

1) Who are Cherokee freedmen and their descendants?

Cherokee freedmen are people of African descent who have rights to Cherokee citizenship since 1866 (and in some cases prior) based under a treaty between the US government and the Cherokee nation, the amended 1839 constitution and the present 1976 constitution. The freedmen were either former slaves of the Cherokees or were free mixed black Cherokees who generally did not have citizenship rights prior to 1866.

2) Who has the right to Cherokee citizenship now?

All persons who were listed on the Dawes Rolls and their descendants, during the early 1900s have the right to Cherokee citizenship based on the 1976 constitution. The Dawes rolls of the Cherokee nation have several sections – Delaware, Cherokee by blood, Cherokee Freedmen, etc.

3) Didn't the Freedmen lose their tribal membership and voting rights for a few years?

In 1983, the freedmen people were voting against Chief Swimmer, the registrar sent out letters canceling their tribal membership cards and the freedmen were blocked from voting at the polls. In 1988, under Chief Mankiller, the tribal council approved the registration policy of requiring all tribal members to have a CDIB card to keep tribal membership. A tribal court in 2006 ruled that the tribal council could not pass additional requirements to bar any segment of Dawes enrollees from receiving tribal membership cards or voting.

4) If most of the freedmen have Cherokee blood, why cant they get a cdib card?

The current BIA policy is to only give the card based on the blood degree listed on the Dawes Rolls. The Dawes Commissioners had the sole authority to place people on any part of the Dawes rolls they wanted to. Because Congress had decided that people listed as Freedmen would have unrestricted allotments, Commissioners were encouraged to list as many people as possible as Freedmen with no blood degrees listed rather than as Cherokees with blood degrees even if the person was listed on previous rolls as blood Cherokee or received payments earlier from the US government as a Cherokee by blood. An example was Perry Ross who had a Cherokee mother and black father. Perry Ross, was listed on the 1852 Drennan Roll proving Cherokee by blood, received a 1908 Guion Miller payment for having Cherokee blood, but yet was listed as a freedmen citizen on the Dawes Rolls. Some Freedmen did get CDIB cards in the past based on other records, but they stopped giving them out. The tribe never kept degrees of blood records and anything on the Dawes Roll is just guesswork so far as a true degree of blood. To determine blood degrees for freedmen one must look at Dawes testimony and other records.

5) Chief Smith and Councilman Jackie Bob Martin have called for a special election to see if the freedmen people should keep their tribal membership rights. What's wrong with that?

Whats right about it? There something wrong about trying to take away the rights of people who have had them for more than 100 years. The court held that the people had been wronged, and now, instead of accepting that, these people are to be more wronged? Would you not fight a president who wanted to put the US citizenship rights of Cherokee people on a ballot to the people? Whose next to lose rights? Also, the people who are being asked to vote on the freedmen citizenship rights are not being told that the freedmen have had rights since at least 1866, have served on the tribal council, generally have Cherokee blood, and voted between 1971 and 1983 (between 1907 and 1971 there were no elections at all). When did Cherokee people ever kick people out of the tribe? And why kick out only freedmen who came before Delaware and Shawnee – all 3 have treaty rights to citizenship? Does anyone sitting here wonder if the movement to kick out the freedmen is fear that they may not vote for some people now serving in office? Hardly any freedmen will be able to vote in such election because of the slow process to register tribal members and even freedmen people with old 1970s membership cards must reregister. Is this justice? Is it right for Cherokee leaders to break the promises made to these people by previous chiefs such as Lewis Downing and WP Ross – just as the whites have broken their word to the Cherokee people time after time? What if the white people say, if the Cherokees can break their treaty at will, we will do so too and demand back the Arkansas Riverbed money?

6) Won't the freedmen take away from the rest of the Cherokees so far as benefits?

The Chief and the tribal council can request additional funds from the US government and supposedly are working hard on economic development. Stop and think – Would you want your US citizenship rights to be taken away because white people don't want you to have rental assistance or such the same as them? Freedmen wont cancel medical insurance to go to I H S.

7) Did Freedmen get the same rights as Cherokees by blood previously?

Yes, all citizens including freedmen received 110 acres of tribal land equivalent when tribal lands were allotted, they received the 1912 payroll, and the per capita payment given out in 1962. Freedmen held office between 1866 and 1907 – One freedman Frank Vann even served with Redbird Smith on the council. Another freedmen councilman was Stick Ross.