purpose of the eighth stage is to justify depriving the victim group of resources including access to food and water while systematically destroying them after they have been prepared for forced displacement. *Preparation* for displacement is the seventh stage of genocide.² According to Stanton, scholar of Genocide and Holocaust Studies, ethnic cleansing often includes seizure of the victimized group's property of which the state will retain or distribute to members of the majority group. It is common with genocidal campaigns to segregate the targeted group from larger society, imprison them in concentration camps, or deport them to famine-struck regions (reservations).³

Cherokee leaders worked together and separately to negotiate with the United States against being exiled. They petitioned American society at large and garnered varied levels of support against removal of the Cherokee until polarized divisions grew inside and outside of the Cherokee nation. *Polarization*, according to the United Nations, is the sixth stage of genocide. Polarization widens the gap between larger society and a

¹ United Nations Convention on the Prevention and Punishment of the Crime of Genocide: *Resolution 96 Article II*. <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>.

² Stanton, "The 10 Stages of Genocide."

³ Stanton, "The 10 Stages of Genocide."
https://genocideeducation.org/wp-content/uploads/2016/03/ten_stages_of_genocide.pdf.

targeted group in order to garner support for oppressing that group. Deeper polarizing comes from targeting leaders within a group or tribe to create infighting that results in intra-tribal divisions and may result in assassinations that permanently alter cohesion.⁴ Outgroup members are often manipulated into conducting the assassinations of their own leaders. Arguably, an example of polarization are the June 22, 1839 Ridge – Boudinot assassinations believed to have been carried out by supporters of John Ross.

Shifts in Cherokee Leadership

Strangers urge our removal. We are in the paw of the Lion [...] In the lapse of half a Century if Cherokee blood is not destroyed it will run its course in the veins of fair complexions who will read that their Ancestors under the Star of adversity, and curses of their enemies became a civilized Nation.⁵

John Ridge

Journal of Cherokee Studies: Cherokee Civilization in 1836

Early Cherokee government and leadership were regionalized and diverse with various levels of chieftdom and headsmen, according to the 2019 Cherokee Nation of Oklahoma webpage. Higher levels of leadership were often hereditary rather than elected. Each Cherokee town during the eighteenth century and into the nineteenth century was “autonomous in its leadership” because there was not at that time a national or centralized structure of leadership. The British were “often able to manipulate the towns against each other” due to the regional structure of the Cherokee nation.⁶ The British

⁴ During the 1960s and 1970 the FBI refer to this as “bad-jacketing.” Bad-jacketing, also referred to as Blackjacketing, jacketing, or snitch jacketing, and is used by the federal government to destroy activist groups by destroying the trust and reputation of members and leaders. The method of bad-jacketing was a COINTELPRO operation used against civil rights leaders, the Black Panthers and the American Indian Movement in the 1960s and 1970s; <http://fullpraxisnow.tumblr.com/post/119238816588/snitch-jacketing-or-bad-jacketing-refers-to>.

⁵ William C. Sturtevant, ed., “John Ridge on Cherokee Civilization in 1836,” *Journal of Cherokee Studies* 6 (1982), 79-91; Demos, *The Heathen School*, 238.

⁶ “Disease and Genocide,” *Cherokee Nation.org*, accessed February 21, 2019, <https://cherokee.org/About-The-Nation/Culture/General/Disease-and-Genocide>.

intentionally created competition among the Cherokee autonomous leaders in return for “positions of privilege and favor” including temporary peace.⁷

By the 1750s shifts in governing were forming toward a more centralized structure that included chiefs and headsmen who began to meet at regular councils for “inter-township meetings to better resist the divide-and-conquer tactics of the British.” Old Hop, for example, was a headsmen at the newly designated primary town of Chota. Old Hop was selected “principal chief, or spokesperson, of the Cherokees.”⁸ The key word in this description is *principal chief*, defined as a *spokesperson*. The description of principle chief is important to keep in mind as there were varied levels of chiefs. The principle chief was not the only authority poised to enter treaties. Headsmen were recognized leaders who held designated positions of tribal representation, regularly convened with the American government, negotiated on behalf of the Cherokee, entered into treaties, and ceded tribal lands. Representatives entered into treaties even though some Cherokee members and leaders opposed, as was the case with the Treaty Party and the 1835 Treaty of New Echota. The United States required land cessions in treaties in exchange for federal protection against settler terrorism. This was common even prior to the 1835 Treaty of New Echota.

According to the Cherokee Nation of Oklahoma, “the Americans launched a concerted genocidal campaign against the Cherokees in an attempt to eradicate the Cherokees from the face of the earth.”⁹ By the early 1780s, “Americans in Virginia attacked the Upper Towns of the Cherokee, the militias in the Carolinas attacked the Middle and Valley Towns, and South Carolina attacked the Lower Towns. Over two-

⁷ “Disease and Genocide,” *Cherokee Nation.org*.

⁸ “Disease and Genocide,” *Cherokee Nation.org*.

⁹ “Disease and Genocide,” *Cherokee Nation.org*.

thirds of Cherokee towns were wiped out in the early 1780s. Americans sold many Cherokee into slavery and held many others as prisoners of war. Yet again, “dwellings, fields, and orchards were burned, stores of food were plundered and burned, stock was driven off or killed, and thousands of Cherokees fled into the mountains where starvation and exposure were commonplace.”¹⁰ These experiences echo the language of the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide. The United Nations defined acts of genocide to include “Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.”¹¹ The eighth stage of genocide, according to the Genocide Watch organization, is *persecution*. Persecution includes deliberately depriving the targeted group of water or food in order to destroy them.¹²

When revisiting the master narrative of American imperialism and its crusade to annihilate Indigenous people in the United States is important to “reflect the true character of U.S. – Indigenous relations.”¹³ As Akers urged, Indigenous decolonization scholars must debunk the pretense that Native nations willingly gave up tribal territories. Native perspective requires deconstructing “American exceptionalism” to “provide a foundation for the recovery of the truth.”¹⁴ The national narrative broadcasts rhetoric of a democracy and a god given right to spread the Christian gospel so to elevate the nonwhite. Ideals of American exceptionalism and westward expansionism left a tragic

¹⁰ “Disease and Genocide,” Cherokee Nation; Nash, *The Unknown American Revolution: The Unruly Birth of Democracy and the Struggle to Create America*, 258.

¹¹ United Nations Treaties Series: Article II, 1948 Convention for the Prevention and Punishment of the Crime of Genocide; accessed April 16, 2019. <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>.

¹² Stanton, “The Ten Stages of Genocide.”

¹³ Akers, “Decolonizing the Master Narrative: Treaties and Other Myths,” *University of Minnesota Press Wicazo Sa Review*, 29, no. 1, *Special Issue: A Tribute to Russel Means* (Spring 2014), 73.

¹⁴ Akers, “Decolonizing the Master Narrative: Treaties and Other Myths,” 73.

gulf within Indian nations who tried to assimilate as a means of surviving genocide. Euro-invaders formulated a sense of white identity that objectified *others*. In the process, post-Revolutionary Cherokee Country became a microcosm of Indigenous peoples, Euro-invaders, and uprooted Africans, according to Akers.

Cherokee leaders met the push for westward expansionism with resistance activism. By 1824 and 1825, John Ridge was deeply involved in the Cherokee – American political arena. The Cherokee National Council appointed John Ridge, son of Major Ridge, to a powerful position within Cherokee government. He was the appointed member of a delegation sent to Washington D.C. to defend the Cherokee nation against the encroachment of the state of Georgia. He was “[t]hrust into leadership roles at an early age.” Ridge was an “[e]loquent speaker, gifted writer, and passionate defender of Cherokee rights and interests.” He had a strong network of prominent American colleagues, opponents, and was personal friends with many U.S. presidents, cabinet secretaries, and congressmen.¹⁵ As a formally educated bilingual Cherokee statesman, John was competent in American politics and comfortable at influential socials held at the White House and in the homes of cabinet secretaries, according to Demos, author of *The Heathen School*.¹⁶

John Ridge earned his education at the Foreign Mission School at Cornwall, Connecticut, with others from elite biracial families from Indian Country and nonwhites from around the world. John never converted to Christianity but was respectful of the faith that his mother chose and his father, Major Ridge, rejected until his later years when

¹⁵ Demos, *The Heathen School*, 271.

¹⁶ Demos, *The Heathen School*, 238.

near death.¹⁷ John was a southern elite. John Quincy Adams, when Secretary of State described Ridge and others in the Cherokee delegation as “well-bred country gentlemen.”¹⁸ Ridge understood the American political mind and the unyielding determination of the American government to permanently rid the United States of the *Cherokee problem*. In reference to the national existence of the Cherokee, Ridge stated “Strangers urge our removal. We are in the paw of the Lion.” He continued, “In the lapse of half a Century if Cherokee blood is not destroyed it will run its course in the veins of fair complexions who will read that their Ancestors under the Star of adversity, and curses of their enemies became a civilized Nation.”¹⁹

A dignitary at the Antiquarian Society in Worcester gave insight to the disposition of Elias Boudinot, John’s cousin, and his efforts to petition against the federal agenda for Cherokee removal. The dignitary stated that Boudinot “answered all my enquiries readily and sensibly” regarding “the present controversy between the people of Georgia and the Cherokees” and “intimated [communicated] his belief that the nation would soon be exterminated, unless General Government should interpose its arm and shield them from the sword of the Georgians.”²⁰ *Exterminate* is a term readily used by the Cherokee and federal authorities to acknowledge the agenda and trajectory that was

¹⁷ Demos, *The Heathen School*, 239.

¹⁸ Demos, *The Heathen School*, 238.

¹⁹ William C. Sturtevant, ed., “John Ridge on Cherokee Civilization in 1836,” *Journal of Cherokee Studies* 6 (1982), 79-91; Demos, *The Heathen School*, 238.

²⁰ Demos, *The Heathen School*, 244; Catherine E. Beecher, *Boston Courier*, March 17, 1832; “Indian Rights,” *Haverhill Gazette* (Maine) March 17, 1832; Jack Larkin and Caroline Sloats, eds., “A Place in my Chronicle,” *A New Edition of the Diary of Christopher Columbus Baldwin, 1829-1835* (Worcester, MA: 2010), 115.

leading to genocide. *Merriam-Webster Since 1828* defines exterminate as meaning “to get rid of completely usually by killing off.”²¹

Appointed negotiation delegates, John Ridge and Elias Boudinot foresaw there was no convincing President Jackson or his administration to spare the Cherokee from the 1930 Indian Removal Act. On March 23, 1832, the United States Supreme Court handed down their ruling in, *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515 (1832). Chief Justice John Marshall’s decision established the foundation for the doctrine of tribal sovereignty. The federal government of the United States, it was determined, inherited the sole right of Great Britain to make dealings with Indigenous nations. The decision also held that “the Cherokee constituted a nation holding distinct sovereign powers.” Although the decision became the foundation of the principle of tribal sovereignty in the twentieth century, it did not protect the Cherokees from being removed from their ancestral homeland in the southeast.²²

President Jackson refused to uphold and enforce the Supreme Court decision in *Worcester v. Georgia*. Major Ridge and other Treaty Party delegates appointed by the Cherokee Council began see that Jackson was determined to completely annihilate the Cherokee. With that understanding clear, John Ridge and Elias Boudinot toured the country and delivered reports that they no longer felt there was hope in resisting Jackson’s death grip on the Cherokee. President Jackson was direct in his instructions to John Ridge. Jackson insisted Ridge “advise his people that their only hope was to move

²¹ “Exterminate,” Merriam-Webster Dictionary Since 1828, accessed April 12, 2019, <https://www.merriam-webster.com/dictionary/exterminate>.

²² Richard Mize, “Worchester, Samuel Austin (1778-1859),” *Oklahoma Historical Society*, accessed April 16, 2019, <https://www.okhistory.org/publications/enc/entry.php?entry=WO020>; Tim Alan Garrison. “Worcester v. Georgia (1832),” *New Georgia Encyclopedia*, accessed April 16, 2019, <https://www.georgiaencyclopedia.org/articles/government-politics/worcester-v-georgia-1832>.

west.”²³ Whites in the American government who were Cherokee allies supported Cherokee rights recognized by Chief Justice Marshall. These allies urged the Cherokee to save themselves through negotiation for removal in hopes of some “favorable conditions.” John Ridge, his father Major Ridge, and his cousin Elias Boudinot “reluctantly” became convinced “that the only alternative to save the Cherokee from moral and physical death was to make the best terms they could with the government, and remove out of the limits of the States.”²⁴ Elias Boudinot evolved as a representative of the Cherokee nation to negotiate expatriation and resigned his position as editor of the *Cherokee Phoenix*.

John Ross, Major Ridge, John Ridge, and Elias Boudinot were all statesmen and slaveholding elites who argued against forced exile. They were all well connected with American elites and the U.S. government. Ross was not conceived that his Washington comrades, his fellow southern patriots, would betray their longstanding relationship not only with himself but with the Cherokee nation. Ridge and Ross, together and at other times individually headed delegations, and continued to visit federal authorities in Washington D.C. During the same time, the state of Georgia moved forward in their aggressions and transferred title of Cherokee lands to Whites through land lotteries.²⁵ Widespread White aggressions continued across Cherokee Nation. Jackson’s open refusal to uphold *Worcester v. Georgia* fueled illegal activity from squatters, land poachers, and settlers. White violence blazed through Cherokee Country at the speed of a smallpox epidemic and ravaged the Cherokee people.

²³ McMillion, *Cherokee Indian Removal: The Treaty of New Echota and General Winfield Scott*, 18.

²⁴ Demos, *The Heathen School*, 245; “The Cherokees,” *New York Journal of Commerce*, July 22, 1839; Amos Kendall, quoted in Wilkins, *Cherokee Tragedy*, 237.

²⁵ Demos, *The Heathen School*, 245.

Turning Point Fall 1834

Andrew Jackson recognized Treaty Party headsmen as chiefs but when President Van Buren succeeded Jackson chiefs in the Treaty Party lost that status.

Van Buren was reluctant to acknowledge John Ross as a chief but needed the cooperation of Ross to continue negotiations for selling Cherokee territory to the United States.

Under Chief Ross the Cherokee government controlled lucrative contracts and many removal contracts went to Lewis Ross, the brother of Chief Ross. Treaty Party members did not retain federal recognition as 'chiefs' they only forced the real 'chiefs' into negotiating and profiting from removal.

Theda Perdue

The Conflict Within: The Cherokee Power Structure and Removal,
(p. 489).

In March 1835, John Ross approached Mexican officials about establishing a Cherokee Nation in Mexico.

Ross perhaps knew members of other southeastern tribes, principally the Seminoles and Creeks, had migrated to Mexico earlier.

Walter H. Conser, Jr.

John Ross and the Cherokee Resistance Campaign, 1833-1838
(p. 203).

Ross offered the United States cession of nearly all tribal territory in Georgia and ensured the Cherokees would continue to move toward the ways of white civilization in exchange for United States citizenship.

President Jackson quickly dismissed any consideration of this proposal. Ross avoided questions from Council members about his offers to Jackson to give away land to Georgia and have Cherokees become citizens.

McMillion

Cherokee Indian Removal: The Treaty of New Echota and General Winfield Scott,
(p. 39-40).

On June 19, 1834, the Cherokee removal delegation led by Andrew Ross signed a treaty that "ceded all eastern Cherokee lands in exchange for western lands" but the "Senate did not approve the treaty."²⁶ Andrew then learned of plans for his murder and plans for the murder of T.J. Pack. Another supporter of removal negotiations, John

²⁶ McMillion, *Cherokee Indian Removal: The Treaty of New Echota and General Winfield Scott*, 37; Memorial notes on the grave website for Andrew Ross states he was the "proposer and one of the signers of the treaty of 29 December 1835," his headstone reads "Andrew Ross Dec. 19, 1798 Killed this day Nov. 29, 1840 Signer of the 1835 New Echota Treaty,"
https://www.findagrave.com/memorial/42070738/andrew-tlo_s_ta_ma-ross.

Walker, Jr. was murdered earlier. Walker's murder was announced during an August 1834 Cherokee Council meeting. Walker's father "accused John Ross and Ross supporters" of his son's murder. According to McMillion, "indeed many pro-treaty Indians were murdered by Ross supporters." When President Jackson learned of Walker's murder he notified Ross that he would be held personally responsible for the murder of any Cherokee who understood removal was eminent and supported negotiations.²⁷

The fall season of 1834 was a significant turning point in which decolonizing the historical narrative of Cherokee removal is still needed. Major Ridge and the Treaty Party are depicted as being supporters of removal while John Ross and the National Party are depicted as opponents to removal. More depth and complexity is gained when understanding that the Andrew Jackson administration recognized headmen in the Treaty Party as Chiefs but when President Van Buren succeeded Jackson Chiefs in the Treaty Party lost that status.²⁸ According to Perdue, Van Buren was reluctant to acknowledge John Ross but need the cooperation of Ross to continue negotiations for selling Cherokee territory to the United States. Under Chief Ross the "Cherokee government controlled lucrative contracts" and many of the contracts went to Lewis Ross, another brother of Chief Ross, not to the members of the Treaty Party. Perdue states, "Treaty Party members did not retain federal recognition as 'chiefs'; they only forced the real 'chiefs' into negotiating and profiting from removal."²⁹

²⁷ McMillion, *Cherokee Indian Removal: The Treaty of New Echota and General Winfield Scott*, 37.

²⁸ Perdue, *The Conflict Within: The Cherokee Power Structure and Removal*, 489.

²⁹ Perdue, *The Conflict Within: The Cherokee Power Structure and Removal*, 489.

During the autumn of 1834 John Ridge, Major Ridge, and others appointed to a Cherokee delegation traveled to D.C. for negotiations that resulted in proposed options for removal. John Ridge, headed the delegation that negotiated federal payment for Cherokee lands east of the Mississippi that ranged from \$4.5 million, then was negotiated to \$5 million, and later to almost \$7 million in addition to lands in Arkansas and Oklahoma territories.³⁰ In December of 1835 a gathering of Cherokee leaders and headsmen met at New Echota, Georgia, with federal representatives and approved the Treaty of New Echota on December 28. John Ridge was in Washington D.C. at that time.³¹ He added his signature to the Treaty of New Echota weeks later. Elias Boudinot, nephew of Major Ridge, a signatory of the Treaty of New Echota, stated, “I know that I take my life in my hand. But Oh! What is a man worth who will not dare to die for his people?”³²

³⁰ John Demos, *The Heathen School*, 247.

³¹ “Treaty of 1835,” *Cherokee Heritage Documentation Center*;

This page include the transcription of the Treaty of New Echota articles 1-19. Article 20 was a supplemental article that was stricken by Senate. **Note** that the United States does use the term “Chiefs” in the plural form. “General William Carroll and John F. Schermerhorn commissioners on the part of the United States and the Chiefs Head Men and People of the Cherokee tribe of Indians.”

Also note, the signature of Andrew Ross. Numerous signatories are not literate in English and signed with and “X” including Major Ridge. Ten other Cherokee signatories are indicated with and “X.” How can historians be certain those signatories were actually present? This treaty is an unequal treaty by standards of international law.

Many of its Cherokee signatories were illiterate in English while representatives of the United States included J. F. Schermerhorn, Western B. Thomas, secretary. Ben. F. Currey, special agent. M. Wolfe Batman, first lieutenant, sixth U. S. infantry, disbursing agent. Jon. L. Hooper, lieutenant, fourth Infantry. C. M Hitchcock, M. D., assistant surgeon, U.S.A. G. W. Currey, Wm. H. Underwood, Cornelius D. Terhune, John W. H. Underwood and other politically powerful and educated men.

³² Demos, *The Heathen School*, 247; Wilkins, *Cherokee Tragedy: The Ridge Family and the Decimation of a People*, 201-315; The signing of the treaty was witnessed by a white man named J.W.H. Underwood; See *Carterville Courant* (Georgia), march 26, 1885, quoted in Perdue, ed., *Cherokee Editor*, 27.

Concentration Camp Roundups and Acts of War during Peacetime

Cherokees were incarcerated prisoners of war at concentration camps near communities that today are Calhoun and Charleston, Tennessee. Evan Jones, Baptist missionary to the Cherokees stated that “The work of war in time of peace was commenced in the Georgia part of the nation and was executed in most cases in unfeeling and brutal manner, no regard being paid to the orders of the Commanding General in regard to humane treatment of the Indians [...] the Indians were not allowed to gather up their clothes, not even to take away a little money they might have.”³³

On May 23, 1838, A.E. Blunt, a missionary for the American Board of Commissioners for Foreign Missions at Candy’s Creek Mission Station in Tennessee, described prisoner roundups of the Cherokee who were going about daily activities. As the American occupation and roundup for deportation ensued Blunt stated the Cherokee worked in their fields and seemed to be more industrious during the removal crisis. Perhaps, this was a gesture to raiding troops to overlook them during delivery of cannons and other weapons of warfare. Blunt affirmed, “The movements in the whole country seemed to indicate war. The arrival of the military—cannon, powder, leads, and boxes of arms—has indeed looked like the shedding of blood. But...no enemy has been found to contend with, and while some of the volunteers have been most insulting” the Cherokee “patiently” went on to attend their business.³⁴

³³ Quoted in William G. McLoughlin, *Champions of the Cherokees: Evan and John D. Jones* (Princeton: Princeton University Press, 1990), 176; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 135.

³⁴ Duane King, *The Cherokee Trail of Tears* (Portland, OR: Graphic Arts Books, 2007), 43; *Original letter of the American Board of Commissioners for Foreign Missions papers*, Houghton Library, Cambridge, Massachusetts; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 132.

“Special army units or militias are often trained and armed” in order to organize genocide, according to Stanton.³⁵ Orders No. 34, from Major General Scott on May 24, 1838, are evidence that the Cherokee were held as prisoners. “A sufficient number of troops having arrived [...] approaching the collection of Indians within the Cherokee Country, preparatory to their emigration beyond the Mississippi, will be commenced in Georgia on the 26th Inst. [...] & in the adjoining states, ten days later.” The orders were clear: “The commanding officer at every fort & open state will first cause to be surrounded and brought in as many Indians, the nearest to his fort.” Efforts to depeople Cherokee territory were ongoing. Soldiers were instructed to “repeat the operation until he shall have made as many prisoners as he is able to subsist and send off, under a proper escort, to the most convenient of emigrating depots, the Cherokee Agency, Ross Landing, and Gunters Landing.” A relentless push to arrest Cherokee civilians and imprison them in concentration camps led to the death march westward. “These operations will be again and again repeated under the order of the commanders of the respective districts until the whole of the Indians shall be collected for emigration.”³⁶ *Collected for emigration* is what the United Nations and the Genocide Watch organization identifies as preparation, the sixth stage of genocide. During *preparation* victim groups are separated from larger society and “deported into concentration camps.”³⁷

Military orders referred to the Cherokee as *prisoners* while at the same time referred to them as emigrants. “On the arrival of the Indian prisoners, at an emigrating depot, they will be received in the first instance by the commanding officer.” The

³⁵ Stanton, “The 10 Stages of Genocide.”

³⁶ Orders N. 34, *Journal of the Cherokees Studies* 3, no. 3 (1978). 17-18; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 126.

³⁷ Stanton, “The 10 Stages of Genocide.”

emigrant prisoners were held under military force. “In every case when detachments are sent out to bring in Indians, a sufficient guard will be retained to hold the fort or guard the subsistence & all the property left at the open station.”³⁸ Orders by Major General Scott unmistakably identify the Cherokee as prisoners organized for containment under military force during peacetime. This primary evidence discredits arguments that the Cherokee willingly or voluntarily departed the east.

On May 26, 1838 Reverend Daniel S. Butrick, stated that “a number of Georgia citizens near New Echota took sixteen Cherokees and drove them to the fort and then requested permission of General Scott to take them out and whip them, though in this they were not gratified. This was done probably to remind General Scott that no further delay would be made with regard to collection of the Indians.”³⁹ The statement by Reverend Butrick shows the power American citizens and settler colonialism had on influencing the government to enforce removal.

On June 6, 1838, N.W. Pitman of the Madison Company stated that upon his arrival “we learned that the express had arrived ordering operations to commence against the Indians. We prepared something to eat with the greatest possible dispatch after which three companies of our Battalion were detailed to go in pursuit and taking Indian prisoners.”⁴⁰ Stanton argues that, “Genocide is always organized, usually by the state, often using militias to provide deniability of state responsibility.”⁴¹

³⁸ Orders N. 34, *Journal of the Cherokees Studies* 3, no. 3 (1978). 17-18; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 126.

³⁹ Daniel S. Butrick, *The Journal of Reverend Daniel S. Butrick*, May 19, 1838-April 1, 1839 (Park Hill: The Trail of Tears Association, Oklahoma Chapter, 1998), 1.

⁴⁰ Letter to Henchin Strickland of Danielsville, Madison, County, Georgia, from his son-in-law, N.W. Pittman, and son H.P. Strickland. *Series 1. Papers, 1838-1954*, in the *John R. Peacock papers #1895-z*, Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill;

Cherokee prisoners were subjected to extreme weather conditions, widespread disease, and “openly cruel, treatment by guards and other government officials,” according to historian, John Demos. The physical organizing, containment, and removal of Cherokee was carried out under “callous treatment by white” communities as they moved westward. An estimated fifteen thousand Cherokee were removed by force. At least four thousand died.⁴² Exiled Cherokees who survived the death march from the east arrived in today’s northeastern Oklahoma where the Old Settler Keetoowah Cherokee were displaced decades prior to the Treaty of New Echota.

Arrival West

Once situated in Indian Territory, the Ridge family utilized their wealth to establish a general store and prepared to provide necessities to Cherokees who were still enroute from the East. According to Demos, John Ridged stepped down from public life and in March of 1839 he traveled to New York and New Orleans to purchase inventory and stock the family’s general store with bulk quantities of food, clothing, and supplies in preparation for stabilizing the new Cherokee community. The store also functioned as a bank to loan money to the Cherokee community.⁴³ While on a buying trip to the east, John came upon John F. Schermerhorn, the Indian Commissioner, who on behalf of the United States signed the 1835 Treaty of New Echota.

John Ridge acknowledged that Schermerhorn had received mal treatment from American cohorts who supported the rights of Cherokee to remain in the east. Ridge

<https://finding-aids.lib.unc.edu/01895>; Bishop, *The Cherokee Trail of Tears: A People’s Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 129.

⁴¹ Stanton, “The 10 Stages of Genocide.”

⁴² Demos, *The Heathen School*, 254.

⁴³ Demos, *The Heathen School*, 254.

spoke to Schermerhorn, stating “[you have been] abused, misrepresented and slandered by your countrymen” for involvement with the Treaty of New Echota. Ridge referred to his own future and confessed that he, “might yet someday die by the hand of [...] an Indian” who did not understand the complexities of the American agenda to destroy the Cherokee and who was “infatuated” and “diluted by the counsels of [John] Ross and his minions; but we have this to console us, we shall have suffered and died in a good cause.”⁴⁴

The conversation between Ridge and Schermerhorn demonstrates important points. First, it appears that the Cherokee did have some level of American support. Yet, a deeper analysis also shows Schermerhorn’s mal treatment may have been from “Jackson’s enemies in the Senate” rather than supporters of Cherokee rights. Ross “was counting on” Jackson’s enemies in the Senate to support his proposal for twenty million dollars in exchange for land cessions he proposed to Jackson that included ceding most of Georgia.⁴⁵ Instead, the Senate only agreed to five million dollars. Second, the comment by Ridge notes the tension between the Treaty Party and the National Party still existed and that assassinations of Cherokee leaders by tribal members remained possible. This points directly to the sixth stage of genocide, *polarization*, where internal conflicts are created to weaken tribal unity and members are manipulated into assassinating their own leaders.⁴⁶

⁴⁴ Demos, *The Heathen School*, 25; Ridge accounts, HM 1730, Henry E. Huntington Library, Pasadena, CA; *Arkansas Gazette* (Little Rock), October 2, 1839, quoted in Wilkins *Cherokee Tragedy*, 328.

⁴⁵ McMillion, *Cherokee Indian Removal: The Treaty of New Echota and General Winfield Scott*, 39.

⁴⁶ The ten stages of genocide that target groups for eradication are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial. Understanding the ten-stage process of genocide provides the framework necessary for re-evaluating Cherokee – United States relations leading up to the 1835 Treaty of New Echota.

The Old Settlers who had resettled in the West two decades earlier contrasted culturally with the later Cherokee arrivals whose culture had been more heavily influenced by interaction and integration with American society. The Old Settlers maintained a pre-assimilation form of governing and traditional culture. Cherokees from both groups met in council during June of 1839 to discuss ways to merge the Old Setter structures with the governing structures of the newest arrivals. The meeting did not resolve the cultural differences or government configurations. In the same month, John Ridge was assassinated on June 22nd in his home at Honey Creek. While Ridge lay dying, the assassins proceeded in a single file ritual stomping of his body.⁴⁷ Demos suggests this ritual and the elements involved in the assassination were “hints of the hybrid, in-between status of the Cherokee – too ‘civilized’ to be fully ‘Indian,’ too ‘Indian’ to live in the white-controlled Georgia.”⁴⁸ On the same day John Ridge was murdered Elias Boudinot was assassinated at Park Hill, and Major Ridge was assassinated on his return from a trip to Arkansas.

Demos points to two important extrapolations in the events of these murders. First, Demos argues the assassinations are understood today as “state executions.” Second, the murders demonstrate elements of cultural hybridity or a state of in-betweenness framed by ancient Cherokee culture and an amalgamation of White American culture.⁴⁹ This thesis builds upon the hybridity argument of Demos. The details of the Ridge – Boudinot assassinations reflect more than Cherokee laws of blood vengeance (blood laws) which may have been abolished in 1810. Instead, the assassinations demonstrate the acculturated ethos of White settler violence witnessed and experienced

⁴⁷ Demos, *The Heathen School*, 257.

⁴⁸ Demos, *The Heathen School*, 257.

⁴⁹ Demos, *The Heathen School*, 256, 257.

generation after generation in eastern territory. To be clear, American terrorism shaped Cherokee behavior and the generational trauma carried forward. Boudinot looked back on the removal and resolved, “Instead of contending uselessly against superior power, the only course left was to yield to circumstances we [Cherokee] had no control.”⁵⁰

Ridge – Ross Legacy

The purported faction between Major Ridge and John Ross is one of mythological proportions in collective memory. Chief Ridge and Chief Ross were staunch anti-removal activists who served on the same Cherokee delegations that negotiated together and separately with powers in Washington D.C. Historical narratives often overlook the long relationship between the Ridge and Ross families. One example of evidence is a letter from John Ross published in the July 21, 1832 *Cherokee Phoenix*. Ross confirmed that he and his brother, Andrew, visited with Major Ridge at the Ridge plantation and shared fireside conversation.⁵¹ Their joint commitment to Cherokee survival involved Major Ridge, John Ridge, Elias Boudinot, John Ross, Andrew Ross, and other headsmen who negotiated with D.C. These leaders were well versed on the agenda of the United States and Indian Removal. Albeit, at exactly which point they each came to understand forced removal was eminent is not entirely clear.

John Ridge and Boudinot petitioned Christian authorities, presidential administrations, and Washington D.C. at large for Cherokee rights to remain in their

⁵⁰ Demos, *The Heathen School*, 258; Elias Boudinot, *Letters and Other Papers Relating to the Cherokee Affairs: Being a Reply to Sundry Publications Authorized by John Ross* (Athens, GA, 1857), Reprinted in Perdue, ed., *Cherokee Editor*, 160.

⁵¹ Editor of the Cherokee Phoenix, “Thomas Jefferson and the Cherokees,” *Cherokee Phoenix Jan. 21, 1832*, accessed June 14, 2019, <https://www.wcu.edu/library/DigitalCollections/CherokeePhoenix/Vol4/no27/cherokee-phoenix-page-1-column-1a-page-2-column-3b.html>.

homelands. John became the elected Clerk of the Cherokee National Council. He traveled to Washington D.C. to meet with President Jackson but was intercepted by Lewis Cass, Secretary of War, who refused to allow the meeting. Cass made the federal government's intentions for Cherokee removal clear, "Your people are not in a condition to resist." The Cherokee would suffer "incalculable injury" from the state of Georgia if they did not treat for removal.⁵² Cherokee leaders and the Cherokee people could be certain the Secretary of War would keep his promise based upon witnessing prior removals of Indian nations including the Choctaw Nation.

Choctaw Chief Harkins and the Choctaw people were the first of five major southeastern tribes to remove west, between 1831 through 1833, according to historian John Ehle. President Jackson saw no reason for feign congeniality. He was eager to make the forced exile of the Choctaw "a model for removal."⁵³ Chief Harkins stated, "We are hedged in by two evils and we chose that which we thought the least. Yet it is said that our present movements are our own voluntary acts—such is not the case. To remain would be inevitable annihilation."⁵⁴ Chief Harkins offers clear Native perspective that disputes any argument that Indian peoples voluntarily ceded lands and abandoned their tribal territories. Indigenous nations were targets of genocide.

Chief Harkins words must be heeded when interpreting the complexity of the Cherokee experience and the diverse levels of leadership. Removals were not the voluntary acts of Indian nations. To remain in tribal territory meant inevitable annihilation. The leadership of the Cherokee were hedged in by two evils. The 1835

⁵² Hicks, *Toward the Setting Sun: John Ross, the Cherokees, and the Trail of Tears*, first page of Chapter Nine.

⁵³ Robert V. Remini, *Andrew Jackson: The course of American Freedom, 1822-1832* (Baltimore: MD: John Hopkins University Press 1998), 273.

⁵⁴ Quoted in John Ehle, *Trial of Tears: The Rise and Fall of the Cherokee Nations*, 253.

Treaty of New Echota ceded Cherokee territory in Georgia that was infested with settler terrorism and land poaching criminals. The Treaty of New Echota negotiated the unavoidable trek west to Indian Territory and required the United States to purchase tribal lands in the east for \$5,000,000. Major Ridge, the Treaty Party, John Ross, the National Party, and other headsmen adamantly opposed exile of the Cherokee people. Both parties believed the nation's proven levels of assimilation established exemption from forced removal and exile from their homeland.⁵⁵ Cherokee leaders knew, as did Choctaw Chief Harkins, that to remain in the east meant total destruction.

Ridge – Ross Ethnicity Debate

Fluidity in the transformation of Cherokee *ethnogenesis* includes shifts in identity and development as a racial and cultural group. The juxtaposition of Major Ridge and John Ross illustrates the complexity of ethnic and cultural diversity in not only the Cherokee nation but also Cherokee leadership. Did ethnicity and ethnic appearance have advantages and disadvantages in U.S. – Cherokee relations? Both Ridge and Ross were wealthy slaveholding elites with interethnic families, comfortable in American southern plantation society, and well rooted in Cherokee and American politics. The Ridge and the Ross families were among the wealthiest slaveholding planters in the Cherokee Nation. Ridge amassed a fortune that ranked him as the third wealthiest member of the Cherokee Nation.⁵⁶

⁵⁵ Hicks, *Toward the Setting Sun: John Ross, the Cherokees, and the Trail of Tears*, 210; John Ehle, *Trial of Tears: The Rise and Fall of the Cherokee Nations*, 254; Bishop, *The Cherokee Trail of Tears: A People's Resistance against the Forced Removal from their Southeast Homeland as Related in Their Own Words*, 20; "Manifest Destiny," *Stanford University Press The American Yawp*, accessed April 12, 2019, http://www.americanyawp.com/text/12-manifest-destiny/#footnote_16_86.

⁵⁶ Mcelwee, *Major Ridge: A Wealthy Cherokee's Plantation*, 2-3.

Two cultural distinctions between Major Ridge and John Ross were ethnic appearance and language.⁵⁷ Ridge was considered a *full-blood* and illiterate in the English language. Ridge married Sehoya Wickett also known by her anglicized name, Susanna Catherine Wickett Ridge. Sehoya, or Sehoyah, was an interethnic Cherokee of the Wild Potato clan. According to historian Carolyn Johnston, Sehoya became “highly acculturated” and departed from “Cherokee women’s traditional daily productive roles.” Johnston argues the majority of Cherokee women “continued to embrace traditional values” but received “increasing pressure to abandon them” due “in part to economic transformations” and “inequalities within the tribe.”⁵⁸

John Ross was arguably White by all standards and illiterate in the Cherokee language: “He spoke Cherokee so poorly that he had to have an interpreter to address the council.”⁵⁹ His father was a ~~full-blood~~ Scot and his mother was only ~~one-fourth~~ Cherokee ancestry. The ethnic identity of Ross is understood as a Cherokee member by ancestry in today’s terms. Ross deeper solidified his ethnicity and political capital through marriage to a Cherokee named Que-ti Brown of the Bird clan. Que-ti is more often seen in narratives as Quatie (the anglicized version of her name) or Elizabeth Quaite Henley

⁵⁷ In this paragraph I choose to use the Eurocentric term *full-blood* as an ethnic description commonly used during the examined era. I do this in order to point to significant ethnic influences that shaped power structures within the Cherokee nation and the United States.

⁵⁸ Carolyn Johnston, *Cherokee Women in Crisis: Trail of Tears, Civil War, and Allotment, 1838-1907* (Athens: University Alabama Press, 2003), 37.

⁵⁹ Julie Davis, “Chief John Ross Descendants,” *Ancestry Message Boards*, accessed April 19, 2019, <https://www.ancestry.com/boards/surnames.ross/675.677.735.740.1.1/mb.ashx>;

A paragraph from the book by Raymond Evans reads “The children of Daniel Ross were brought up as white which they were except for one Indian great-grandmother. (John Ross was only 1/8 Cherokee) Two of the sons, Lewis and John, followed the example of their father and grandfather by becoming Indian traders. They felt that it would be good for business if one of them became involved in native politics. John Ross, although he could not speak the Cherokee language and was known among the Indians by the name that translates “Mysterious White Bird,” proved to be extremely effective as a Cherokee politician.”

Raymond Evans, *Chickamauga, Civil War Impact on an area: Tsikamagi, Crawfish Spring, Snow Hill and Chickamauga* (Chickamauga: GA: City of Chickamauga, 2002); Raymond Evans, *The Civil War in Walker County, Georgia* (Lafayette, Georgia: Walker County Commission, 2002).

Ross. Trends in collective memory mistakenly suggest that Quatie was a ~~full-blood~~ Cherokee. According to the research of Gary E. Moulton, Quatie was of an interethnic background. Moulton asserts, “The best evidence suggests that she was the daughter of a Scottish trader and the sister of Judged James Brown of the Cherokees, thus a ~~mixed-blood~~ but with a stronger Cherokee line than Ross.”⁶⁰

The ethnic variances of Ridge and Ross are important evidence of a long history exogamy and interethnic relationships. Exogamy, the practice of marrying outside the community or tribe, is not unique to the Cherokee. Indigenous and Euro-ethnic peoples have a standing history of exogamy. Ridge and Ross are exemplary of the range of multicultural diversity and plural racial identities that existed in the Cherokee nation prior to forced removal. This pushes against misconceptions that there was a single Cherokee, or Indian, prototype prior to or following Indian Removal.

To challenge the vein of thought that Ross was the leader of the traditionalists, often referred to as ~~full-bloods~~, it is necessary to recall that many of the traditionalists who did not acculturate were removed from the east in the early nineteenth century. However, that is not to imply there were no traditionalists in the eastern territory during the 1830s. McMillion states, President “Jackson saw Ross as leader of the ~~mixed-blooded~~ elite, whose goals were his own economic self-interest, and that Ross had duped the ~~full-blooded~~ Cherokees into believing that he held their interest at heart.”⁶¹ This contradicts the popular narrative that Ross was the highly regarded leader of *full-bloods*. The *full-bloods* (Old Settlers or western Cherokee) were non-slaveholding traditionalists, for the most part, who rejected assimilation, Christianity, and the English language as I

⁶⁰ Gary E. Moulton, *John Ross, Cherokee Chief* (Athens: University of Georgia Press, 2004), 12.

⁶¹ Ovid Andrew McMillion, *Cherokee Indian Removal: The Treaty of New Echota and General Winfield Scott*, School of Graduate Studies East Tennessee State University, 2003), 22.

understand it. The greater portion of Old Settlers (Keetoowah) were removed west to Indian Territory in accordance with the Cherokee Treaty of 1817.

To challenge the vein of thought that Major Ridge was the leader of the Treaty Party requires a deeper consideration based on language. Ridge's illiteracy in English must be evaluated when arguing that he was the principal leader of the Treaty Party. Considering Major Ridge was not literate in the English language and signed the Treaty of New Echota with an "X," his bilingual son, John, stands to be a stronger player in the Treaty of New Echota and negotiations for conditions of removal.

Division in Leadership

The 1830 Indian Removal Act, signed by President Jackson and enforced by President Martin Van Buren, is the cornerstone for the uniformed act of systemic genocide that attacked Indian peoples in the United States and created gulfs in tribal leadership. I strongly argue the origin of the division between Ridge and Ross was not the 1835 Treaty of New Echota. The ground work that initiated intra-tribal divisions began with President Jackson and Secretary of War, Andrew Cass. Jackson and Cass offered title to western lands and tribal governance in exchange for ceding eastern lands, according to Fay A. Yarbrough.⁶² Yarbrough argues Cass made it clear to John Ridge and Elias Boudinot that the Jackson administration would never tolerate less than a large-scale removal of the Cherokee.⁶³ It appears Cass did not include Ross in this pointed conversation. This may have been the pivotal point at which the Treaty Party understood

⁶² Yarbrough, *Race and the Cherokee Nation: Sovereignty in the Nineteenth*, 15–21.

⁶³ Yarbrough, *Race and the Cherokee Nation: Sovereignty in the Nineteenth*, 15–21.

earlier than the National Party the urgency for negotiating to ensure the survival of the nation and to prevent the annihilation of the Cherokee as a whole.

I argue Jackson and Cass fueled intra-tribal divisions which resulted in *jacketing* Major Ridge. Ridge, his son John, and his nephew Elias Boudinot were martyred when they were assassinated. According to Yarbrough, all three men were assassinated by members of the Ross Party on June 22, 1839.⁶⁴ These assassinations embody *polarization*, the sixth stage of genocide, according to the 1948 United Nations Genocide Convention. Polarization of the Cherokee continues to linger in some narratives as a result of the jacketing of Major Ridge in association with the 1835 Treaty of New Echota.⁶⁵ Ironically, according to McMillion. John Ross “virtually controlled the annuity money paid by the United States for land treaties.”⁶⁶

The 1835 Treaty of New Echota was not a unique treaty. It, as with other land cession treaties between Indian nations and the United States, was an *unequal* and coercive international treaty. The United States made treaties with Indian nations rooted in intentions to eradicate all Indian peoples from existence on Turtle Island. By 1838, President Martin Van Buren refused to negotiate the conditions of removal and ordered the army to forcibly removal sixteen thousand Cherokee by armed force.⁶⁷ In all that were *reported*, over sixty thousand Indigenous peoples were removed during ethnic

⁶⁴ Mcelwee, *Major Ridge: A Wealthy Cherokee's Plantation*, 1.

⁶⁵ “Ten Stages of Genocide,” *The Genocide Education Project*.

⁶⁶ McMillion, *Cherokee Indian Removal*, 22.

⁶⁷ Russell Thornton, *The Cherokees: A Population History* (Lincoln: University of Nebraska Press, 1990), 76.

cleansing campaigns prior to the American Civil War and exiled west of the Mississippi River.⁶⁸

Chapter Summary

This chapter serves as an intervention to a long history of debates rooted in the nearly mythical Ridge – Ross tug-of-war. The argument here does not aim to create a homogenous unity for the support of the Treaty Party or the National Party nor support for Major Ridge or John Ross. This chapter offers a critical analysis and a bridge to cultural understanding that points to the complexities Cherokee leaders encountered to preserve their nation against agendas of the United State that grew more aggressive with each presidential administration.

Major Ridge and John Ross were influential Cherokee statesmen who met with American leaders and argued that assimilation, acculturation, Christianization, and Americanization of the Cherokee as a nation served as proof for security against exile. Ridge and Ross in addition to other leaders came to recognize the future of their nation “lay in establishing independence from, not assimilation into, American society” and the civilization program “inaugurated under the presidency of George Washington.”⁶⁹ Leaders like Ridge and Ross were Cherokee activists who worked together and separately to resist forced exile and negotiated with Washington D.C. in order to avoid the complete eradication of their nation from the American landscape. As this thesis demonstrates, the legacy of Ridge and of Ross is more complex and more passionate than simplified narratives of opposition. Their leadership deserves continued analysis and ongoing

⁶⁸ Senate Document #512, 23 Cong., 1 Sess. Vol. IV, p. x.
https://books.google.com/books?id=KSTlvxxCOkcC&dq=60,000+removal+indian&source=gbs_navlinks_
s.

⁶⁹ Smith, *An American Betrayal: Cherokee Patriots and the Trail of Tears*, 4-5.

dialogue to nuance a more complete telling of their experiences that are grounded in historical research and archival evidence rather than collective memory, although collective memory and folklore is essential to a contextualized interpretation.

Primary evidence exists that praises Major Ridge as a principle chief of the Cherokee nation. On September 18, 1839, a few months following the assassination of Major Ridge, his son, and his nephew, both *The Houston Telegraph Weekly* and *Texas Register* published that Major Ridge was, “formerly one of the principal chiefs of his nation” and was a “man of [a] strong and discriminating mind.”⁷⁰ On August 2, 1839, *The Vermont Phoenix* wrote that John Ridge was in Brattleboro, Vermont, two months prior to his assassination. On May of 1832 John accepted an invitation to attend a monthly Brattleboro concert. John stated he “wished to be excused from speaking, as it seemed to him inconsistent in one who did not profess religion, to address a religions meeting.” However, he did speak at the gathering and acknowledged he had “not embraced Christianity himself” but could “relate many facts showing the beneficial influence of religion upon those who converted.” In the same year, 1832, John and Elias visited Boston and according to the editorial: “addressed several meetings on behalf of their nation.” The editorial stated it was during a “subsequent period the Messrs [sic] Ridge, father and son, were induced to cease their opposition to the removal of the Cherokees west of the Mississippi.” *The Vermont Phoenix* reported that John Ridge “was formerly a practicing attorney among the Cherokees and one time president of the senate

⁷⁰ Demos, *The Heathen School*, 261, 317 note 87; Comment about Major Ride is in the *Houston Telegraph* and *Texas Register* September 18, 1839;

The words *one of the principle chiefs of his nation* is significant language that requires a deep analysis through the lens of lexical semantics which studies word meanings and word relations, and conceptual semantics, which studies the cognitive structure of meaning. Probing discourse among scholars should dissect the word choice and the cross-cultural meaning of the phrase *one of the principle chiefs of his nation*.

of that nation.” The greater segment of the article is dedicated to John however it notes his father: “Major Ridge was a distinguished chief of the Cherokee nation” who “frequently visited Washington and was a man of uncommon ability and influence.”⁷¹

June 22, 2019

It is interesting that I finalized this chapter exactly 180 years since the Ridge – Boudinot assassinations. In doing so I realize how dates are significant to historians, community, society, and to legacies. Reoccurring dates of significant historical events keep the collective memory and emotion of people, places, events, and debates alive. Scholarly research and archival evidence brings deeper understanding to historical events and grounds the crescendo that too often becomes a popular narrative. I sincerely hope this thesis provides enough evidence to generate deeper dialog of the Ridge – Ross legacy. Chief Ridge and Chief Ross were leaders during a seminal turning point in the survival of their nation who the United States aimed to eradicate. The legacy is complex and deserves ongoing research, analysis, and respect.

Will Chavez Jr., Assistant Editor of the current *Cherokee Phoenix*, shared photos on social media this afternoon of the Cherokee Nation ~~Trial of Tears~~ Annual Commutative Bike Ride. The photos he shared included the headstones of Major Ridge (Ka nun tla cla geh 1771-1839), John Ridge (Skah tle loh skee 1802-1839), and Elias Boudinot (Kilakeena “Buck” Waite 1802-1839).

Chavez included the following history on his social media post, “I can’t let the day pass without remembering a tragic day in Cherokee history related to the ~~Trial of Tears~~ that we just commemorated with our annual bike ride. Today, (June 22) is the

⁷¹ Editorial, *Vermont Phoenix*, August 02, 1839.

180th anniversary of the murders/ assassinations/ executions of three Cherokee leaders Major Ridge, his son John Ridge, and Major's nephew and John's first cousin, Elias Boudinot, who was the first editor of the *Cherokee Phoenix*.⁷²

According to Chaves' post, "Major was ambushed and shot to death by multiple gunmen near Dutch Mills, Arkansas; John was dragged from his home near Honey Creek in Delaware County and stabbed and beaten to death in front of his family; and Elias was beaten and stabbed to death by a group of men at Park Hill near Tahlequah. There is still debate among the Cherokee about whether the killings were justified because the three men were part of a group that signed away Cherokee lands in 1835, which set in motion Cherokee removal three years later. I have wondered what these strong and intelligent leaders would have accomplished for their nation had they lived longer. Major and John are buried at the Polson Cemetery near Grove, [Oklahoma]. Elias is buried at Park Hill at the Worcester Cemetery."⁷³

The epitaph on the headstone of Major Ridge reads:

Major Ridge
(Ka-nun-tla-cla-geh)
Cherokee Chief
Born Hiwassee, Tenn. 1771
Assassinated Sugar Hill, Ark.
June 22, 1839

⁷² Eurocentric, archaic, or offensively racialized words by today's standards are left as they are found in the primary or secondary documents but I have ~~stricken~~ them in my research.

⁷³ Will Chavez Jr., "Remembering a tragic day in Cherokee history," *Facebook*, accessed June 22, 2019.

CHAPTER V

CONCLUSION

Assimilation to Survive the American Indian Holocaust

This history of Cherokee – White amalgamation saw degradation and pollution of Cherokee lifeways from the malign influence of whites intruding on the Nation. John Ridge wrote of the vile corruptions of whites, where our poor women are contaminated to become wretches, in the land where they once enjoyed peace & respectability.

The thought of amalgamating our people to such creatures under such unfortunate circumstances, is too horrid for sober consideration.

John Ridge and Alias Boudinot came to agree: “We have seen this script before. Nothing more heard from white leaders can be trusted. Better, then, to go—to take our people as far away as possible. Amalgamation? Never! That way lies degradation and disaster.”

John Demos

The Heathen School, (p. 258, 260).

Historians have the luxury of examining prior events through the lens of modern ideals and understandings. Through a modern lens we can examine the past and contrast it with today’s protection of Indigenous rights in order to identify early human rights violations and to prevent future abuses. In “Killing Without Murder: Aboriginal Assimilation Policy as Genocide,” Jessica Schimmel emphasizes the power of semantics used to describe forced assimilation policies and perpetrator acts. These policies and actions aimed to remold nonwhite peoples to “become a part of the white, European

society” and “eliminate Indigenous people.”¹ The choice of language used by historians commands an understanding of the experiences they interpret. “Words have immense power, [and] the power to do harm when wielded incorrectly.”² This is distinctively true with Eurocentric ideology and language used by those in authority throughout history to frame Indigenous cultures and peoples. I have chosen the language and the lens of Genocide and Holocaust Studies to interpret the ethnic cleansing of post American Revolutionary War Cherokee. The language and lens I have chosen brings clarity to the unresolved mourning of transgenerational historical trauma that is a malignant byproduct of America’s founding fathers and their assimilation experiments. Some Indigenous nations survived the American Indian Holocaust in varying degrees. “We can go home to ourselves as Aborigines, but this does not erase the attacks inflicted on our hearts, minds, bodies and souls” by those whose “mission [it] was to eliminate us.”³ As I stated in the introduction of this thesis: We, Indigenous peoples, were all soul-raped and as a result transgenerational historical trauma still exists. Our voices and the voices of the past must be heard so that we may heal.

John Ridge and Elias Boudinot were both interethnic Cherokees from multi-cultural families, married White Christian Americans, and lived in dual societies, Cherokee and American. Ridge and Boudinot were *two-hats*. I think of being a *two-hat* as similar to being a middle-child. They are bridge-builders. John and Elias were tribal

¹ Jessica Schimmel, “Killing Without Murder: Aboriginal Assimilation Policy as Genocide,” *Lehigh University Lehigh Preserve*, 13 (2005), 35.

² Schimmel, *Killing Without Murder*, 35; “Because of this it is necessary to make clear from the outset to what certain terms refer. Genocide is a compelling, oft misunderstood word. It was coined by a Polish jurist named Raphael Lemkin in the wake of the German Holocaust. In 1944, he used the Greek root “genos,” meaning race or tribe, and the Latin root “cide,” meaning killing to create a word for an action which was hardly new.”

³ Commonwealth of Australia, *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* (Canberra: Human Rights and Equal Opportunity Commission, 1997), 12.

headsmen while at the same time American statesmen. To formally coin the term, two-hats are of two distinct cultures that merge to create a world of hybridity. Interethnic Cherokees lived in a hybrid world that was in transition, under construction, and under attack. They understood the contrasts of being from families who embraced the hybridity of both Indian and White cultures. Cultural identities shifted to and fro seeking a safe balance for the Cherokee in an ever aggressive White society. The Indian Removal period provides insight to the politics and betrayals of assimilation during that era.

Andrew Jackson's refusal to uphold *Worcester v. Georgia* and insistence on enforcing the Indian Removal Act was another betrayal to the Cherokee who had upheld treaties that required assimilation in exchange for removal exemption. Ridge and Boudinot described the destructive aspect of assimilating into larger White society as "the blackness of infinity."⁴ Their charged response to the 1830 Indian Removal Act made their anguish clear. According to Demos, Ridge and Boudinot "swung completely around." They declared the federal government's actions to enforce removal as "desertion, another betrayal: We have seen this script before. Nothing more heard from white leaders can be trusted. Better, then, to go—to take our people as far away as possible. Amalgamation? Never! That way lies 'degradation' and disaster."⁵

Demos argues that the central take away from this history of amalgamation is the constant and repeated threat of "degradation and pollution of Cherokee lifeways from the malign influence of whites intruding on the Nation." Demos quotes a letter written by John Ridge to David Green, American Board of Commissioners for Foreign Missions, "we shall still do well, if we can only induce our Indians to abandon the land [...and] vile

⁴ Demos, *The Heathen School*, 259.

⁵ Demos, *The Heathen School*, 260.

corruptions of whites, where our poor women are contaminated to become wretches, in the land where they once enjoyed peace & respectability.” Ridge spoke to the consequences associated with assimilation. The “thought of amalgamating our people to such creatures under such unfortunate circumstances, is too horrid for sober consideration.”⁶ The views of Boudinot were no less resolute. In a letter he wrote to John Ross he pointed to the promiscuous morals of Whites who settled among the Cherokee, “the spread of intemperance and the wretchedness and misery it has already occasioned” and the “slow but sure insinuation of the lower vices into our female population [...] it is not to be denied that, as a people, we are making rapid tendency to the general...debasement.”⁷

The Cherokee are one of many Indigenous nations in the United States who are survivors of the 500 Year War. This is a widely held view by Indigenous peoples and scholars who embrace American Indian history as the American Indian Holocaust. John Toland, Pulitzer Prize winning historian, emphasizes that the theoretical practicality of genocide to eradicate Indigenous peoples and the methodology used by the United States was the formula later utilized by Adolf Hitler. Hitler boasted that the treatment for eradicating American Indians was a template the Third Reich adopted to eradicate targeted groups in Nazi Germany. Specifically, Hitler admired the United States use of concentrations camps for Indians and “often praised, to his inner circle, the efficiency of

⁶ Demos, *The Heathen School*, 258; John Ridge to David Greene, July 24, 1834, American Board of Commissioners 18.3.1 (part 2), vol. 8, no. 213.

⁷ Demos, *The Heathen School*, 258; Elias Boudinot to David Green, April 14, 1837, American Board of Commissioners 18.3.1 (part 2), vol. 8, no. 218; Boudinot, *Letters and Other Papers Relating to Cherokee Affairs*, reprinted in Perdue, ed., *Cherokee Editor*, 222-225.

America's extermination— by starvation and uneven combat— of the ~~red savages~~ who could not be tamed by captivity.”⁸

A history of holocausts illuminate the legacy of Cherokee experience and resistance to federal and state policies of assimilation, apartheid, ethnic cleansing, and genocide. Acculturation is the process of social, psychological, and cultural change as a result of exposure to or a blending of cultures.⁹ The atrocities of acculturation are evident when tracing Cherokee history to settler-colonialism. However, full assimilation or complete absorption into White society is not evident as George Washington, Henry Knox, and other architects of Indian policy intended. Social constructs intended to dilute Indian distinctiveness and culture were based on the Euroinvader's philosophy of White superiority that included Eurocentric ideals of race, religion, classism, and identity politics.

Race Work

To examine the historical efforts to disenfranchise some while enfranchising others through ascribed ethnic and racial identities requires engaging in race work,

⁸ John Toland, *Adolph Hitler: The Definitive Biography*, (New York: Anchor Books, 1992), 202; Eurocentric, archaic, or offensively racialized words by today's standards are left as they are found in the primary or secondary documents but I have ~~stricken them~~ in my research.

⁹ In 1948 German-American psychologist, Kurt Lewin (1890-1947) established that acculturation began to be conceived as the strategic reaction of the minority to continuous contact with the dominant group; John W. Berry, "Integration and Multiculturalism: Ways toward Social Solidarity," *Queen's University Papers on Social Representations*.
<https://pdfs.semanticscholar.org/9ba5/bd9f79cc66f86507e2226478c38d76dbdc4c.pdf>.

Acculturation existed in various forms ranging from assimilation into the majority culture, a defensive assertion of the minority culture, a bicultural blending of the two cultures, a bicultural alternation between cultures depending on contexts, or a diminishment of both cultures. Professor Emeritus of Psychology at Queen's University, John W. Berry, identifies acculturation (1980; 2003) terminology to categorize the four major options or strategies commonly called assimilation, separation, integration, and marginalization.; Kiren Vadher, *Beyond the four-fold model: Acculturation, identifications and cultural practices in British adolescents*. Vadher's doctoral thesis examines interplay between British and ethnic religious identities, cultural practices not restricted to national or ethnic cultures. Results show Britishness was understood according to cultural behaviors, multiculturalism and levels of trust in British institutions.
<http://epubs.surrey.ac.uk/804375/1/Vadher2009.pdf>.

according to Robyn Westcott and Christina Parolin, authors of *Britishness & Otherness*.¹⁰ Assigning racial identity evolves out of interaction with those viewed as *others*. The process of othering involves actively enfranchising some while disenfranchising targeted groups. American imperialism and nationalism situated the Cherokee as an ascribed nonwhite minority.

To do the race work through the lens of race and ethnicity, as recommended by Westcott and Parolin, shows that White racial markers within a phenotypically similar national majority “guaranteed a shared understanding and experience of colonial exceptionalism.”¹¹ The malevolent threat of inclusion and exclusion was an ever present threat that overshadowed the Cherokee assimilation experience. To be excluded from White society meant to be included in Indian Removal. Let that sink in for a moment.

The power structure of dominant society in the United States is by default a framework of White supremacy. “Whiteness is ideology not biology,” as I like to say and is better understood through epistemology. There is no such thing as a White people. In the words of Nell Irvin Painter: “There is no such thing as the ‘white race’ – or any other race.” Myths, agendas, and “ideas about race have structured societies and politics, created national myths, and led to enslavement, war and genocide,” according to Painter.¹²

Indian policies that apply to this thesis were experiments of assimilation to enfranchise some Cherokee and disenfranchised others. Yet, this process of categorizing

¹⁰ Robyn Westcott and Christina Parolin, “Britishness & Otherness: Toward a New Understanding of White Identities in the Empire,” *Humanities Research*, XIII, no. 1 (2006), accessed April 2, 2019, <http://press-files.anu.edu.au/downloads/press/p13981/mobile/ch01.html>.

¹¹ Westcott and Parolin, *Britishness & Otherness: Toward a New Understanding of White Identities in the Empire*.

¹² “There is no such thing as the white race – or any other race,” *CBC Radio*, last updated August 17, 2018, accessed June 4, 2019, <https://www.cbc.ca/radio/thesundayedition/the-sunday-edition-september-17-2017-1.4291332/there-is-no-such-thing-as-the-white-race-or-any-other-race-says-historian-1.4291372>.

society, or othering, did not protect the Cherokee from ethnic cleansing after ratification of 1830 Indian Removal Act. *Othering* is a “conscious agenda that cannot be separated from colonization, economics, and psychic dislocation” that resulted from “territorial expansion and racial violence,” according to Westcott.¹³ Classifying others, or us versus them, polarizes society into categories that are “distinguished by race, ethnicity, religion, or nationality,” which is the first stage of genocide according to the United Nations and the Genocide Education Project.¹⁴

When we, historians and scholars, interpret the history of Indian assimilation and the Cherokee Experience we must do the race work in debates of identity. The process of racializing or othering a group is the action taken by a ruling group whose intentions are to control and ascribe identity, strip agency, and dilute cultural memory of those they target and brand as a so called *minority*. This action of categorizing is for the purpose of maintaining authority over social, political, and economic hierarchies. When debating Cherokee assimilation, it is mandatory to note that racialized groups “often gradually identify with and embrace the ascribed identity and become a self-ascribed race or ethnicity.” They begin to embrace the concept of being a minority and powerless. This is common in the history of imperialism and nationalism.¹⁵

To face East from Indian Country (to embrace Indian perspective) discredits claims that early Cherokee desired to be White, preferred to be Christian, favored complete assimilation, or supported removal. Traditional Cherokee identity and culture

¹³ Westcott and Parolin, “Britishness & Otherness: Toward a New Understanding of White Identifies in the Empire.”

¹⁴ “Ten Stages of Genocide,” The Genocide Education Project; 1948 United Nations Document A/760: ARTICLE II.

¹⁵ Cathy J. Schlund Vials, Tara Betts, Sean Frederick Forbes, *The Beginning of America, Personal Narratives about Being Mixed Race in the 21st Century* (New York: 2Leaf Press, 2017); Michael Omi and Howard Winant, *Racial Information in the United States: from the 1960s to the 1980s, Critical Social Thought Series* (London: Routledge & Kegan Paul, 1994).

shifted, ebbed, and flowed as it did with all Indian and Euro-nations. Cherokee cultural and ethnic markers of group identity were not stagnant. Ethnic and cultural group identity was fluid and shifted over time. The Cherokee, as an ethnic group, survived Indian policies of genocide and grew as a multicultural nation that maintained and diversified a traditional culture that resonated intra-tribally and inter-tribally as it does today. Survival, as a nation, does not undermine the Cherokee experience of genocide or the crimes against humanity at the hands of the United States who did indeed take the lives and erase the cultural memories of endless numbers.

Unequal Treaties

The United Nations established a clear understanding of genocide; acts committed with intent to destroy in whole or in part, a national, ethnical, racial, or religious group.¹⁶ Assimilation, acculturation, shifts in racial identity, and identity politics situated the Cherokee as activists who resisted state sponsored ethnic cleansing and federal policies of genocide. To be clear, entering unequal bilateral international treaties required land cessions and was a means of surviving the United States' intent to destroy, in whole or in part, the Cherokee nation.

The United Nations General Assembly has adopted resolutions to build upon the principles of equality including Resolution 1514 (XV), the Declaration on Granting Independence of Colonial Countries and Peoples.¹⁷ Equality in international law is a

¹⁶ 1948 United Nations Document A/760: ARTICLE II;
<https://www.jus.uio.no/lm/en/pdf/un.universal.declaration.of.human.rights.1948.portrait.letter.pdf>.

¹⁷ Ingrid Detter, "The Problem of Unequal Treaties." *The International and Comparative Law Quarterly* 15, no. 4 (1966), 1071. <http://www.jstor.org/stable/757143>; Resolution 1514 (XV)-the historic Declaration on the Granting of Independence to Colonial Countries and Peoples. Other declarations of great importance to the equality of States are to be found in the General Assembly Resolutions 626 (VII) on

concept that means “legal equality, equality in law and before the law” that is “applicable to all States.” An unequal treaty, according to the United Nations, is a term used in international law that describes a treaty which serves to justify taking advantage of parties who have an inequality in bargaining power. To understand this provides for better understanding of the dynamics in treaties like the 1835 Treaty of New Echota and other Indian treaties.

Ingrid Detter, in *The Problem of Unequal Treaties*, argues that new states “feel entitled to the same treatment and to the same rights as the Great Powers.” Euroamerican invaders, in the process of building their nation-state, did not want the same treatment and the same rights as the Great Indigenous Nations of Turtle Island. Euro-invaders wanted to establish hegemony and to eradicate Indian peoples from the continent. Detter’s argument regarding unequal treaties applies to post American Revolutionary War era Cherokee whose “gained independence may [have found] itself compelled to enter into [unequal] treaties with more dominating States which only favor the stronger party” and conflict with “their long-term national interests.” Even after entering unequal treaties the less powerful party may “find difficulties making itself heard in international relations.”¹⁸

As an unequal treaty with the United States, the 1791 Treaty of Holston declared the Cherokee as a sovereign nation. In the Treaty of Holston, President George Washington guaranteed Cherokee peoples would remain in their homelands and not be warred upon contingent upon incorporating standards of White ideology. The goal of this treaty included incorporating Euroamerican government structures, economics, religion,

National Resources and 1236 (XII), 1301 (XIII), 1495 (XV), 1505 (XV), 1686 (XVI), 1815 (XVII), 1904 (XVIII) and 1966 (XVIII) on peaceful co-operation.

¹⁸ Detter, *The Problem of Unequal Treaties*.

education, language, and lifestyle. The Cherokee fulfilled the Treaty of Holston. The United States breached it by allowing continued settler terrorism against the Cherokee people. The public was stoked with fears of the Cherokee by use of religious and racialized rhetoric. Fueling public fears is a means of *organizing* larger society to support the oppression of a targeted group, the fifth stage of genocide. Organizing leads to greater polarization in society, which is the sixth stage of genocide, and this stages is intended to garner support for future removals.¹⁹

This thesis demonstrates that the 1791 Treaty of Holston and the 1835 Treaty of New Echota were unequal treaties based on the principles of equality established by United Nations resolutions. International treaties today must have an “active aspect of peaceful co-existence” and both parties are “entitled to take part in the drafting and conclusion of agreements that are of interest to them.” Early treaties with the Cherokee were unequal because they were “in conflict with the long-term national interested of the weaker State...because of their small[er] size or lack of strength, [and had] difficulties in claiming their sovereign rights.”²⁰

Coercive treaties were political tools to enforce assimilation. Unequal treaties, for the Cherokee, became tools to resist wars with the United States and tools to resist forced removals from tribal territory, even at the cost of ceding lands as a means for preserving their Indigenous nation. Initiating treaties to gain access and title to lands when the *othered* party is in a weakened state is in preparation to seize total control and prepare for physical removal from a territory. This is the eighth stage of genocide.²¹

¹⁹ “Ten Stages of Genocide.”

²⁰ Detter, *The Problem of Unequal Treaties*.

²¹ Ten Stages of Genocide.

The Cherokee entered into contracts with the United States that contained assimilation and land cession clauses but that did not mean they intended to relinquish indigeneity, language, customs, or governing structures. This strongly contrasts the agendas of assimilation campaigns held by American leaders such as Thomas Jefferson. Jefferson acknowledged Indian tribes as international sovereign bodies, yet during his presidential term from 1801 through 1809, he ruthlessly pressed for Indian removal. Westward expansion, for Jefferson, was based on his deep-seated belief that “Indian country belonged in white hands” according to historian James Rhonda, *Thomas Jefferson and the Changing West: From Conquest to Conversion*.²²

Nineteenth Century Indian Activism Amplified through Native Voice

Through the lens of Indian activism and Native voice an empowered understanding of nineteenth-century Cherokee experience counters antiquated narratives and condescending myths of an Indigenous peoples who relinquished Indian identity. This original scholarship brings an overdue awareness to language choices that communicate dated Eurocentric overtones of paternalism and patriarchal undertones. Christine Rogers Station explains patriarchal undertone. Station argues that “Instead of decolonizing education, today’s curricular agents typically misrepresent the historical and future agency of Native peoples while reinforcing the patronizing, normative, dominant-culture narrative.” Stanton states that textbook authors “use strategies of exclusion and

²² Alysa Landry, “Thomas Jefferson: Architect of Indian Removal policy,” *Indian Country Today*. Updated January 19, 2016, accessed March 2, 2019, <https://newsmaven.io/indiancountrytoday/archive/thomas-jefferson-architect-of-indian-removal-policy-kV7p2W8yLUeb47XLS5kJmg>; James P. Ronda, *Thomas Jefferson and the Changing West: From Conquest to Conservation* (Albuquerque: University of New Mexico Press, 1997).

passivation to control the historical and curricular agency of Indigenous peoples.”²³

George Tinker, David E. Stannard, Benjamin Madley, Jeffrey Ostler, and Roxanne Dunbar-Ortiz align with Stanton and have established that Indigenous nations were indeed targets of genocide and assimilation campaigns.

The primary documents in this thesis prove genocide of American Indian peoples can no longer be denied. The Cherokee are a seminal paradigm that exemplify this. Language used by America’s *founding fathers* show those who were in positions of social, political, and religious authority took actions of intent to *eradicate* and *exterminate* the Cherokee. Henry Knox, George Washington’s Secretary of War, predicted that the 1789 civilization policy, which he referred to as an *experiment*, would assimilate all Indian peoples east of the Mississippi River into White society within a fifty year period and extinguish all titles to tribal lands.²⁴ The broader agenda of Washington, Knox, and their Indian policy was to eradicate all Indian peoples who would not assimilate by exiling them west of the Mississippi en masse, according to 1818 treaty commissioner Joseph McMinn.²⁵ Eradication, in full or part, is the ninth stage of genocide, extermination of a dehumanized group. Through eradication, outgroup numbers are reduced and the remaining are exterminated or removed from their region.²⁶

²³ Station, *The Curricular Indian Agent: Discursive Colonization and Indigenous (Dys) Agency in the U.S. History Textbook*.

²⁴ Walter Lowrie and Walter S. Franklin, eds., *American State Papers: Indian Affairs*, (Washington, D. C., 1834), vol. 1, 13-14, 53-54.
file:///F:/2019%20SPRING/THESIS%20and%20GUIDLINES/THESIS/Thesis%20secondary%20sources/Experiment%20in%20Cherokee%20Citizenship%201817%20to%201829.pdf.

²⁵ This is an expression of force by treaty commissioner Joseph McMinn as found in NAM, M-234, Letters Received by the Office of Indian Affairs, 1824-1880, roll 71, no. 0295, June 26, 1818, "Journal of Negotiations." The agenda of Cherokee cessions 1817 and 1819 was to obtain land for Cherokee who emigrated to Arkansas since 1809. The federal government insisted their land in the East must be ceded by the Cherokee Nation remaining in the west in order to provide land in Arkansas for those who emigrated. This is noted in the preamble to the Treaty of 1817 in Richard Peters, *The Case of the Cherokee Nation* (Philadelphia, 1831), 268.

²⁶ Ten Stages of Genocide; The Genocide Education Project.

The United States Department of War informed the Cherokee that if they did not denationalize and join the United States, enter White society, and take up individual landholding, they would be removed from tribal lands. Knox was unyielding in his commitment to denationalize all Indian tribes east of the Mississippi. The Secretary of War and the Washington administration aimed to transform Indian peoples into scattered farmers so the federal government could absorb millions of acres of tribal land and then redistribute those lands to Whites.²⁷ Recall, according to the United Nations stage eight in the genocidal process is persecution. Persecution involves depeopling and removing inhabitants from their territory, confiscating their lands, and awarding the lands to members of dominant society.

The findings in this thesis conclude that post American Revolutionary War era Cherokee were activists who responded to ethnic cleansing and adapted to wide-ranging political, social, and cultural shifts. Pre-removal Cherokee activists embraced varied levels of assimilation to survive genocide but did not relinquish indigeneity. American Indian history is saturated with Native activism. The Cherokee actively protested, responded to immigrant invaders, and rejected White supremacy while adopting levels of American ideology and American structures. Pre-removal era Cherokee activists were revolutionaries who transformed White society as larger society transformed Indigenous nations. The Cherokee are survivors of the American Indian Holocaust. They are resisters of what we as Indigenous peoples refer to as the 500 Year War. The Cherokee resisted as diverse, multiracial, and multicultural peoples rather than homogenous typecasts.

²⁷ McLoughlin, "Experiment in Cherokee Citizenship, 1817-1829." *American Quarterly* 33, no. 1 (1981): 3-25.

Claims that early Cherokee preferred Christianity, Euroamerican culture, or favored complete assimilation are myths when examined through Native voice and activist interpretation. Traditional Cherokee identity shifted, ebbed, and flowed within social constructs framed by Euroamerican philosophy, identity politics, and imposed identity that intended to dilute Indian distinctiveness and cultures. Acculturation, shifts in racial identity and politics situated the Cherokee as resisters and survivors of state sponsored ethnic cleansing and genocide.

Assimilation became a tool for preserving the Cherokee nation as treaty agreements with a foreign nation were broken and forced removal became unavoidable. American assimilation campaigns were archetypes, or in the words of Dunbar-Ortiz, “templates” intended to exterminate the Cherokee and all Indigenous peoples.²⁸ Efforts to Americanize and colonize Indigenous peoples continues today as does the Resistance Movement across Turtle Island and around the globe.

Academic Activism

Decolonizing historical narratives is an ongoing pursuit. I stand upon the shoulders of all those who came before me including scholars over the past few decades who have encouraged resisting conventional framing of historical narratives. Let this research be one more step toward inviting a discourse that encourages open debate and pushes against colonized narratives that whitewash American Indian history and perpetuates divisions. In the March 2019 newsmagazine of the American Historical Association, *Perspectives on History*, academic activists Sasha Turner, Barbara Molony, and Sandra Trudgen Dawson summarize the ongoing need for current activism within the

²⁸ Dunbar-Ortiz, *An Indigenous Peoples' History of the United State*, 88.

academy of higher education. Turner, Molony, and Dawson assure that, “Reflexive, intersectional work remains pressing in our time of rising totalitarian regimes, threats to academic freedom, limits of freedom of press, and cuts to humanistic disciplines such as history.” As activists we have many accomplishments yet “our many gains do not suggest we abandon our activism in the present and future.” The academy is a microcosm of society and organizing “must take place despite the inevitability of critique” they warn. Our work as activists and scholars must be “cutting edge,” they encourage. Criticism must be welcomed as “a site of productive engagement that informs our work, both [as] intellectual[s] and activist[s].”²⁹

As a historian and as an activist, I have faith my research and interpretation of pre-removal Cherokee experience empowers and motivates readers with cutting edge dialogue that extinguishes myths that Indigenous peoples desired to be White or voluntarily ceded tribal territory. It is also my hope that this research motivates educators to continue incorporating an interdisciplinary analysis in their pedagogical approaches of United States History and American Indian Histories.

Contribution to Historiography

This research creates a central paradigm for analyzing American Indian history in the United States as a history of American Indian Holocaust. A central paradigm is created by deconstructing pre-removal Cherokee history through the lens of Genocide and Holocaust Studies and incorporating interdisciplinary terminology to examine Cherokee assimilation and influences that shapeshifted racial and cultural identity.

²⁹ Sasha Turner, Barbara Molony, and Sandra Trudgen Dawson, “Academic Activists: The Coordinating Council for Women in History at 50,” *Perspectives on History: The Newsmagazine of the American Historical Association*, 57: 3 (March 2019), 19-22.

Through this approach, primary sources show evidence of fluid identity informed by settler colonialism and Indian policy that included assimilation as an experiment for eradication of the Cherokee.

This research adds complexity to leadership roles and narratives of Cherokee chiefs Major Ridge and John Ross. Rather than juxtaposing the leadership of Ridge and Ross in opposition my interpretation situates both men as leaders who opposed Cherokee removal and both who negotiated with the United States for the conditions of removal to prevent complete eradication of their nation. This thesis highlights 1827 interim Principal Chief William Abraham Hicks, the reported cousin of John Ross, and Andrew, brother of Ross, as early leaders of the Treaty Party who negotiated Cherokee removal prior to the Treaty of New Echota. John Ridge is argued in this thesis as a greater influence in the Treaty Party and negotiations with Washington D.C. than his father, Major Ridge.

My research demonstrates an empowering understanding of the Cherokee assimilation experience which challenges myths that the Cherokee desired to become White or shed *indigeneity* (Indigenous identity). Instead, pre-removal Cherokee are acknowledged in this research as activists in an international environment who pushed against ongoing encounters with foreign governments and immigrant invaders who were armed with worldviews of White superiority. Cherokee activist resisted intentions to erase Indian Country that included erasure of Indian identity and goals of genetic altering through rape as a method to dilute Indigenous bloodlines, phenotypes, and culture.

Post American Revolutionary War era Cherokee were resisters of genocide in all of its stages: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial as outlined by Stanton's

Ten Stages of Genocide. Pre-removal Cherokee were a targeted group who experienced acts committed with intent to destroy them, in whole or in part, as a national, ethnical, racial, or religious group. This can now be understood as genocide according to Article II of the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide.³⁰

Proven here, “resistance writing” can inspire a new historical school of thought anchored in activism that frames the Cherokee as early targets of settler colonialism and experimental policies to eradicate all Indigenous peoples from the American landscape. Policies to eradicate Indigenous peoples continue as does the legacy of Indian resistance. The Cherokee, situated here in a decolonized analysis are a concrete paradigm for the future study of American Indian history within the framework of Genocide and Holocaust Studies. Yeliquu. Osda . Wado.

³⁰ “Convention on the Prevention and Punishment of the Crime of Genocide,” *Article II*, accessed June 2, 2019, <https://www.un.org/en/genocideprevention/genocide.shtml>.

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