

Cherokee Tribe

<http://www.cherokee.org/AboutTheNation/History.aspxHistory>

Places

Geographical areas touched by the Cherokee Nation stretch from North Carolina and Georgia to Arkansas, Oklahoma, Texas and other states. You'll find information here on places such as the early Cherokee settlements, the historic Female Seminary and Cherokee Nation Courthouse, both in Tahlequah. Read about a modern-day "Cherokee Removal" which took place at what is now Oklahoma's Camp Gruber in the 1940's.

A Proud Heritage

Since the earliest contact with European explorers in the 16th century, the Cherokee people have been consistently identified as one of the most socially and culturally advanced of the Native American tribes. Cherokee culture thrived many hundreds of years before initial European contact in the southeastern area of what is now the United States. Cherokee society and culture continued to develop, progressing and embracing cultural elements from European settlers. The Cherokee shaped a government and a society matching the most civilized cultures of the day.

Gold was discovered in Georgia in the 1830's. Outsiders were already coveting Cherokee homelands and a period of "Indian removals" made way for encroachment by settlers, prospectors and others. Ultimately, thousands of Cherokee men, women and children were rounded up in preparation for their "removal" at the order of President Andrew Jackson in his direct defiance of a ruling of the U.S. Supreme Court ("[Justice] John Marshall has made his decision; let him enforce it now if he can." - Andrew Jackson).

The Cherokee were herded at bayonet point in a forced march of 1,000 miles ending with our arrival in "Indian Territory", which is today part of the state of Oklahoma. Thousands died in the internment camps, along the trail itself and even after their arrival due to the effects of the journey.

Rebuilding

The Cherokee soon re-established themselves in their new home with communities, churches, schools, newspapers and businesses. The new Cherokee capital of Tahlequah, along with nearby Park Hill, became a major hub of regional business activity and the center of cultural activity. The Cherokee adopted a new constitution in September of 1839 and in 1844 the Cherokee Advocate, printed in both Cherokee and English, became the first newspaper in Indian Territory and the first-ever published in a Native American language. The Cherokee Messenger was our first periodical or magazine.

The tribe's educational system of 144 elementary schools and two higher education institutions - the Cherokee Male and Female Seminaries - rivaled, if not surpassed all other schools in the region. Many white settlements bordering the Cherokee Nation took advantage of our superior school system, actually paying tuition to have their children attend Cherokee schools.

Reading materials made possible by Sequoyah's 1821 creation of the Cherokee Syllabary led the Cherokee people to a level of literacy significantly higher than their white counterparts well before Oklahoma became the country's 46th state in 1907.

The Cherokee rebuilt a progressive lifestyle from remnants of the society and the culture left behind in Georgia. The years between the removal and the 1860's have often been referred to as the Cherokee's "Golden Age," a period of prosperity ending in tribal division over loyalties in the Civil War. Unfortunately, even more Cherokee lands and rights were taken by the federal government after the war in reprimand for the Cherokee who chose to side with the Confederacy. What remained of Cherokee tribal land was eventually divided into individual allotments, doled out to Cherokees listed in the census compiled by the Dawes Commission in the late 1890s. It is the descendants of those original enrollees who make up today's Cherokee Nation tribal citizenship.

What is the Cherokee Nation Today?

The Cherokee Nation today is an active leader in education, housing, vocational training, business and economic development. We are the largest Indian tribe in the United States with well over 300,000 tribal citizens. Over 70,000 Cherokee reside within a 7,000 square mile geographical area, which is *not* a reservation but rather a federally-recognized, truly sovereign nation covering most of northeast Oklahoma. Its jurisdictional service area encompasses eight entire counties along with portions of six others. As one of only three such federally-recognized Cherokee tribes, the Cherokee Nation has both the sovereign right and the responsibility to exercise control and development over our tribal assets, including more than 66,000 acres of land and 96 miles of the Arkansas Riverbed.

Tribal Government

The Cherokee Nation operates under a three-part government including the judicial, executive and legislative branches. A revised constitution of the Cherokee Nation was ratified by the Cherokee people in June of 1976 and approved by the Commissioner of Indian Affairs on September 5, 1976.

Executive power is vested in the Principal Chief, the legislative power in the Tribal Council and judicial power in the Cherokee Nation Judicial Appeals Tribunal.

The position of Deputy Principal Chief is also part of the executive branch. The Deputy Principal Chief presides over the Tribal Council during their monthly meetings. The Principal Chief, Deputy Principal Chief and council members are elected to four-year terms by registered tribal voters. Council members represent the five districts of the Cherokee Nation within its 14-county jurisdictional area.

The judicial branch of tribal government includes the District Court and Judicial Appeals Tribunal, which is directly comparable to the U.S. Supreme Court. The tribunal consists of three members who are appointed by the Principal Chief and confirmed by the council. It is the highest court of the Cherokee Nation and oversees internal legal disputes as well as the District Court. The District Judge and an Associate District Judge preside over the tribe's District Court and hear all cases brought before it under jurisdiction of the Cherokee Nation Judicial Code.

Self-Governance Agreement

The Cherokee Nation authorized the negotiation of a tribal self-governance agreement for direct funding from the U.S. Congress on February 10, 1990. This agreement authorizes the tribe to plan, conduct, consolidate and administer programs and receive direct funding to deliver services to tribal members. Self-governance is a change from the paternalistic control the federal government has exercised in the past, to the full-tribal responsibility for self-government and independence initially intended by treaties with sovereign Indian nations.

Court System, Legal Code

Self-governance gained an added dimension in November, 1990, when the Cherokee Nation passed legislation establishing a Cherokee Nation District Court and a criminal penal and procedure code.

In February, 1991, the tribe unanimously approved four legislative acts to facilitate cooperative law enforcement within the jurisdictional boundaries of the Cherokee Nation. In compliance with State of Oklahoma statutes, the legislative acts established a Penal Code, provisions for bail and bonding, a Uniform Vehicle Code and a Uniform Controlled Dangerous Substance Act. These acts strengthen tribal sovereignty while allowing non-tribal law enforcement authorities to pursue and apprehend criminal suspects and vehicle code violators on Cherokee Nation land.

Cherokees and Thanksgiving

Cherokees Didn't Celebrate "American-style Thanksgiving" until 1885. . .

The Cherokees were raising corn as early as 1,000 BC. Before European contact the Cherokees were already participating in a thanksgiving ceremony; the most important ceremony of the year, called the "Green Corn Ceremony."

This traditional dance and festival was a very important event for the Cherokees. It was the beginning of the New Year; a time when our ancestors gave thanks for the corn crop that they saw as a continued life for them. It was a time for forgiveness and for grudges to be left behind - a time to begin anew. A part of their celebration was fasting, then gathering at the ceremonial grounds to play stickball, dance and have a big feast.

As settlers and traders moved inland, many Native Americans - including the Cherokee - assisted them with food and supplies. This was a continual process, not just a single meal. The Cherokees taught early settlers how to hunt, fish and farm in their new environment. They also taught them how to use herbal medicines when they became ill.

Sadly, as more people came to America, they didn't seem to need the Native Americans help anymore. Settlers forgot how the natives helped the earlier Pilgrims. Mistrust began to grow; friendships weakened. Settlers and Pilgrims started telling their native neighbors their religious beliefs and native customs were "wrong". Relationships deteriorated and within a few years the children of the people who ate together at that first Thanksgiving were killing one another in what led to "King Phillip's War".

Frenchman Christian Priber established himself among the Cherokees in 1736, learning their language, and teaching them "European Christianity" until he was arrested by the English and imprisoned at Charleston, South Carolina. Even though the Cherokees continued worshipping in their traditional ways, the work of the missionaries did convert some Cherokees to Christianity. The first known Cherokee conversion occurred in 1773. In 1801, the first permanent Christian Mission in the Cherokee Nation was called Moravian Mission. It was located at Springplace, which is in present-day Georgia. As more Cherokees became Christians the custom of observing the English National Thanksgiving Holiday became common.

D. W. Bushyhead, Principal Chief of the Cherokee Nation, signed a proclamation on Thursday, November 26, 1885, declaring that Thanksgiving should be practiced by the Cherokees. The proclamation read in part: "The Cherokees have abundant reason to rejoice. They

are favored in all things that should make a Nation prosperous and a people happy. They have an indisputable right to an area of land sufficient for the needs of generations of Cherokees to come. They have a perfect form of Government, wise laws, unsurpassed educational facilities for their children and money enough of their own invested to make these blessings permanent. It is true this Nation is neither numerous, wealthy nor powerful compared with many others, but it stands and relies upon the plighted faith of a Nation that has become the strongest on earth by reason of its respect for human rights."

Today most Cherokees celebrate the National Thanksgiving Holiday. There are a few Cherokees, along with Native Americans of other tribes, who still celebrate the Green Corn Ceremony in July and the National Thanksgiving Holiday in November.

Info provided by the Cherokee Nation Cultural Resource Center please contact cultural@cherokee.org

*Note: Cultural information may vary from clan to clan, location to location, family to family, and from differing opinions and experiences. Information provided here are not 'etched in stone'.

Brief history of the Trail of Tears

Migration from the original Cherokee Nation began in the early 1800's. Some Cherokees, wary of white encroachment, moved west on their own and settled in other areas of the country. A group known as the Old Settlers previously had voluntarily moved in 1817 to lands given them in Arkansas where they established a government and a peaceful way of life. Later, however, they were forced to migrate to Indian Territory.

White resentment of the Cherokee had been building and reached a pinnacle following the discovery of gold in northern Georgia. This discovery was made just after the the creation and passage of the original Cherokee Nation constitution and establishment of a Cherokee Supreme Court. Possessed by "gold fever" and a thirst for expansion, many white communities turned on their Cherokee neighbors. The U.S. government ultimately decided it was time for the Cherokees to be "removed"; leaving behind their farms, their land and their homes.

President Andrew Jackson's military command and almost certainly his life were saved thanks to the aid of 500 Cherokee allies at the Battle of Horseshoe Bend in 1814. Unbelievably, it was Jackson who authorized the Indian Removal Act of 1830 following the recommendation of President James Monroe in his final address to Congress in 1825. Jackson, as president, sanctioned an attitude that had persisted for many years among many white immigrants. Even Thomas Jefferson, who often cited the Great Law of Peace of the Iroquois Confederacy as the model for the U.S. Constitution, supported Indian Removal as early as 1802.

The displacement of native people was not wanting for eloquent opposition. Senators Daniel Webster and Henry Clay spoke out against removal. The Reverend Samuel Worcester, missionary to the Cherokees, challenged Georgia's attempt to extinguish Indian title to land in the state, actually winning his case before the Supreme Court.

Worcester vs. Georgia, 1832 and Cherokee Nation vs. Georgia, 1831 are considered the two most influential legal decisions in Indian law. The U.S. Supreme Court ruled for Georgia in the 1831 case, but in Worcester vs. Georgia, the court affirmed Cherokee sovereignty. President Andrew Jackson arrogantly defied the decision of the court and ordered the removal, an act that established the U.S. government's precedent for the future removal of many Native Americans from their ancestral homelands.

The U.S. government used the Treaty of New Echota in 1835 to justify the removal. The treaty, signed by about 100 Cherokees known as the Treaty Party, relinquished all lands east of the Mississippi River in exchange for land in Indian Territory and the promise of money, livestock, various provisions, tools and other benefits.

When these pro-removal Cherokee leaders signed the Treaty of New Echota, they also signed their own death warrants, since the Cherokee Naiton Council had earlier passed a law calling for the death of anyone agreeing to give up tribal land. The signing and the removal led to bitter factionalism and ultimately to the deaths of most of the Treaty Party leaders once the Cherokee arrived in Indian Territory.

Opposition to the removal was led by Chief John Ross, a mixed-blood of Scottish and one-eighth Cherokee descent. The Ross party and most Cherokees opposed the New Echota Treaty, but Georgia and the U.S. government prevailed and used it as justification to force almost all of the 17,000 Cherokees from their southeastern homeland.

Under orders from President Jackson the U.S. Army began enforcement of the Removal Act. The Cherokee were rounded up in the summer of 1838 and loaded onto boats that traveled the Tennessee, Ohio, Mississippi and Arkansas Rivers into Indian Territory. Many were held in prison camps awaiting their fate.

An estimated 4,000 died from hunger, exposure and disease. The journey became a cultural memory as the "trail where they cried" for the Cherokees and other removed tribes. Today it is widely remembered by the general public as the "Trail of Tears". The Oklahoma chapter of the Trail of Tears Association has begun the task of marking the graves of Trail survivors with bronze memorials.