

## Synopsis of Community Meeting Hosted by the Cherokee nation – August 12, 2006

The Cherokee nation of Oklahoma hosted an open community meeting on August 12, 2006 which was led by Principal Chief Chad Smith at the Mid America All Indian Community Center on Seneca Street in Wichita Kansas. Also attending were Deputy Chief Grayson, new council members Jack Baker and Taylor Keen, Mrs Bobby Smith, the Chiefs Administrative director, Freeda Vann, and the Tribal registrar, Lela Umerteskee. Chief Smith showed a video which emphasized the importance of culture, language, community building and working together (Gadugi). At the end of the video, he opened the floor to questions.

One attendant who did not appear to have African ancestry (although looks can be misleading) asked a question about tribal programs. However, all of the remaining questions dealt with freedmen tribal citizenship.

(Background: Approximately 100 years ago, the “freedmen” tribal members were listed on a separate tribal list from other tribal members who were enrolled as “Cherokees by blood”, intermarried white citizens, or Delaware Indians. Although the majority of “freedmen tribal members had documented Indian blood, they were listed on this segregated roll in order to make it easier to steal their share of tribal property based on an act of Congress when the tribal lands would be allotted. The “Cherokee by blood roll” includes adopted whites, Creeks, Natchez, Shawnee, etc). The freedmen roll included both those who had been enslaved at the time of the Civil war, free non citizen mixed black Cherokees (mostly those with Cherokee Indian fathers and were non citizens at the time of the Civil War, and mixed black Cherokees who had been recognized as citizens prior to the Civil war – mostly those with Cherokee Indian mothers).

The majority of the meeting attendants were descendants of Dawes enrolled Cherokee freedmen tribal members. The attendants were very dismayed by reported efforts of current and former tribal officials to take away their tribal memberships. The Chief was asked questions such as why did he support removing the freedmen from tribal membership, what about the freedmen peoples treaty rights, why did people think the freedmen only wanted benefits, asked why they were enrolling freedmen if they were so disliked, and also when the election would be held regarding taking away their citizenship rights. Someone also asked him if white people would be able to keep their citizenship rights if freedmen people were removed from the tribe.

Chief Smith explained that he had not called for removing the freedmen people from tribal membership but had only called for a vote by all tribal citizens on this matter. He said that the tribal court had ruled that tribal citizenship questions were a matter for the Cherokee people to decide and not the chief or the tribal council. He said that many people had believed that in 1975 that the freedmen people had lost their tribal membership rights when they voted on a constitution in 1976 and questioned the recent court decision which reestablished the freedmen people’s tribal membership rights. He said that the freedmen would be allowed to participate in a vote to retain their rights. He also said that some people believed that the tribe should be an all Indian tribe and wanted to go back to the historic Cherokee nation and not as it was 100 years ago. He said that the tribal membership constitutional vote is scheduled for 2007. He also mentioned that the court case *Santa Clara* allows tribes to define their own membership. He said that the treaty of 1866 did not give the freedmen citizenship rights – that they had only received the rights of native Cherokees; but that the freedmen citizenship rights came from the Cherokee council amending the tribal constitution in 1866 after the treaty was signed. He also stated that Marilyn Vann, president of the freedmen’s association was present and could answer some questions also.

Some of the attendants stated that they had Indian blood although their ancestors had been listed as freedmen and took issue with people stating that they had no Indian blood. Another person said that he had been instrumental in building the Wichita Indian center, and had done a lot of work to assist other tribes and he would have liked to have been of service in his own tribe but it appeared that his talents and abilities of himself and others had not been welcomed. . Others said that they did not need benefits from the tribe and were not seeking any. Some people were concerned regarding the length of time to process tribal membership applications; Chief Smith replied that applications of other people besides freedmen applications are being processed. None of the attendants who appeared to have African Ancestry asked about tribal benefits.

Councilman Taylor Keen was asked to address the crowd.. He stated that he did not support removing any persons whose ancestors were listed on the Dawes rolls from tribal membership and thought that the Cherokee people should keep their word to the freedmen people. . He said that he thought that continuing to allow tribal membership to all people who were descendants of Dawes enrollees would create a stronger tribe. Councilman Keen said that he had been monitoring tribal

enrollment and that 3000 freedmen had been registered in the tribe. He also said that he did not see evidence that the registration department was refusing to register freedmen tribal members.

Marilyn Vann asked to make remarks to the crowd and Chief Smith gave his permission. She discussed the *Bernice Riggs* case - , emphasizing that Berniece Riggs whose ancestors listed on the Dawes rolls were found by the tribal court in 2001 to have Cherokee blood and that Berniece Riggs and her descendants were one of many families whose ancestors were listed as Cherokee freedmen who would be disenrolled again if the constitutional amendment passes even though they have documented Cherokee blood. She also told the people that the adopted whites listed on the Cherokee by blood roll would retain their tribal membership if the amendment passes. She said that legally, a nation could change its membership policies – just as the US people could remove any group of people from citizenship but she took great issue with a movement to remove rights of long time citizens against their will. She explained that the *Lucy Allen* case did not give the freedmen people citizenship but held that the people already had citizenship rights and that the council 18 years ago had made it impossible for them to exercise them . She also stated that she did not see that the people had sufficient knowledge to make any decisions on changing citizenship since they had been given much misinformation regarding the freedmen both during the petition drive of former deputy chief John Ketcher and prior to that. She stated that 3 court cases including the *Lucy Allen* case proved that the freedmen peoples citizenship had not been forced on the tribe and that a study of the 1852 roll, 1880 roll, Dawes rolls census cards and testimony, and the Guion Miller testimonies clearly documented that freedmen people have Cherokee blood and that being listed as a freedmen was only for purposes of allowing white settlers to obtain land more easily since freedmen allotments were unrestricted before those of “citizens by blood”. She cited the *Sango* case as clear proof of this – that the court had held that a freedmen Dawes enrolled tribal member whose mother was enrolled with a blood degree separately only lacked Indian blood for land restriction purposes and not for other purposes. She emphasized that the constitutional amendment if passed was not designed to retain the tribal memberships of Cherokee freedmen with Indian blood and would not give the Cherokee people an all Indian tribe. She also stated that several court cases proved that the freedmen had a treaty right to citizenship – including *Journeycake* and *Whitmire*. She also stated that freedmen people had voted in prior tribal elections up until 1983 and had held office also. She stated that she had talked to persons involved in the 1975 constitutional convention and that she had been told there had been no intentions by the attendants to take away the tribal membership rights of the freedmen people thru that constitution.

She recommended to the attendants that they review the documents she had discussed at the descendants of freedmen website [www.freedmen5tribes.com](http://www.freedmen5tribes.com) such as the *Sango* case, *Bernice Riggs* case, *Lucy Allen* case, *US versus Cherokee nation*, etc. so that they could see for themselves what was the truth regarding the freedmen people and that she Vann could back up what she had said. She also mentioned that there was Dawes information on the website proving freedmen have Indian blood and that the Dawes commission knew that as well , proof that adopted whites were listed on the Cherokee by blood roll and proof of freedmen holding elective offices. She called on the people to register as tribal members and as tribal voters not only because it was their legal right which they had had for more than 140 years but in order to build up the tribe. She said that both herself and Chief Smith were concerned with the small number of language speakers in the tribe and believed that all Cherokee people should work to protect the culture and learn the language and the two of them had discussed this matter before. She thanked Chief Smith for allowing her to make remarks to the meeting attendants. She invited all of the meeting attendants including the Chief, deputy Chief, and the tribal council to the next Descendants of freedmen outreach to be held at the Cherokee community building in South Coffeyville, Oklahoma on September 23, 2006 at 1pm.

After Vann finished speaking Chief Smith challenged Vann and stated that intermarried whites would not retain tribal membership if freedmen lost their membership rights through the proposed constitutional amendment. Vann said that she had not mentioned intermarried whites but had spoken about the adopted whites listed on the Cherokee by blood roll – and stated again that descendants of these adopted white people would retain their tribal membership if the amendment passed which would remove the freedmen peoples tribal membership rights and that the constitutional amendment if passed would not give the Cherokee people an all Indian tribe.. Vann had actual Dawes enrollment documentation of some of the adopted white families and offered the documentation she had with her to the Chief who did not take it.

There were no further questions and the meeting adjourned. Also attending was a reporter Mrs. Monet from National Native News and Mr. McClain from the Cherokee Observer Newspaper.

Marilyn Vann – president – Descendants of Freedmen Association [www.freedmen5tribes.com](http://www.freedmen5tribes.com)