

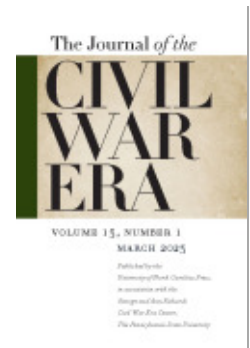


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Black Slaves and Indian Owners

The Continuous Rediscovery of Indian Territory

ALAINA E. ROBERTS

This essay provides an analysis of historiographical trends in the study of the Five Tribes (the Cherokee, Chickasaw, Choctaw, Creek, and Seminole Nations) and the Black women and men who were enslaved in, and part of, their nations in the Southeast and, after Indian Removal, in Indian Territory (modern-day Oklahoma). The author divides the scholarship she covers into two broad time periods: the 1930s to the 1970s and the 1980s to today. From work in the early 1900s that examined these Native people without real engagement with their practices of slaveholding to research today that uses the lenses of race, gender, and tribal sovereignty to excavate Black stories, the author pinpoints a key shift in the 1970s and 1980s resulting from the Black and Native activism of the day.

Carter G. Woodson, widely recognized as one of the fathers of African American history, wrote in 1920, “One of the longest unwritten chapters in the history of the United States is that treating of the relations of the Negroes and the Indians.”¹ For decades after the publication of his article, “The Relations of Negroes and Indians in Massachusetts,” this claim largely remained true. But the geographic region that emerged to serve as the most popular example of this intersectional history was not Massachusetts, it was the western space called Indian Territory, now part of the state of Oklahoma. Again and again, over the course of decades, historians, as well as journalists and scholars of law, literature, and race have written about Indian Territory respectively as the endpoint of a tragic journey, a curious case study of slavery, a western racial paradise, or a political laboratory, to name a few examples. Each time, the broader world has rediscovered, agog, slave-owning Indians and Black people who received land after slavery. This history in Indian Territory does not allow for the traditional victim-villain dichotomies into which Black, Native, and white people in the United States are usually placed. This is both why it causes a

delighted stir *and* what seems to keep it out of the mainstream historical narratives, leading to it receding from cultural consciousness, only to be rediscovered anew.

While the players in this historiography possess diverse disciplinary origins, they can be grouped into two broad categories: those from the 1930s to 1970s who were primarily motivated by a desire to better understand southern Native American history, and those from the 1980s to our current moment who were, and are, primarily motivated by a goal of demonstrating the historical complexity of race and slavery inside (and outside) the United States. These motivations are not mutually exclusive, but they do speak to and explain the differences in the literature these works are in conversation with, as well as the subfields that have embraced these specific junctures of Native American and Black history.²

The Cherokee, Chickasaw, Choctaw, Creek, and Seminole Nations (collectively known as the Five Tribes) are originally from the Southeast. The lands they claimed encompassed parts of Mississippi, Alabama, Georgia, Tennessee, North Carolina, and Florida. As Europeans invaded their territory to trade, loot, or settle, these nations brokered various alliances with them. But as their fertile acreage became increasingly attractive to the new American nation, political leaders like George Washington and Thomas Jefferson conceived of a western repository these five tribes and many others might be convinced to inhabit to allow white Americans to engulf their homelands.³ This repository took shape—as both a name and a more specific space—as Indian Territory.⁴ In the early 1800s, Southeastern Indian migration to Indian Territory began through coerced treaties and agreements but culminated in the physical violence, forced enclosure, and exodus that we now think of as the Trail of Tears.

Before Removal, southern whites and Native Americans exchanged knowledge and lived alongside one another, intermarried, fought, and forged alliances. Chattel slavery within the Five Tribes first surfaced as the subject of historical inquiry within books focused on these topics. In the early twentieth century, Native American history was a burgeoning field, separate from anthropology (the first field to specifically study Native American people) but still connected through the beliefs of its practitioners (Native American populations were worthy of study but not equal in social status to white Americans). Anthropologists often sought to study the objects within Native sites, and the rituals and lifestyles they revealed, without necessarily much thought to contemporary Indian women and men's own interpretations or how particular paraphernalia might represent societal change.⁵ Some of the key questions the young field of Native American history sought to answer revolved around only slightly less

problematic ideas of societal shift: How did the Five Tribes change after European contact? What made them different (read: better) from other Native peoples? How did their acclimation still, tragically, leave them destined to eventually die out?

One of the first books in this mode of analysis, Grant Foreman's *The Five Civilized Tribes* (1934) argued that intermarriage with whites (Indians who did not have white ancestry, "full bloods," were often the foils of progress in his narrative), the influence of the white American missionaries who lived among them, and a supposed higher level of intelligence were the three most influential factors in the Five Tribes' willingness to "better themselves" versus other Indian nations. Foreman first stumbled onto Indian Territory while working as a lawyer under the Dawes Commission (the committee appointed by US Congress to convince the Five Tribes to formally agree to sell and allot their land in the late nineteenth century).⁶ Foreman's interest in these Indian nations only grew from there, and he eventually wrote or edited more than eighteen books and ninety-one newspaper articles about the region's occupants and happenings. His perspective was akin to that of his first Indian Territory employer: cognizant of the Five Tribes' history and stature but altogether convinced that their time as a sovereign nation had come to an end.

In *The Five Civilized Tribes*, Foreman describes the Five Tribes' pre-European life as wanting and primitive, due to their culture: "Their fields were small and poorly cultivated. There were few among them who could read. . . . They had at that time no written form of government, no written laws, no trial by jury. The widow had no dowry, and children no inheritance in their father's property," and women performed agricultural labor while men hunted and "followed various amusements." In contrast, as they accepted Euro-American norms, they "made great advances in agriculture and other arts of civilized life," which included raising cattle, blacksmithing, weaving using European implements, and establishing "a number of public inns" to accommodate American travelers. Foreman credits the Five Tribes' ability to face the difficulties of Removal and the Civil War and successfully rebuild primarily to white missionaries who "were responsible by reviving the morale, hope, and resolution of these harried people" and who had previously encouraged them to "imitate the white man."⁷

In the end, while the United States made regrettable choices in not honoring treaties, it is not the villain in the story of Removal. Rather, in Foreman's interpretation, the nation aided the "Indians by providing a home for them then far removed from the devastating influence of the white man. Relieving them from the hopeless struggle against the whites who were determined to have their land."⁸ Foreman laid the foundations

for this portrayal of southern Indian history in his earlier book, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians* (1932), which received fanfare in the *New York Times*; a reviewer of the work echoes Foreman's argument that Indian Removal was barbarous but perhaps only due to the knowledge that the Native people forcibly moved were making just as "good and intensive use of the land" as their white neighbors, thanks to their assimilation.⁹

Here we see the classic arc of Southeastern Indian history: one of noble Native people, tragic occurrences, and white Americans who fall into two camps—those who wrongly disrespect *acculturated* Native people and those who heroically shape Indian culture in the model of white cultural norms.¹⁰ That missionaries are, in fact, the heroes of Foreman's story becomes clear when slavery is mentioned chiefly to allow missionaries to object to Indians' participation in it.¹¹ Foreman spends more time on other, more palatable, aspects of Indian "civilization" and essentially ignores the importance of slavery to these nations' social and political dimensions. Foreman's bias is clear: he assessed the state of the Five Tribes at the turn of the century and determined that the devastation of tribal sovereignty was inevitable.

Angie Debo, who wrote the forward to a later edition of Foreman's *Indian Removal*, agreed. Like Foreman's, Debo's work often elicits sympathy for the plight of the Five Tribes, describing these Native people as men and women we should think highly of due to their intelligence and adoption of "the white man's institutions"; she names Sequoyah, the Cherokee man known for creating the first Indian syllabary in the early nineteenth century "one of the great geniuses ever produced by any race."¹² However, as Foreman's did, all of Debo's writings emphasize these Native peoples' inability to struggle successfully against inclusion in the United States.¹³ The titles of Debo's most well-known books, *The Rise and Fall of the Choctaw Republic* (1934), *The Road to Disappearance* (1941), and *And Still the Waters Run: The Betrayal of the Five Civilized Tribes* (1940) point to this perspective.¹⁴ Debo's most famous work is *And Still the Waters Run*, a book still read for its meticulously detailed look at the land allotment and statehood processes and the mass theft of Native land and resources that followed. Debo describes the arguments over how much land each Native individual would own, the arrival of grafters who capitalized on the illiteracy of Native people to unethically lease or outright steal their land, the delayed decision to tax land allotments, and the debilitation of tribal governments as an "orgy of exploitation," one which, if it had been perpetrated by an "independent people [rather than so-called domestic

dependent nations] by a great imperial power would have aroused international condemnation.”¹⁵

No terms related to African chattel slavery are included in the relatively brief *And Still the Waters Run* index, but unlike Foreman, Debo includes the fact that, as part of the Five Tribes’ progress toward civilization, “some of their leaders began to operate plantations worked by Negro slaves.”¹⁶ After the Civil War, in Debo’s *The Road to Disappearance*, people of African descent serve a different purpose: their increase in numbers (supplemented by the migration of African Americans from the United States) is part of the tragic disappearance of the Creeks. In this reading of postwar racial relations, Debo is borrowing from the last contemporary historian of the period I will spotlight: Annie Heloise Abel. Abel’s work differs from Foreman’s and Debo’s in that she makes slave-ownership a key part of her analyses of the Five Tribes. In fact, the first book in her influential trio of work on the Five Tribes includes this designation in its title: *The American Indian as Slaveholder and Secessionist* (1915).¹⁷ Tying these points together, Abel details how the Five Tribes came to own Black people as slaves (a key part of their civilized status, in her reading), how the institution was important to the economy and social life of these nations (whom she considered “southern” in character), how the desire to maintain slavery played an important role in the Five Tribes’ decisions about Civil War alliances, and how American policy negatively affected Indian nations’ reconstruction. Through her examination, not only does more detail about slavery in Native nations come to light, but Native people are portrayed more as independent actors with complicated motivations, rather than the hapless pawns of white Americans, as in Foreman’s and sometimes Debo’s writing.¹⁸

Why was Abel’s approach so drastically different from Foreman and Debo’s? A period of about fifteen years separates their books (Abel’s were published beginning in 1915) and in Abel’s time, the neighboring study of slavery in the United States saw historians like Ulrich B. Phillips trumpeting slavery’s positive influence on people of African descent, whose intellectual capacity was supposedly no match for that of whites.¹⁹ But this perspective had not necessarily changed by the 1930s, when Debo and Foreman wrote. The difference was in these historians’ varying purposes. Their bodies of work point to Debo’s and Foreman’s desires to produce sympathetic portrayals of the Five Tribes. Abel, however, set out to create a thorough narrative of the Five Tribes’ Civil War era, complete with primary sources copied verbatim into her text, which would be inaccurate without a substantial discussion of slavery.²⁰

In the 1940s and 1950s, the study of Native people did not disappear, but its focus shifted. The study of the Five Tribes that I've detailed in this essay predates what some consider the origin of the serious study of Native American peoples: the official creation and strengthening of the field of "ethnohistory," a mixture of both anthropological and historical methods in the United States first used in service of adjudicating Indian land claims cases from 1946 on.²¹ Work in ethnohistory, combined with the evolution of the civil rights, Black Power, Red Power, and American Indian movements changed both Native American and African American history and studies, shaping historians' questions and approaches and making clear that people of color were not, in fact, objects, but subjects.

Black historians like Carter G. Woodson, Anna Julia Cooper, W. E. B. Du Bois, and John Hope Franklin writing in the late nineteenth and early twentieth centuries crafted a study of Black life that established and reified the existence of African and African American history and the essential part people of African descent played in the founding and maintenance of the United States. Historian Jeffrey Aaron Snyder argues that Carter G. Woodson, especially, went to pains to collect archival documents, share Black history with African Americans of his time at fairs and community gatherings, and promote Black sense of self through means like "Negro History Week," in which Black history was the focus of events and familial conversations.²² Unfortunately, it would be decades before the broader (largely white) discipline acknowledged this work.²³ In a historiographical essay, Adam Rothman dates this change to the 1940s and 1950s, "when a wave of radical and liberal scholars rejected the racism and Jim Crow treatment of African Americans. Early classics included Melville J. Herskovits's *The Myth of the Negro Past* (1941), Herbert Aptheker's *American Negro Slave Revolts* (1943), Kenneth Stampp's *The Peculiar Institution* (1956), and Stanley Elkins's *Slavery* (1959). These [white] scholars set a new agenda by taking black people's perspectives seriously and exposing the terror at the heart of slavery."²⁴ At the same time, scholar Kevin Gaines reminds us of the work of John Blassingame and Herbert Gutman, who "emphasized the survival of family, community, and autonomous cultural identities, and practices of resistance."²⁵ This is a debate over Black action and autonomy that has long shaped this field.

In Native American studies, from 1969 on, Standing Rock Sioux scholar Vine Deloria Jr. followed in the steps of nineteenth-century Native writers Sarah Winnemucca and William Apess, writing about Native history and modern-day issues. He championed tribal sovereignty and challenged white Americans to confront the devastation of continued colonization, the manufactured stereotypes about Indian women and men, and the part

academia had played in validating white supremacy.²⁶ Native poets and writers, such as Paula Gunn Allen, Leslie Marmon Silko, Gerald Vizenor, Simon J. Ortiz, and N. Scott Momaday, who wrote about Native American history, the importance of safeguarding and passing on traditional knowledge, and Indigenous feminisms should also be part of the way we conceive of this time period's increasing humanization of Native people.²⁷

This evolution in the fields of African American and Native American history and studies, reflections of broader society, can be clearly seen in the work of the next crop of historians. When the study of slavery among the Five Tribes appeared in the work of the next generation of scholars, these historians would, to varying degrees, be more inclusive of the actual experiences of Black people. Arrell Gibson's 1978 book, *The Chickasaws*, includes a brief discussion of slavery in the Chickasaw Nation, comprising a few pages, that positions emancipation as an economic boondoggle that hindered the nation's reconstruction.²⁸ This argument hints at the role Black members of these nations played in the postwar period. In 1979, Theda Perdue, who would become one of the most prolific historians of Native America, published *Slavery and the Evolution of Cherokee Society* as her entrance into the field.²⁹ Contrary to that of her forebears, in Perdue's analysis, Cherokee slaveholding is a crucial way to chart the *evolution* of Cherokee economy, tribal membership, and views of race. Perdue engages with the experiences of many of the Black people enslaved in the nation, though her focus is on their Cherokee owners, and concludes that the history of slavery among the Cherokees is the history of the changes that came with European contact, which divided the nation, creating a (mixed-race) citizenry with diverse ideas about Cherokee identity.³⁰

Daniel F. Littlefield Jr. went even further in this vein, with one of the first ever book titles evidencing, and carrying out, a focus on the Black members of the Five Tribes: *Africans and Seminoles: From Removal to Emancipation* (1977).³¹ Books on Cherokee freedpeople (the Black and mixed-race former slaves of Cherokees), "African Creeks," and Chickasaw freedpeople soon followed.³² Littlefield imbued his books with humanity, parsing out the joys, fears, and difficult decisions people of African descent in Indian nations faced. His book, *The Chickasaw Freedmen* (1980), was the first to examine in depth the unique difference in the Chickasaw and Choctaw Nations' post-Civil War Treaty of 1866—that they had the option not to adopt their former slaves as tribal citizens—and what this actually meant for Black people on the ground, experiencing dislocation, discrimination, and unease. Littlefield's books were the key transition *out of* using the system of slavery as a way of measuring Native civilization and identity and *into* examining Black people as members of tribal

nations whose actions and thoughts were worthy of study for their own sake. Even though Theda Perdue and Daniel Littlefield positioned their work squarely in Native American history, the implications for Black history were significant, especially for the study of Black and Native people in Indian Territory.

Decades after Foreman and Debo wrote in the early twentieth century, it was no longer de rigueur to insist that Native people were doomed to disappear (even if that assumption remains a feature of popular, best-selling books, like David McCullough's *The Pioneers* [2019]).³³ To understand Native American history was now to understand Native American complexity. This change trickled even into long-standing institutions like the *Chronicles of Oklahoma*, a regional history journal that originated in 1921. Known for producing articles on topics ranging from white Oklahomans' development of the state, white–Native American intermarriage, and Native American involvement in the Civil War, beginning in the late 1960s and early 1970s, the journal began also including articles on Black western history. While previous essays had largely ignored the existence of Black people in Indian Territory/Oklahoma, a trickle of articles on freedpeople in the various Five Tribes—with one prominent example unironically describing the former slaves as “problems” for the successful reconstruction of the Chickasaw Nation—became a stream of work from the 1970s on examining Black towns and anti-Black discrimination in Oklahoma.³⁴

This work was part of a rich period in the 1970s and 1980s that witnessed the publication of foundational works by the fathers of Black western history, Quintard Taylor and William Loren Katz. Taylor's cowritten article “Red vs. Black: Conflict and Accommodation in the Post-Civil War Indian Territory” (1984) proved a brief flirtation with Indian Territory, but Katz's book, *Black Indians* (1986), represented over fifteen years of work at the intersection of Black and Native history.³⁵ In “Red vs. Black,” Taylor and Donald A. Grinde Jr. focus on the heart of what they call “the evolution of this changing Indian-black relationship”: the Civil War and Reconstruction. This twenty-page article briefly maps out the issues scholars of Indian Territory continue to parse: slavery provided one of many motivations for the Five Tribes to ally with the Confederacy during the Civil War but also caused intratribal discord; this same alliance provided cover for the United States to force a disadvantageous treaty onto the Five Tribes after the war, which included the emancipation and enfranchisement of their former slaves; acceptance of freedpeople varied from tribe to tribe, and freedpeople's culture continued to mirror that of their former enslavers; the postwar period saw Black and white migration to the region, causing issues for freedpeople and Native women and men; resentment

emanated from and between both groups; land allotment and statehood weakened tribal sovereignty. The broad coverage of the article is impressive, and the skill with which Grinde and Taylor speak to the issues of anti-Blackness, tribal sovereignty, and Native and Black relations with the federal government even more so.

By the time *Black Indians* was published in 1986, William Loren Katz had written and edited multiple books on Black history, some of which included Indian Territory and the Black and Black-Native people who lived there. *Black Indians* was (and continues to be) culturally relevant because it examined and celebrated the lineage of interactions, alliances, and (less so) antagonisms between Black and Native people and the mixed-race population that resulted from them. Indian Territory was an important space for this analysis, but so too were New England and the Midwest.³⁶ *Black Indians* brought this intersectional history into the mainstream and, until his death in 2019, Katz was still doing interviews on the subject with outlets like NPR. Yet, his more positive portrayal of Black-Indian solidarity failed to reckon with the extent of anti-Blackness present in Indian nations from the time of slavery to today.

The only work thus far that comes close to superseding Katz's *Black Indians* in the extent of its penetration into cultural consciousness is Tiya Miles's groundbreaking, multi-award-winning *Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom* (2005).³⁷ *Ties That Bind* followed the life of an enslaved Black woman named Doll, held in captivity by and enmeshed in a coercive sexual relationship with a Cherokee man named Shoe Boots. Acknowledging the sparse documentation on Doll's life because of her race, gender, and status as an enslaved person, Miles illuminated her world by drawing from sources about and written by women in similar circumstances. The arc of Doll's experiences, and those of her mixed-race children, is emblematic of the changes in the Cherokee Nation's ideas about who is and is not kin, but in Miles's narrative, Doll is not a mere symbol used to extract information about Native history, she is a living, breathing Black person whose life is important to understand for its own sake. Miles's work represents the inauguration of a period focused on attempting to fully understand the Black and mixed-race people who lived amongst the Five Tribes through the lenses of race as well as gender and sexuality.

The scholars who took up this mantle from the late 1990s to today used methods and historiographies established in the study of Black southern history, reading against the grain to engage with ideas of agency, coercion, freedom, kinship, and citizenship. For Tiya Miles, these ideas began to crystallize around 2000, two years after the publication of a special

section of *American Indian Quarterly* edited by James F. Brooks, which united times and regions as far flung as colonial New Mexico, nineteenth-century North Carolina, and twentieth-century Rhode Island.³⁸ Their common theme was Black-Indian interaction, and the contributors included a who's who of today's leading scholars of Native American life: Celia Naylor, Claudio Saunt, and Circe Sturm. Inspired by this, Tiya, along with Celia Naylor (both graduate students at the time) and a community organizer named Stephanie Morgan brought together scholars and non-academics of Native, Black, and Black Indian descent for a 2000 conference at Dartmouth College, which they called, "Eating Out of the Same Pot': Relating Black and Native (Hi)stories." Meant to bring together those interested in discussing the intersection of African American and Native American history in a time when the two fields were very much siloed (the degree to which this is still the case is debatable), participants came from across the country to attend, giving papers on slavery in the Five Tribes and Native American identity.

Miles describes an environment filled with tension, where academic partnerships were forged, but the stakes with regard to identity and nationhood were on full display: the way these histories of slavery and freedom are told impacts the way both Native and Black people think about who has the right to claim certain statuses and traumas. Miles wrote that the experiences she had at the conference, and the conversations she witnessed, shaped her desire to "lay bare the landscape of black and Indian relationships and the impact of oppressive systems of colonialism and slavery on those relationships . . . [and] to understand what it is that draws African Americans to Native America in the past and the present, that propels blacks to claim Indian ancestry while at times dishonoring living indigenous peoples and cultures, and that leads some Native Americans to refuse a response to the call of their African-descended kin."³⁹ Miles, along with Sharon P. Holland, a scholar of English and African American studies, would go on to coedit a collection of essays reflective of this conference and broad in scope, covering topics from the first Black and mixed-race Miss Navajo Nation (she was crowned in 1997) to Afro-Mexicans in the eighteenth century, to the meaning of Toni Morrison's depictions of African Americans and Native Americans.⁴⁰ This book, *Crossing Waters, Crossing Worlds*, along with Brooks' special *American Indian Quarterly* section (which would go on to be published as a 2002 edited collection, *Confounding the Color Line*—which Miles contributed to), were important publications that emphasized the continent-wide necessity of studying Black-Indian history.⁴¹

Tiya Miles's *Ties That Bind* (2005) remains the most widely cited academic book on the intersection of Black and Native history, but 2005 also saw the publication of Claudio Saunt's *Black, White, and Indian: Race and the Unmaking of an American Family*, the second book from one of today's most well-known historians of Native America.⁴² On the heels of his article, "The Paradox of Freedom: Tribal Sovereignty and Emancipation during the Reconstruction of Indian Territory" (2004), which argued for the importance of studying enslaved Black people as an essential facet of Five Tribes history, as well as broader Reconstruction history, Saunt's *Black, White, and Indian* told the story of the mixed-race Grayson family. The Creek Graysons, like a number of families in the Five Tribes, had once openly pursued intimate relationships with people of African descent, but when the tide of racial hierarchy changed and hardened, disowned their Black and mixed-race ties, hewing to a new sense of Indian identity that allowed for whiteness, but not Blackness.⁴³ Gary Zellar and David Chang also published books around this time focusing on race, slavery, and land ownership among the Creeks.⁴⁴ In similar fashion, Kevin Mulroy's *The Seminole Freedmen* (2007) focuses on these topics in the Seminole Nation, though Mulroy's work calls back to the historiography of the 1930s, questioning the severity and duration of slavery in the nation as well as the importance of the identity claims made by these former slaves and their descendants.⁴⁵ Fay Yarbrough undertook a close examination of interracial marriage and related legislation in *Race and the Cherokee Nation* (2008), while Celia Naylor's *African Cherokees in Indian Territory* (2008) provided a broader overview of Black life in the nation through resistance to slavery, survival during the war, and social and political organization in the Reconstruction and statehood periods.⁴⁶ The Choctaws and Chickasaws remain the least-studied of the Five Tribes, with Barbara Krauthamer's *Black Slaves, Indian Masters* (2013), my book, *I've Been Here All the While: Black Freedom on Native Land* (2021), and Fay Yarbrough's *Choctaw Confederates* (2021) being the only books in this period to focus on enslaved and free Black women and men in these nations.⁴⁷

The scholars mentioned in the above paragraphs are all historians, but as Black-Indian history has become shorthand for an exploration of the boundaries of nationhood and race, one-off articles (which I define as brief explorations into this topic by scholars who do not habitually write about it) by nonhistorians have multiplied. This growth of writing on the topic can be explained, in part, by the increased mainstream media coverage on the disenrollment of, and subsequent lawsuits by, freedpeople (disenrollment occurred from the 1970s through the early 2000s in the Cherokee,

Creek, Seminole, and Choctaw Nations), which I ascribe to the stalwart freedpeople descendants filing these suits and to the success of *Ties That Bind* and the continued publication of work in this vein.⁴⁸ These news articles are proof that the nonacademic public has shown its strongest interest yet in the unique facets that make this story different from many within the African Diaspora, and a search on my University of Pittsburgh library interface for *freedmen* of the five slaveholding Indian nations reveals at least twenty such one-off articles on the subject by scholars of American studies, literature, English, education, (especially) law, and other subjects.⁴⁹

Is the knowledge of Black slavery, life, and influence in the Five Tribes now here to stay because scholars are no longer using it merely to analyze Native American history? One can only hope. The field today, which continues to blossom and expand, has been made possible through the work of all these scholars, regardless of whether their stances would now be regarded as outdated or problematic. From an understudied topic, to one glanced over and subsumed into another, to the focus of relatively many, situated at the intersection of two vibrant fields, Native American and African American history, the study of Black history in Indian Territory will continue to evolve as historians and others appraise it with eyes anew.

NOTES

The author thanks *Journal of the Civil War Era* associate editor Luke Harlow, for his patience, and coeditors, Greg Downs and Kate Masur, for their confidence.

1. Carter G. Woodson, "The Relations of Negroes and Indians in Massachusetts," *Journal of Negro History* 5, no. 1 (1920): 45–57.

2. I present two introductory caveats that I hope readers will indulge: First, I do not claim to read the minds of the scholars I discuss; I can only speak to what I glean from and read into their work. I certainly apologize if I've misattributed anyone's motivations. Second, this essay does not purport to include every work ever written on this subject. Rather, I hope to create a broad narrative that encompasses the general trajectory of the field using representative case studies.

3. "Memorandum for Henry Dearborn on Indian Policy," in *The Papers of Thomas Jefferson* (New Jersey: Princeton University Press, 2012), 39:21. The specific memorandum I reference here was written on December 29, 1802.

4. Western Indian peoples like the Caddos, Wichitas, and Osage already resided in and claimed possession of this space when the Louisiana Purchase brought it and much of the current United States, under the supposed control of the American government.

5. This could also well describe many historians of the early twentieth century and even of the twenty-first century. A number of essays and books describe Native people's issues with anthropology (the discipline) and anthropologists (the practitioners), but my favorites are Keith Basso's *Wisdom Sits in Places: Landscape and Language among the Western Apache* (Albuquerque: University of New Mexico Press, 1996), and Bea

Medicine's "American Indians and Anthropologists: Issues of History, Environment, and Application," *Human Organization* 57 (Fall 1998): 253–57.

6. Bob L. Blackburn, "Foreman, Grant (1869–1953)," *The Encyclopedia of Oklahoma History and Culture*, Oklahoma Historical Society, accessed December 1, 2021, <https://www.okhistory.org/publications/enc/entry.php?entry=FO020>.

7. Grant Foreman, *The Five Civilized Tribes* (Norman: University of Oklahoma Press, 1934), 18, 421–22.

8. Foreman, *Five Civilized Tribes*, 425–26.

9. Grant Foreman, *Indian Removal: The Emigration of the Five Civilized Tribes of Indians* (Norman: University of Oklahoma Press, 1932); R. L. Duffus, "The Tragic Fate of the Five Tribes: Mr. Foreman Tells the Story of the Forced Indian Migrations," *New York Times*, January 1, 1933.

10. Foreman's earlier books, *Pioneer Days in the Early Southwest* (Cleveland: A. H. Clark, 1926) and *Indians and Pioneers: The Story of the American Southwest before 1830* (New Haven: Yale University Press, 1930) examine the process of western expansion, whereas the two books I've discussed here backtrack to chart the progression of Southeastern Indian life.

11. Foreman's indexes included *slavery* six times in *The Five Civilized Tribes* and nine times in *Indian Removal*—only one of these mentions is in relation to slave ownership within an Indian nation, the others refer to runaway slaves making their way to Florida.

12. Angie Debo, *And Still the Waters Run: The Betrayal of the Five Civilized Tribes* (Princeton, NJ: Princeton University Press, 1940), 4.

13. Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman: University of Oklahoma Press, 1934); Angie Debo, *The Road to Disappearance: A History of the Creek Indians* (Norman: University of Oklahoma Press, 1941).

14. The title emphases are mine. Debo's title *The Road to Disappearance*, actually comes from the testimony of Siah Hicks (Creek), who was interviewed as part of the Works Progress Administration Indian-Pioneer Papers. Hicks used this in reference to the loss of culture connected to removal from the Creek homeland. Siah Hicks interview, November 11, 1937, Indian-Pioneer Papers, Western History Collections, University of Oklahoma, https://digital.libraries.ou.edu/cdm/singleitem/collection/indian_pp/id/1465/rec/5.

15. Debo, *And Still the Waters Run*, viii.

16. Debo, *And Still the Waters Run*, 4.

17. Annie Heloise Abel, *The American Indian as Slaveholder and Secessionist: An Omitted Chapter in the Diplomatic History of the Southern Confederacy* (Cleveland: Arthur H. Clark Company, 1915); Annie Heloise Abel, *The American Indian as Participant in the Civil War* (Cleveland: Arthur H. Clark Company, 1919); Annie Heloise Abel, *The American Indian under Reconstruction* (Cleveland: Arthur H. Clark Company, 1925).

18. I want to mention Kenneth Porter's *The Black Seminoles: History of a Freedom-Seeking People*, ed. Alcione M. Amos and Thomas P. Senter (Gainesville: University Press of Florida, 1996). Though it was published later, after his death, his research

for this work was largely carried out around this time. The book focuses on the Black women and men who escaped from white-owned plantations and sought freedom among the Florida Seminoles. If it had been published in the 1930s or 1940s, *The Black Seminoles* would have perhaps changed the narrative earlier to one that focused on the Black experience within Native nations.

19. Ulrich B. Phillips, "The Origin and Growth of the Southern Black Belts," *American Historical Review* 11 (July 1906): 798–816; Ulrich B. Phillips, "The Slave Labor Problem in the Charleston District," *Political Science Quarterly* 22, no. 3 (1907): 416–39.

20. The same could be said for M. Thomas Bailey's later *Reconstruction in Indian Territory: A Story of Avarice, Discrimination, and Opportunism* (Port Washington, NY: Kennikat Press, 1972), which handles Black history arguably substantially (for a book focusing on Native people) and quite well for its time.

21. The Indian Claims Commission was created in 1946 as a venue where Indian tribes, bands, or groups could request the recovery of tribal lands unlawfully taken from them. Ethnohistory can claim multiple origins; in the United States, scholars most often point to Charles M. Hudson, William N. Fenton, and James Axtell as fathers of sorts. It is worth nothing that also in the 1940s (1944 to be exact) a number of Native people came together to form the National Congress of American Indians, considered the oldest and largest pan-Indian organization representing Native interests.

22. Jeffrey Aaron Snyder, *Making Black History: The Color Line, Culture, and Race in the Age of Jim Crow* (Athens: University of Georgia Press, 2018).

23. Carter G. Woodson, W. E. B. Du Bois, and John Hope Franklin were prolific writers, so I cite only a sampling of their more well-known works. Woodson, "The Relations of Negroes and Indians in Massachusetts," 45–57; Carter G. Woodson, *Free Negro Heads of Families in the United States in 1830* (Washington, DC: Association for the Study of Negro Life and History, 1923); Carter G. Woodson, *Negro Makers of History* (Washington, DC: Associated Publishers, 1928); Carter G. Woodson, *African Myths Together with Proverbs* (Washington, DC: Associated Publishers, 1928); Carter G. Woodson, *The Rural Negro* (Washington, DC: Association for the Study of Negro Life and History, 1930); Carter G. Woodson, *The Mis-Education of the Negro* (Washington, DC: Associated Publishers, 1933); Anna Julia Cooper, *A Voice from the South* (Xenia, OH: Aldine Printing House, 1892); W. E. B. DuBois, *The Souls of Black Folk: Essays and Sketches* (Chicago: A. C. McClurg, 1903)—I recognize this collection of essays is not a work of "pure" history; W. E. B. Du Bois, *Black Reconstruction: An Essay toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America* (New York: Harcourt, Brace, 1935); John Hope Franklin, *The Free Negro in North Carolina, 1790–1860* (Chapel Hill: University of North Carolina Press, 1943); John Hope Franklin, *From Slavery to Freedom: A History of African Americans* (New York: A. A. Knopf, 1947); John Hope Franklin, *The Militant South, 1800–1861* (Cambridge, MA: Harvard University Press, 1956).

24. Adam Rothman, "Slavery, the Civil War, and Reconstruction," in *American History Now*, ed. Eric Foner and Lisa McGerr (Philadelphia: Temple University Press, 2011), 76; Melville J. Herskovits, *The Myth of the Negro Past* (New York: Harper, 1941);

Herbert Aptheker, *American Negro Slave Revolts* (New York: Columbia University Press, 1943). Kenneth M. Stampp, *The Peculiar Institution: Slavery in the Ante-Bellum South* (New York: Knopf, 1956).

25. Kevin Gaines, "African American History," in Foner and McGerr *American History Now*, 403. John Blasingame, *The Slave Community: Plantation Life in the Antebellum South* (New York: Oxford University Press, 1972). Herbert Gutman, *The Black Family in Slavery and Freedom* (New York: Pantheon, 1976).

26. Vine Deloria Jr., *Custer Died for Your Sins: An Indian Manifesto* (New York: Macmillan, 1969); Vine Deloria Jr., *God Is Red: A Native View of Religion* (New York: Grosset & Dunlap, 1973); Vine Deloria Jr., *Red Earth, White Lies: Native Americans and the Myth of Scientific Fact* (New York: Scribner, 1995); and many others.

27. Paula Gunn Allen, *The Sacred Hoop: Recovering the Feminine in American Indian Traditions* (Boston: Beacon, 1986); Leslie Marmon Silko, *Laguna Woman* (New York: Greenfield Review Press, 1974).

28. Gibson was a historian who wrote in the model of Foreman and Debo (patronizing, paternalistic, and with much stereotyping of Native people with mixed ancestry) but was not as insistent on the vanishing Indian trope. *The Chickasaws* is also awash in ideas of Indian laziness. Arrell M. Gibson, *The Chickasaws* (Norman: University of Oklahoma Press, 1971); Arrell M. Gibson, *The Oklahoma Story* (Norman: University of Oklahoma Press, 1978); Arrell M. Gibson, *The American Indian: Pre-History to the Present* (Lexington, MA: D. C. Heath, 1980). Slaveholding was more important to Gibson's allegation that as Chickasaws increasingly "assimilated" (slavery was part of this assimilation) and married white Americans, the nation's identity and thus, sovereignty, died out.

29. Theda Perdue, *Slavery and the Evolution of Cherokee Society, 1540-1866* (Knoxville: University of Tennessee Press, 1987).

30. In a similar way, prominent scholar of religion and Native American history William G. McLoughlin's article, "Red Indians, Black Slavery, and White Racism: America's Slaveholding Indians," *American Quarterly* 26, no. 4 (1974): 367-85, used slaveholding to try to make sense of the evolution of race relations between white and Native people, positing that the Cherokees adopted slavery and racist attitudes toward Black people as a result of white influence—a change from their earlier behavior with African-descended peoples.

31. Daniel F. Littlefield Jr., *Africans and Seminoles: From Removal to Emancipation* (Santa Barbara, CA: ABC-CLIO, 1977). An earlier book, by Robert Flickinger actually focused predominantly on the white missionaries who taught at the Oak Hill Industrial Academy and converted Choctaw freedpeople. Robert Elliott Flickinger, *The Choctaw Freedmen* (Pittsburgh, PA: Presbyterian Board of Missions for Freedmen, 1914).

32. Daniel F. Littlefield Jr., *The Cherokee Freedmen: From Emancipation to American Citizenship* (Westport, CT: Greenwood, 1978); Daniel F. Littlefield Jr., *African Creeks: From the Colonial Period to the Civil War* (Westport, CT: Greenwood, 1979); Daniel F. Littlefield Jr., *The Chickasaw Freedmen: A People without a Country* (Westport, CT: Greenwood, 1980). Littlefield has also written great books focusing on the Native people within these nations. For example, he co-wrote the definitive book on

Chickasaw Removal. Amanda L. Paige, Fuller L. Bumpers, and Daniel F. Littlefield Jr., *Chickasaw Removal* (Ada, OK: Chickasaw Press, 2010).

33. David McCullough, *The Pioneers: The Heroic Story of the Settlers Who Brought the American Ideal West* (New York: Simon & Schuster, 2019).

34. Parthena Louise James, "Reconstruction in the Chickasaw Nation: The Freedman Problem," *Chronicles of Oklahoma* 45 (Spring 1967): 45–57; Philip Mellinger, "Discrimination and Statehood in Oklahoma," *Chronicles of Oklahoma* 49 (Spring 1971): 340–77; Walt Wilson, "Freedmen in Indian Territory during Reconstruction," *Chronicles of Oklahoma* 49 (Summer 1971): 230–44; Michael F. Doran, "Population Statistics of Nineteenth Century Indian Territory," *Chronicles of Oklahoma* vol. 53 (Winter 1975–76): 492–515; Scot W. Boulton, "Desegregation of the Oklahoma City School System," *Chronicles of Oklahoma* 58, (Summer 1980): 192–221; Gary R. Kremer, "For Justice and a Fee: James Milton Turner and the Cherokee Freedmen," *Chronicles of Oklahoma* 58 (Winter 1980–81): 376–91; Norman J. Bender, "We Surely Gave Them an Uplift: Taylor F. Ealy and the Mission School for Freedmen," *Chronicles of Oklahoma* 61 (Summer 1983): 180–93; Linda C. Gray, "Taft: Town on the Black Frontier," *Chronicles of Oklahoma* 66 (Winter 1988): 430–47. I also want to mention two other influential articles here: Michael F. Doran, "Negro Slaves of the Five Civilized Tribes," *Annals of the Association of American Geographers* vol. 68, no. 3 (1978): 335–50; Christopher P. Lehman, "West Edward Days: African Americans in Territorial Edmond," *Chronicles of Oklahoma* 97 (Summer 2019): 174–91.

35. Donald A. Grinde Jr. and Quintard Taylor, "Red vs. Black: Conflict and Accommodation in the Post-Civil War Indian Territory," *American Indian Quarterly* 8 (Summer 1984): 211–29; William Loren Katz, *Eyewitness: The Negro in American History* (New York: Pitman, 1967); William Loren Katz, *The Black West* (New York: Doubleday, 1971); William Loren Katz, *Black Indians: A Hidden Heritage* (New York: Atheneum, 1986).

36. Jack D. Forbes's *Black Africans and Native Americans: Color, Race, and Caste in the Evolution of Black-Red Peoples* (Oxford: Basil Blackwell, 1988) was also an important publication around this same time. But because of its wide-reaching argument I have not included it here.

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

38. *American Indian Quarterly* 22 (Winter–Spring 1998).

39. Tiya Miles, "Eating Out of the Same Pot?" in *Crossing Waters, Crossing Worlds: The African Diaspora in Indian Country*, ed. Tiya Miles and Sharon P. Holland (Durham, NC: Duke University Press, 2006), xv–xviii.

40. Holland's earlier article was a rare discussion of this intersection in literature: Sharon P. Holland, "'If You Know I Have a History, You Will Respect Me': A Perspective on Afro-Native Literature," *Callaloo* 17 (Winter 1994): 334–50.

41. James F. Brooks, ed., *Confounding the Color Line: The Indian-Black Experience in North America* (Lincoln: University of Nebraska Press, 2002). Murray R. Wickett's *Contested Territory: Whites, Native Americans, and African Americans in Oklahoma, 1865–1907* (Baton Rouge: Louisiana State University Press, 2000), published around

this time, is more similar to books of the 1980s in the research questions it pursues and the racial terminology it uses.

42. Claudio Saunt, *Black, White, and Indian: Race and the Unmaking of an American Family* (New York: Oxford University Press, 2005)

43. Claudio Saunt, "The Paradox of Freedom: Tribal Sovereignty and Emancipation during the Reconstruction of Indian Territory," *Journal of Southern History* 70, no. 1 (2004): 63–94. Saunt also wrote about slavery in a 1998 article: Claudio Saunt, "The English Now Has a Mind to Make Slaves of Them All," *American Indian Quarterly* vol. 22, no. 1 (1998): 157–80.

44. Gary Zellar, *African Creeks: Estelovste and the Creek Nation* (Norman: University of Oklahoma Press, 2007); David A. Chang, *The Color of the Land: Race, Nation, and the Politics of Landownership in Oklahoma, 1832–1929* (Chapel Hill: University of North Carolina Press, 2010)

45. Kevin Mulroy, *The Seminole Freedmen: A History* (Norman: University of Oklahoma Press, 2007). Mulroy's earlier book on Seminole Maroons is technically within the scope of this essay, but I see it more as a book that examines the "maroons" as a group separate from freedmen, even if only differentiated by time rather than experience of long-term enslavement. Kevin Mulroy, *Freedom on the Border: The Seminole Maroons in Florida, the Indian Territory, Coahuila, and Texas* (Lubbock: Texas Tech University Press, 1993)

46. Fay A. Yarbrough, *Race and the Cherokee Nation: Sovereignty in the Nineteenth Century* (Philadelphia: University of Pennsylvania Press, 2008); Celia E. Naylor, *African Cherokees in Indian Territory: From Chattel to Citizens* (Chapel Hill: University of North Carolina Press, 2008)

47. Barbara Krauthamer, *Black Slaves, Indian Masters: Slavery, Emancipation, and Citizenship in the Native American South* (Chapel Hill: University of North Carolina Press, 2013); Alaina E. Roberts, *I've Been Here All the While: Black Freedom on Native Land* (Philadelphia: University of Pennsylvania Press, 2021); Fay Yarbrough, *Choctaw Confederates: The American Civil War in Indian Country* (Chapel Hill: University of North Carolina Press, 2021). Christina Dickerson-Cousin's *Black Indians and Freedmen* and Kendra Field's *Growing Up with the Country* do include details on the lives of Chickasaw and Choctaw freedpeople, though this is not their focus. Christina Dickerson-Cousin, *Black Indians and Freedmen: The African Methodist Episcopal Church and Indigenous Americans, 1816–1916* (Urbana: University of Illinois Press, 2021); Kendra Taira Field, *Growing Up with the Country: Family, Race, and Nation after the Civil War* (New Haven: Yale University Press, 2018).

48. For a sampling of the news coverage of freedpeople, see Mark Walker, "Cherokee Nation Addresses Bias Against Descendants of Enslaved People," *New York Times*, February 24, 2021; Harmeet Kaur, "Lawmakers consider withholding housing funds from tribes that discriminate against descendants of enslaved people," *New York Times*, July 29, 2021; Michael Overall, "Cherokee chief backs right of freedmen descendants to run for tribal office," *Tulsa (OK) World*, February 4, 2021.

49. See, for example, Lolita Buckner Inniss, "Cherokee Freedmen and the Color of Belonging," *Columbia Journal of Race and Law* 5, no. 2 (2015): 100–118; Iwasaki

Yoshitaka, "Freedmen in the Indian Territory after the Civil War: The Dual Approaches of the Choctaw and Chickasaw Nations," *Nanzan Review of American Studies* 30 (2008): 91-108; S. Alan Ray, "A Race or a Nation? Cherokee National Identity and the Status of Freedmen Descendants," *Michigan Journal of Race and Law* 12 (2007): 387-63; Sara E. Blakeslee and Marika L. Martin, "Influences on Identity: A Grounded Approach to Descendants of Freedmen," *Journal of Feminist Family Therapy* 21, no. 4 (2009): 271-83; Josephine Johnston, "Resisting a Genetic Identity: The Black Seminoles and Genetic Tests of Ancestry," *Journal of Law, Medicine, and Ethics* 31, no. 2 (2003): 262-71; Daniel E. Dawes, "Unveiling the Mask of Interracial Injustice: How the Seminole Nation Implicitly Endorses Dred Scott and Plessy," *Howard Law Journal* 50, no. 2 (2007): 319-44; Terrion L. Williamson, "The Plight of 'Nappy-Headed' Indians: The Role of Tribal Sovereignty in the Systematic Discrimination against Black Freedmen by the Federal Government and Native American Tribes," *Michigan Journal of Race and Law* 10, no. 1 (2004): 233-495; There have been one-off articles on the topic since at least the 1970s, but the data shows that it proliferated beginning in the early 2000s. There are even more theses and dissertations on freedmen (more than ten) that did not go on to become books; I don't include these because they're hard to consider one-offs, as most weren't published as books because the author did not continue within academia.