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**Racial Hegemony in America: The Struggle for identity Among the Black Indians of the Five Civilized Tribes
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Racial Hegemony in America: The Struggle for identity Among the Black Indians of the Five Civilized Tribes of the Southern United States

Natasha Hartsfield

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The notion of race was introduced to the Americas at the time of colonization. For the Black Indians of the Five Civilized Tribes, racism has led to the rejection of their tribal heritage from both tribal and United States governments. The Black Indians are of both African and Native American ancestry with a history born in America and rich with resistance against colonial power. Blood quantum, the governmental requisite for tribal membership, is but one of the many laws put in place to govern Native American tribes. This introduces the question: Why, in a Nation that claims “freedom for all,” does there continue to be groups of people whose identities are not recognized? Why are descendants of both Native American and African ancestors ineligible for education scholarships, land allotments, gaming and fishing rights and other tribal allowances? In 1965 African-Americans were marching on Washington to demand their rights as American citizens. Today, Black Indians are marching on Washington from Indian Territory in Oklahoma to demand their rights. As a people who represent the continuing struggle for American freedom, the case of the Black Indians of the Five Civilized Tribes demonstrates how hegemony introduced the hypodescent rule or “one drop of blood” rule by the United States, laid the foundation for systemic effects of the racial hierarchy within the tribes. As this is an issue that may be further explored, future research might include a comparative study of other unrecognized groups that have been affected by colonialism, incorporating archival research, research of material culture and oral histories.

Introduction

There are many tribal groups within the United States who remain unrecognized by governmental and societal institutions due to issues of race. The Black Indians of the Five Civilized Tribes represent a community of individuals who are the descendants of both Native American and African ancestors from the Southeastern region of the United States.

At the birth of the American colonial experiment, race served as a distinguishing factor in roles of domination and subordination among individuals. Later, race became codified into law

through legislation such as the Dawes Act, which was, and continues to be defined by blood quantum. Today, the concept of race continues to be woven deeply into the fabric of American society. For the Black Indians of the Five Civilized Tribes, racism has led to the rejection of their tribal heritage from both the tribal and the United States governments. Members of the Black Indians of the Five Civilized Tribes are a self-ascribed people, who have for many years, endured the struggle of gaining both federal and tribal recognition as an existing people with a rich history in the United States. The significance of self-defined identities is to be emphasized here. How is membership defined as per the individual and the tribe, contrary to the Bureau of Indian Affairs of the United States? Biology or blood quantum is but one example of governmental provisions imposed on Native tribes. When such constraints for group inclusion are made, they serve to disregard the Native customs and imply the colonial ideology, creating subsequent damage to the social fabric within the tribes. Why in a Nation that claims “freedom for all”, there continue to be groups of people whose communities are not recognized? Why are the descendants of both Native American and African ancestors ineligible for education scholarships, land allotments, gaming and fishing rights and other tribal allowances? Is the reason for such an unequal distribution of rights the result of socio-economic structure founded on the basis of racial inequality? The story of the Black Indians of the Five Civilized Tribes demonstrates how the introduction of hypodescent, or “one drop of blood” rule, by the United States, laid the foundation for the systemic effects of the racial hierarchy within the tribes. It remains to be seen whether the civil rights of multi-racial people will become acknowledged in law. As one member of the Black Indians of the Five Civilized Tribes, Angela Molette exclaims: “The descendants of African ancestored tribes of the United States are not extinct.” (2004). It is beyond time that United States accepts its obligation to its people to provide cultural and ethnic recognition as per the terms of each community.

Colonial Expansion:

The role of colonization presents a host of conflicts for those being colonized, although the accounts written in history present the issue of moral right and wrong solely from the perspective of the colonizer. Europe has played the leading role in mapping the bloody trail to Western Civilization, yet this is presented in such a fashion as to glorify the actions of the colonizers without recognizing the systemic plague of socio-economic and race issues reassigned to the subsequent generations of the colonized.

First introduced by Marx, the idea of hegemony was further discussed by Italian born political theorist, Antonio Gramsci. Gramsci expanded the idea of cultural hegemony, where created reality put in place by the elite would be fed to the masses through cultural institutions such as schools, political parties and media (Gramsci 1971). Gramsci stressed the ideological effect, wherein the power of the ruling class would appear natural and desirable. In practice we must understand that the process of hegemony is in itself expanding. As Gramsci emphasizes that hegemony is not a stable process, and must be continually revised (Gramsci 1971).

The process of hegemony is complex and includes all relationships, activities and experiences of a society (Williams 1977). European conquest carries a few distinct characteristics, at the forefront of which was Christianity, as an integral constituent of the political arena. The plan to build a socio-economic structure based on capital and the exploitation of resources to the benefit the colonizer, resulted in the plantation system. The need for labor in such settings generated the Trans-Atlantic Slave trade, as well as the enslavement of indigenous peoples. An economic class system was well underway with the hegemonic traits that applied to cultural and color distinctions between members of the society.

From the beginning of European arrival upon the soil of the New World, a color-based hierarchy was applied to the developing social structure of what we today identify with as America. The concept of race and or act of racism carries with it a history that is not unique to the New World, but rather intricately woven into the colonial ideology. The plantation hierarchy demonstrates not only the colonial characteristic of a need for labor in obtaining resources, but also the manner in which racial hegemony promoted hypodescent as a socio-economic factor in the United States. Color was a determining feature in the chain of command on the plantation. Multi-racial individuals who were lighter skinned, and often the products of rape by white owners, were often chosen as overseers or headmen. These roles reduced the darker skinned African to the lowest of the subordinate. By putting overseers in the position of violently disciplining slaves, colonizers created a system of internalized racism among people of mixed race (Craton 1982).

The hypodescent rule was first recognized during the times of the slavocracy as racial mixing began to occur. It has often been referred to as the “one drop rule,” in that it suggests that people with any visible amount of black-African ancestry are by definition black (Harris 1974). Thus if a person is 75% Anglo and 25% African, he/she is considered Black. Hypodescent in the United States has produced problems for the Black Indians of the Five Civilized Tribes. The rule offers no option for Black Indian status, nor does it acknowledge these individuals as Indian because they are

of darker skin. Because there is great ambiguity and lack of representation in many historical documents regarding non-white individuals, determining family lineage is problematic for the Black Indian. The vagueness of terms such as Mulatto and Freedman has introduced complications in identifying with one's heritage and has added to the challenge of estimating the actual number of Black Indians. "Mulatto" sometimes implies a multi-racial person of African descent; however, over time mulatto has come to imply a person of only white and African descent (Forbes 1993). There have also been difficulties in distinguishing the term "Freedman" as exclusively African, due to the presence of white indentured servants, and Native American slaves, who, when freed, would also be considered Freedman (Craton 1982).

During the colonial period, racial classifications were at their apex. Race served as a means by which hegemony is imposed on society. By drawing distinctions between themselves and the Natives and or slaves by using names such as "negro" or "savage," colonizers could justify their role in maintaining power in applying subordinate roles to others (Gotanda 1995). At the time of colonization, the British Crown treated Native American tribes formally as sovereign nations (Canby 1998). As colonies grew in population, individual colonists began encroaching upon Indian lands. Most Native Americans were forced to leave their lands, and those who stayed were forced to adopt the institutions of the colonizer. The category "Civilized Tribes" was employed to identify the people of the Choctaw, Creek, Chickasaw, Seminole and Cherokee Nations after their adoption of such European institutions as churches, schools, constitutions, and slavery (Debo 1968).

Africans were also forced to adopt the church while being held as slaves. It was believed that African spiritual beliefs were ignorant and superstitious (Pickney 1998). Christianity played a role in the colonization of the Americas long before the nineteenth century. It is documented that in 1693, a Spanish royal decree promised asylum [in St. Augustine, Florida] to those slaves who had escaped the British colonies in the North, provided they converted to Catholicism (Bateman 1990: 31). It is important to note that while Christianity acted as a vehicle for the colonial powers, it also served as a means for the African expansion in the south. While slaves began fleeing the British colonies, they were coming face to face with Native Americans. The name given to these men and women was *Cimmarones*, which is of Spanish origin and means wild or feral, and later evolved into the term Maroons (Weisman 1999).

While the majority of Maroon studies are found in the Caribbean and in Latin America, this is not to suggest that slaves did not rebel in the United States. The first slaves brought to what is now the United States arrived in the late fifteenth century and were delivered to present day

Manhattan. Many were then taken south where they would reside on plantations and be worked as though they were subhuman. It is now understood that that docile slave was not the typical character of slave communities. Rather ideas of revolt and violence were at the forefront of the minds of many slaves. Maroon communities stretch throughout the Caribbean and into the Americas, and Maroon heritage is preserved in many of these countries as well. Today descendants of Maroons exist throughout the United States. The Gullah are descendants of escaped slaves and continue to reside on an island in South Carolina. Their culture has persevered through oral histories (Pinckney 1998).

The desire to leave the plantation was immense among slaves. Given the terrain of specific areas in the Southeastern United States, the feat was difficult. Adopting cultural concepts of the white man, Native American groups in the Southeast created their own form of slavery that would result in the intermixing of African and Indigenous peoples.

The system of slavery among Native groups differed greatly from the chattel slavery common among the white man. With the stresses of colonial encroachment, Native Americans often caught slaves and kept them as informants (Watts 1986). Although the Indians were adopting the culture of white man, settlers became infuriated that in conjunction with such cultural modifications, the Indians were able to contest colonial encroachment. Some Indians sold plots of land to colonial settlers who wanted land in Indian territories, but many Indians refused to leave their ancestral lands (Debo 1968). In 1829 Andrew Jackson became President and enforced the Indian Removal Act of 1830, by which he sought the removal of any tribe east of the Mississippi.

Resistance and Alliance:

The Removal Act of 1830 was a racially motivated ploy driven by the interest of capital. Not only did the Act rob Native Americans of their ancestral homelands, it sought to eradicate Native American culture. In 1829, with the full intent of pushing them out, the state of Georgia made it illegal for any Cherokee to hold council. In addition, Georgia persuaded citizens to rob their Indian neighbors, as it was illegal for an Indian to bring a suit against a white man (Canby 1998). In 1830, persuaded by similar motives in regard to the Choctaw and Chickasaw, the state of Mississippi extended legal rule over both tribes, making them citizens of the state. A sentence of imprisonment would be employed if they were to hold any tribal office (Debo 1968). Eventually the tribes would be forced to march the Trail of Tears to Indian Territory in Oklahoma. By this time alliances between Native American and runaway slaves were being made, the most noted of which was

among the Seminole and the Africans fleeing from the north (Foreman 1989). After having moved the majority of the Choctaw, Creek, Cherokee, and Chickasaw Nations, Jackson's army headed south to Seminole territory where they were faced with a young chief named Osceola. Resistant to move, the Seminole, coupled with the many escaped slaves, launched the Second Seminole War (Fairbanks 1973). This war exemplifies the alliances created between Africans and Native Americans. In a letter from Wiley Thompson, (A Seminole Agent) to Secretary Lewis Cass on April 27, 1833, he noted: "Negroes enjoy equal liberty with their owners. Many slaves have stocks of horses, cows and hogs, which the Indian owner never assumes the right to intermeddle." Followed by a gross assumption, "that an Indian would almost as soon sell his child as his slave, except when under the influence of intoxicating liquor" (Foreman 1989: 326). This marks the beginning of how racial hegemony encouraged the notion of hypodescent in relation to the Black Indians of the Five Civilized Tribes.

The Seminole had alliances with Maroons long before the other of the Five Civilized Tribes, perhaps because of the Spanish Royal Decree mentioned earlier. Because of these alliances, they had also long since been intermarrying and creating familial ties with Africans. Much was the same for the Creeks of North Carolina, as many of the escaped slaves fleeing British colonies met the tribe in route to St. Augustine, Florida (Bateman 1990). In 1866, following the Civil War, treaties between the United States government and the Five Civilized Tribes were established regarding the issue of Freedmen. Following the treaties between Choctaw, Chickasaw and United States government, a treaty between the Cherokee and the United States government was ratified: "All persons of African descent in said nation[s] at the date of the Treaty of Fort Smith and their descendants heretofore held in slavery among said nations, all the rights, privileges, immunities, including the right to suffrage; also to give such persons and their descendants forty acres of land on the same terms as the Choctaw and the Chickasaw" (Kappler 1904). These treaties were ratified in June and July of 1866 and proclaimed one month following. The Dawes Act of 1887 and the subsequent blood quantum rule abolished all agreements between the Five Civilized Tribes and the United States government.

Government Legislation & Cultural Implications:

The Dawes Act of 1887 was an action taken, subsequent to a visit to Indian Territory by Senator Henry L. Dawes. Dawes, like many other bureaucrats of the time, was uninterested in the idea of cultural diversity, and sought to make Indian Territory a capitalistic economy much like the

United States. One failure in the idea of the Dawes Act was its propensity toward colonial ideology. The Dawes Act was an act of colonial economic interest that had a great impact on Native America and African culture and identity. Dawes felt that because Indians owned land in common with one another, they would be unsuccessful in the world of enterprise. “Until these people give up their lands, and divide them among their citizens so that each can own the land he cultivates, they will not make much more progress” (Debo: 22). Race was to be a defining factor in where people were placed, after members of the Lake Mohonk Conference accepted Dawes’ theory and advocated reform. The Dawes Severalty Act of 1887: An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the United States and territories over the Indians for other purposes. Before the act could doll out land to the tribes it first wanted a list of all members, which came to be known as the Dawes Rolls. Given the earlier provisions requested by the Choctaw, freedmen and their descendants were refused citizenship on the rolls (Peterson 1995). The Dawes Commission and the Federal government together decided Land allotments. In 1895 Congress authorized a survey of the land, and in one year the Dawes Commission would be responsible for providing a list of all citizens (Debo 1968). During the enactment of the Dawes Act, the Curtis Act of 1898 was endorsed. The Act served as a threat and eventually would abolish any tribal tenure without Indian consent. The various acts presented here, are examples of the racially motivated laws, used to control people of color with interests other than capital gains. Inevitably the rolls would present a problem for anyone who did not meet the “blood quantum” requirement.

Throughout history the remnants of the Dawes Act have impacted multi-ethnic descendants of Native Americans. In 1930 the Alabama census notes that Creoles, “ a separate social class intermediate in racial status between whites and Negroes, are a mixed people with a possibility of having Indian blood” (Gilbert 1948). When mentioning the Cajuns, Gilbert notes, “They are reputed to be part Indian and part white, while a certain number are said to show Negro blood” (1948). Gilbert addresses the communities in which the Cajuns live and I believe it of importance to note. He states that the communities are “isolated and difficult to access”, (423), this is indicative of the nature of early Maroon and Native American settlements. The alliance between the two groups encouraged the separation from the oppressor group, and today in many countries of the Caribbean and Latin America these descendants remain in the locations where their forefathers sought refuge. Similarly in the United States, nearly all of the archaeological remains of the Maroon and Native

American alliance may be found in areas that would have been dense with brush or swamp, as these were a resilient people who went to any means necessary to survive.

In contrast, The Dawes Act enforced the idea that if one had “enough” Indian blood he/she would then be granted land. The concept of enough Indian blood was then decided by United States legislation and not by the members of the tribes. Therefore, members that were granted Indian status were those that fit the racially motivated description assigned by lawmakers. This idea continues today and has been the driving force behind racial /ethnic scrutiny among the Black Indians of the Five Civilized Tribes. Before allotting any lands, the Dawes commission created rolls of the various ethnic groups on the reservations, [as noted in Table 1]. Not only did the Dawes Act prove to assign land to those that Congress saw fit, [see Table 2], it also created racial hegemony among tribal members. The concept of internal colonization, which occurs when a ruling body treats a group within its own country as a foreign entity, is at the head of the hegemonic process sought out through the Dawes Act. For people of African and Native Ancestry, the Act did not award them much. Many people with African “features” were not granted anything (Debo 1968). Racial hegemony paved the way for the rule of hypodecent in the United States, which subsequently filtered into the Native American societies that were so greatly oppressed by the United States government. These laws drove black children out of Indian schools, off Indian lands and back into the racially controlled south. Alliances created during the most necessary times of survival were now lost in the oral histories of elders, as the new generations had to struggle for survival in the American ideology of capitalism. In the Register of Choctaw Emigrants to the West of 1831 and 1832, the names are of European lineage with no acknowledgement of their own cultural heritage. This is an example of how one may be classified as belonging to a particular ethnic group due to skin color, yet may not preserve the cultural heritage that accompanies the black hair and dark skin if he or she wished to survive in this new economic system. These new ideas pushed many Native Americans to cast off their culture and adopt racial ideas of supremacy.

Defining one’s identity through biology was not a practice of the Five Civilized Tribes. Often kinship ties within the Five Civilized Tribes were matrilineal and based in relations built upon residence (Foreman 1989). The role of the woman in tribal culture is intrinsic to Native American cultural preservation. By re-defining a basis for identity, cultural preservation becomes threatened. While the threat of losing cultural preservation looms when a child is born to a non-native mother, the situation becomes far more problematic when features that define identity become blurred. Such is the case with any culture that has been socially restructured by an outside entity.

Post-colonial problems of defining identity and kinship are intrinsic to the colonial system, as ruling ideologies often sharply contrast with ideologies of the dominated group. In future studies we might compare other tribes of the United States that have also faced the threat of loss of cultural preservation due to redefined kinship.

Socio-Economic Subordination:

Today many Native Americans remain on reservations, some in small towns, and some on the streets in cities. And while they have been robbed of their culture and land, they remain Native American. Where does this leave the people of African descent whose ancestors are also Native American? Today the Black Indians of the Five Civilized Tribes are fighting for governmental recognition. Having been excluded from the Dawes Rolls, many have no evidence of their tribal membership. In 1866 the state of Virginia proclaimed that “Every person having one quarter or more Negro blood, shall be deemed a colored person, and every person having one quarter Indian blood shall be Indian.” Later the rule became more stringent, considering anyone with any African ancestry a colored person (Forbes 1993). Blood quantum remains the deciding factor, however the application entails, familial names that must correspond with the rolls. Because the rolls are federally based, one must consider the motivations of the federal government when reviewing them. Blood quantum encourages white principles, as it imposes biological validation for membership that had never before existed among Indians. Forbes suggests that blood quantum seeks to eliminate the Native American race as a whole (1993). As mentioned before the role of the Federal government has been essential in the present condition of Native American people who are not recognized.

The interest of capital plays a key role here, as Marx suggests there are levels within the capitalist society that represent dominant and subordinate roles, without which the capitalist society cannot exist (Marx & Engels 1947). When addressing the process of hegemony in the United States, one must address the economy. Because American culture is so engrained with ideas of consumption, we think in the form of capital gain. As Gramsci pointed out, institutions such as schools, political systems, and media are tools to feed the masses a desirable ideology. The descendants of Africans and Native Americans are the subordinates of the socio-economic agenda of the United States, as the direct result of a pre-designed socio-economic structure. Today Black Indians are not afforded land allotments, nor are they awarded educational scholarships and grants. In response to Gramsci, would educational grants be the appropriate reparation for generations of

cultural degradation? Or might it be of more value to the individual tribes to teach their tribal culture and heritage to the future generations?

These internal conflicts are the product of laws excluding African ancestors from the tribes. In 1941 the Department of the Interior Solicitor Nathan R. Margold excluded Freedmen from the definition of citizenship, despite the language of the treaties of 1866 (drafted by the five tribes) that specifically includes Freedmen (Molette, A 2004). The Federal government forced tribes to make revisions in their constitutions considering only those people lineally descended from people on the Dawes rolls as members. The inclusion of Black Indians has brought conflict within the Five Civilized Tribes (Molette 2004). This has only proven that the Federal government has no intention of respecting the cultural and ethnic values of the tribes, and would rather they behave in a manner that benefits the socio-economic agenda of the Federal government.

Concerns of a Pan-American Indian identity become relevant when observed through the hegemonic lens. With governing bodies creating laws that meet the needs of the ruling economy, where does this place the sovereignty of the tribes? The Five Civilized Tribes were brought to Oklahoma because the government sought to consolidate the indigenous population. That one term is used for the Chickasaw, Cherokee, Choctaw, Seminole and Creek implies a Pan-American Indian identity already. Recognition within the tribe and within the government is the goal of the Black Indian. Today there are over two hundred and twenty tribes who remain unrecognized by the federal government. Within those tribes there are Black Indians. Gaining tribal recognition is a lengthy and costly process that often results in years of waiting only to be denied. The federal government saves millions of dollars yearly by not awarding tribal status. Upon gaining status, healthcare becomes available to members, as well as land and educational grants mentioned before. Considering the hegemonic process and the hypodescent rule: Will the government see the Black Indian as an individual of a specific tribe, or rather as a percentage of African ancestry and a percentage of Native American ancestry? Thus creating a Pan-Black Indian identity.

Today Black Indians are furious with Legislative silence regarding their identity. In response, members have planned a march on Washington, which took place on August 7, 2004. It began at the 900 year old Spiro Mounds in Spiro, Oklahoma and ended at the reflecting pool in Washington D.C. By publicly appealing the exclusion of Treaty rights and federally mandated programs, the hope was to address Congress as well as the President to re-enfranchise the Black Indians by executive order. The Treaty rights, such as land allotments and federally mandated programs, such as education grants, and scholarships benefit American Indians, however, due to the hypodescent rule,

Black Indians are excluded. Today the Black Indian exists among the many faces that represent American society, and as such have a right to be recognized. Eleanor “Gypsy” Wyatt, chairman of the Freedmen Descendants of the Five Civilized Tribes, describes her identity as “a reminder of the inhumane treatment against a people.” She explains: “Though my complexion is of a dark hue, my African brothers don’t claim me for my hair is too straight or wavy, my nose is not broad, my lips are not full. My Choctaw and Chickasaw brothers won’t claim me, although my features are much like their own” (Shabazz 2003).

Through narratives such as this we might begin to recognize the systemic effects that colonization has had throughout the years. The plague of a racist economic and social structure continues to exemplify America. When members of American society are asked how they identify as individuals, the answer may be complex, as American identity contains various factions of American culture. Almost certainly the answer will include a tidbit of ethnic heritage and most often that heritage has a known place of origin. For many African Americans, the absolute location of ethnic identity is often difficult to trace. When considering the Trans-Atlantic Slave trade, establishing the home country of the hundreds of thousands of individuals displaced by the trade brings about many heartfelt emotions of anger and grief. While claiming identity is problematic due to lack of documentation of familial lineage on both the African and the Native American sides, the Black Indians of the Five Civilized Tribes are faced with an even greater difficulty: the failure on the part of the United States government to acknowledge a people born out of the oppression of colonialism. Angela Molette exclaims in her letter regarding the march on Washington, “The descendants of African ancestored tribes of the United States are not extinct” (2004). It remains to be seen whether or not groups such as the Black Indians will be allowed a scholarship based on their Native American heritage, or a plot of land that their forefathers plowed and harvested, or simply the opportunity to state their heritage in their own terms.

This issue embodies elements of socio-economic agendas that must be critically reviewed. Future research in the identity of the Black Indians of the Five Civilized Tribes might include a comparative study in racial hegemony that would incorporate archival research, research of the material culture, and oral histories. It would be useful to compare other unrecognized groups that have been affected by colonization. What types of documentation were being recorded among the various groups; are the colonized groups telling their stories, if so where are these stories found? Because of the lack of documents revealing their history, oral histories of the descendants of the Freedmen of the Five Civilized Tribes would be of great importance.

Table I: Final Dawes Rolls [1904], (Debo 1968)

	Full bloods	Mixed Indians	total	Whites	Freedmen	total
Cherokee	8,703	27,916	36,619	286,919	41,824	
Choctaw	7,087	10,401	17,488	1,651	6,029	25,168
Miss.Choctaw	1,357	303	1,660			1,660
Chickasaw	1,515	4,144	5,659	645	4,662	10,966
Creek	6,858	5,094	11,952		6,089	18,761
Seminole	1,254	887	2,141		996	3,127
TOTAL	26,774	48,745	75,519	2,582	23,405	101,506

Table II: Final Land Allotted [1910], (Debo 1968)

	Total Acreage	Allotted Acreage	Segregated & Unallotted Acreage
Choctaw-Chickasaw	11,660,951	8,091,517.48	3,569,432.52
Cherokee	4,420,068	4,346,145	73,923
Creek	3,079,095	2,997,114	81,981
Seminole	365,852	359,575	6,277
TOTAL	19,525,966	15,794,351.48	3,731,613.52

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