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# Claiming Kin

*David Chang*

*Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom.* By Tiya Miles. Berkeley: University of California Press, 2005. 306 pages. \$34.95 (cloth). \$21.95 (paper).

For a decade, growing numbers of scholars have interrogated the topics of Native American people of African descent, relations between Native Americans and African Americans, and the enslavement of African people by Native people. These subjects were once familiar mostly to specialists in the histories of the native peoples of the regions we now call the Southeast and Oklahoma.<sup>1</sup> But they have drawn increasing attention from scholars in American studies and related disciplines and have become associated with a number of authors, including James F. Brooks, Jack D. Forbes, Barbara Krauthamer, Tiya Miles, Celia E. Naylor, Claudio Saunt, and Circe Sturm. Indeed, the book reviewed here was published almost simultaneously with a closely related work, Saunt's excellent history of a Creek family with African, white, and Indian roots and branches.<sup>2</sup> Why has a field that some might consider obscure, and some others would prefer to leave in obscurity, come to command such attention?

The study of "black-Indian relations" (as the field is often problematically termed, implying that those categories are entirely discrete) offers a powerful lens through which to explore issues central to American studies. To understand the constructing of categories, the forging of identities, and the power that makes (and is made in) these processes, scholars have turned to the study of margins: it is at the border that we most clearly see the nation, and it is in legal cases over who possesses whiteness that we can grasp the possessive investment in that crucial property.<sup>3</sup> Similarly, few fields can tell us more about the interplay of colonialism, race, and slavery than the study of relations among African Americans and Native Americans. It not so much that we must understand colonialism, race, and slavery to study the Cherokee nation. Of course we must. We also need to understand them to study the continent as a whole. Tiya Miles demonstrates how looking at relations between black and Indian people in the Cherokee nation gives definition to our understanding of how

colonialism, race, and slavery have interacted to shape the Cherokees and other nations, including the United States. She does this by studying black-Indian relations in another sense—the actual kinship relations that weave together these supposedly discrete peoples and histories.

A second reason that this field has come to command attention is that descendants of black members of a number of tribal nations are insisting that their story be told, heard, and considered in the courts and the media of the United States and tribal nations. In a series of recent and ongoing cases within the Cherokee Nation, the Muskogee Creek Nation, and the Seminole Nation, people of African descent have claimed that they have been improperly denied membership because they are black. Because tribal membership is based on descent lines, these cases turn on the argument that their ancestors should have been recognized as tribal members, but were excluded because of their African ancestry—even when it was intermixed with significant Native ancestry. These cases touch upon important and sensitive questions: what constitutes Native tribal membership, what is the place of race in bounding it, and who has the authority to decide this issue in matters of law? Notably, the debates on these cases are fundamentally historical, even genealogical, in nature.

Given this emphasis on genealogy, family history provides a perfect mode of entry into a topic that promises enormously broad interpretive power. Miles does not dwell on current legal cases in Indian Country. But, like the litigants in these cases, Miles turns to genealogy and family history. She uses these tools to narrate the ways in which Native and African people in the United States have navigated the waters of colonization, slavery, and discourses and practices of race. Those stories are more than merely a means to an end; they are compelling tales in their own right. But if the study of relations between Indian and black people offers a remarkably compact window onto the story of race, slavery, and nation in the United States, the Shoeboots family story concentrates the interpretive power of the study even more. As readers walk the paths of Miles's narrative, they can also perceive how colonialism, race, and slavery made one another in the Cherokee nation and the United States. The resulting book is filled with insight, nuance, and pain.

Miles traces the story of the life and descendants of Doll, an African woman, and Shoeboots, a Cherokee man. In the last years of the eighteenth century, Shoeboots and Doll entered into an intimate relationship. Significantly, Miles begins by exploring not this relationship, but rather Shoeboots's marriage to Clarina Allington, a white adolescent whom he captured in a raid. This union, which whites might be expected to look upon as the subjugation of a captive to a savage, became instead dignified in their eyes as a genteel marriage. The

transformation came about because, beginning around 1800, Shoebots provided Allington with the services of slaves, including Doll. Miles demonstrates that “a hidden third element”—African slaves—gave meaning to the many intermarriages of Cherokee men and white women (6). Thus from the start, Miles signals that neither the relation of whites to Native Americans or Africans to Native Americans can be understood in isolation. Slavery and colonialism must be understood in dynamic relation to one another.

This theme remains central to the book, and emerges strongly in Miles’s second chapter, which describes the evolution of slavery among the Cherokees in the late eighteenth century. What does it mean to say that Doll was a slave, and a slave woman to a male Cherokee master? Miles takes care to try to convey the horror of enslavement, but takes even greater pains to emphasize that slavery is ultimately unknowable to the free. “O virtuous reader!” she warns us, in words taken from the slave narrative of Harriet Jacobs, “You never knew what it was to be a slave” (26). Nonetheless, Miles tries to convey this meaning as best she can, drawing on Toni Morrison’s *Beloved* throughout the book to express the particular brutalities experienced by enslaved mothers such as Doll and Morrison’s character Sethe. While insistent that we never lose sight of the unknowable horror that enslavement meant for African people, Miles carefully contends that slave accounts “overwhelmingly represent Indian masters as preferable to white ones”—less brutal, less restrictive, and less likely to separate families by sale (42). Miles is walking a complex and politically fraught line here, as she is when she contends that Cherokee slavery both replicated and resisted Anglo-American forms. The ambiguity is necessary, however, rather than evasive. How can she confront the reality of a people who were intermarrying with white Americans and adopting their agricultural and economic practices at the same time they were trying to stay the tide of American incursion? In large part, Miles does this by making room for contradictory meanings to emerge. Such contradictions are particularly important given the social complexity of the Cherokee nation, for as Miles notes, the emergence of African slavery among Cherokees cannot be understood in isolation from the elaboration of political, cultural, and class differences in the society, differences that could usefully have received more attention in the book. Miles characterizes Shoebots as belonging to a “Cherokee middle class” (39)—neither as wealthy as families whose dozens of slaves worked broad fields, nor as poor as the bulk of Cherokee people who planted their own small farms.

At this point, Doll comes more firmly into focus. Clarinda Allington, for unknown reasons, left Shoebots in 1804. Either shortly before or after her departure, Doll entered into a sexual relationship with her owner, becoming,

in Miles's term, "the mistress of his bed" (45). This relationship would last for a quarter century. What meanings did it have for her? Miles cannot answer this question with certainty, of course, but uses it as the starting point to reflect upon both the general problem of "choice" within slavery and the historical and cultural specificities of the enslavement of black women in Cherokee society in the early nineteenth century. Unions such as that of Doll and Shoeboots were hardly unique to Cherokee society. Miles uses the literature on the white American practice of slavery to suggest that one cannot talk meaningfully of an enslaved woman's "choice" to maintain a sexual relationship with a master, but must understand all of her actions within "the limited options and coercive practices of slavery." While Doll was not by any means free to resist Shoeboots sexually, her options were limited in ways that were specific to Cherokee society and Cherokee slavery. In American society, one would look to the law to understand the constraints binding Doll. In Cherokee society, in contrast, we should look to the clan system and slaves' exclusion from it. Clan membership knit society together in a "cloak of protection from injury" (51). Membership in a clan meant that an affront would be redressed through an act of retribution on the clan of the offending party. Doll, however, was clanless, and thus excluded from the web of clan kinship that might have protected her from rape or sexual exploitation. At the same time, however, Cherokee culture recognized the sexual autonomy of women in a way that American society did not, and Miles suggests that this may have acted as a brake on Shoeboots's and other masters' sexual demands on enslaved women. Despite this possible restraint, however, Doll soon gave birth to Elizabeth, Shoeboots's daughter and his possession.

As human property, Doll and Elizabeth constituted just one part of the explosion of property in Cherokee society. As Miles puts it, the Cherokees had not been "collectors" up to this point, but in the early nineteenth century men such as Shoeboots and others began to accumulate chattel of all kinds, from plows and spinning wheels to people to work them. This transformation correlated to a challenge to Cherokee worldviews and society. Town councils, indeed the whole social structure, had been built around engendering goodwill, maintaining harmony, rewarding accomplishment, and redistributing wealth. Property owners, however, sought a means to protect their possessions and their right to them. They thus began the elaboration of a state, the Cherokee Nation, in 1808, by creating inheritance laws. Some propertied Cherokees, like Shoeboots, also offered their military support to property owners in the neighboring Creek Nation when civil war erupted between the propertied advocates of close ties with the United States and rebels who rejected the

changes this meant. The United States gave its support to those who stood for property. The United States, however, was no more the ally of the propertied few in the Cherokee nation than it was a friend to the nation itself. The property system, Miles reminds the reader, “could not be disentangled from racial categorization and prejudice,” and American race thinking was hostile to Native peoples retaining their lands (83). Nonetheless, by the early nineteenth century, powerful Cherokees had come to embrace the practice of property, including human property.

Although slavery had, as Miles reminds us, become one of the “customs” of some Cherokee chiefs, another white introduction, Christianity, posed a challenge to it (99). Evangelization represented another American incursion into Cherokee country and prepared the way for colonization. The missionaries who came to the Cherokee country were also opposed to enslaving black people, and thus earned the particular suspicion of slave owners, who sought to expel them. For their part, slaves often embraced Christianity. There is no record that Doll and her children did, but missionary influence seems to have played a part in leading Shoeboots in 1824 to petition the Cherokee Council for the emancipation of his three children by Doll: Elizabeth, Polly, and John. Miles is acutely attuned to the ironies and complexities of a situation in which a colonial religious project led a slave owner to seek permission to emancipate his slaves. The interplay of liberty and constraint become especially apparent when she draws our attention to the state to which he appealed, itself the project of propertied Cherokee men seeking to consolidate their authority over a nation in the making. Nationhood meant citizenship, and citizenship meant not only the inclusion of Cherokees but the exclusion of African people such as Doll and people of mixed African-indigenous ancestry, such as Doll and Shoeboots’s children. Miles thus incorporates with great sensitivity a close examination of state formation, racialization, class formation, and colonialism. She presents the situation in all its paradox rather than simplify it into tidy stories of domination, resistance, or collaboration. The Cherokee Council granted freedom and Cherokee citizenship to Elizabeth, Polly, and John. They simultaneously outlawed Cherokee-black intermarriage, however, and later denied a petition from Shoeboots’s sisters for the freedom of William and Lewis, two sons that Doll gave birth to after the 1824 emancipation of her first three children. Contradictory forces had led the Cherokees toward a racialized form of enslavement and exclusion, and yet enduring ties bound Cherokees and black people together. Recognition of the bonds of kinship ensured even that Elizabeth would receive an inheritance when Shoeboots died in 1829.

Those ties would be greatly weakened, however, by events remembered today as “Removal.” After 1830, when the federal government mandated the expulsion of native populations toward Indian Territory in the west and seizure of their lands, Doll and her kin were forced to move to Indian Territory with the rest of the Cherokee Nation. Drawing on Cherokee poet Diane Glancy, Miles emphasizes the wrenching loss that this meant—“the tearing of the flesh of the people from the same flesh of the land” (157). Separation from the land also meant separation from the places on the land that were imbued with memories of kinfolk and friends, sites of the stories that bound people together. For Cherokees, some of those stories, values, and relationships bound them to their black kin, friends, and neighbors. When Cherokees were removed from these sites, their bonds to black people were weakened. Black people, whether free or enslaved, faced increasingly severe circumstances. This turn for the worse is well documented. Miles’s argument that separation from the land caused the decline, however, is plausible but largely conjectural, given the lack of specific evidence. It is, however, original, powerfully conceived, and deeply rooted in American Indian studies.

Miles has a stronger evidentiary claim for her argument that Removal deepened class divisions in the western United States and strengthened the power of the elite as masters used the labor of their slaves to build substantial agricultural holdings in Indian Territory. For Doll and her family, this meant that their lives and freedom were ever more precarious. Doll labored in the home of Major Ridge, a prominent leader. Laws circumscribed more tightly the lives of slaves. Lewis, sold in the 1830s, disappeared from the historical record and perhaps from the family’s lives. William’s fate was unclear; he seems to have been sold into slavery. Elizabeth, Polly, and John—now adults and parents—were free and citizens, but found themselves threatened by slave catchers. Two of Doll’s granddaughters were captured and enslaved, and regained their freedom only with the help of a Cherokee nation sheriff acting in special recognition of their kinship bonds to nonblack Cherokees. Such treatment, and such inclusion in “the greater Cherokee family,” could not be expected by many blacks (including those with Cherokee ancestry) in the Cherokee nation in the West (177).

Yet it was in Indian Territory that Doll and other Cherokee slaves would gain their freedom. Freedom came in 1849 for Doll, when Major Ridge died, emancipating this elderly slave—probably seventy years old—who no longer had value for his family. She made her home with Elizabeth, her eldest child and now the head of the extended family. Doll soon made a petition to be granted moneys due to the widows of military officers, including Shoebots,

who had served as an ally of American forces in the Creek War. Tellingly, Doll's petition erases some of the complexities of her life, referring to her as simply Shoeboots's wife, and never his slave. Miles emphasizes that Cherokee witnesses participated in this strategic erasure, concluding that this shared effort is "expressive of interconnection and relationship" (185). Miles makes a similar point later on. The Cherokee government would take the side of the Confederacy in the Civil War, and upon losing that war, be forced not only to emancipate its slaves but accept them as equal citizens. This, however, did not apply to free blacks who were noncitizens prior to the war, which explains why William, probably Shoeboots's and Doll's only surviving child, sought recognition as a Cherokee citizen in 1888. Like his mother, he had a concrete aim, and like his mother, he removed slavery from his story and diminished the place of race in his family's past. He narrated his and his family's life, writes Miles, as one of "a free Cherokee family that happened also to be black" (198). In this decision, Miles sees both the hand of strategy (avoiding being cast as black and slave and therefore not Cherokee) and also conviction. This conviction, that kinship rather than race determined Cherokeeness, was seconded by the testimony of nonblack Cherokee witnesses on William's behalf. They, too, reasserted the notion that kinship made people Cherokee. In fact, Miles reminds us, this is what Shoeboots had asserted decades earlier on behalf of his elder children's citizenship. William was denied citizenship, as the Cherokee court was beholden to colonial legal categories. But in the testimony of William and his witnesses, Miles senses continuity with older, more inclusive, kinship-based forms of Cherokee identity.

The book vividly conveys how precarious were the lives of Native and African people caught up in the whirlwind of slavery, colonialism, and discourses and practices of race. This is most obvious, of course, in the case of people of African descent. Note that Elizabeth, Doll, and John, as fortunate as they were to be free, had constantly to defend their freedom, ward off sale or capture, and petition that their citizenship be recognized. But note also the precariousness with which even such powerful men as Shoeboots had to contend. He tried to manage the order of race and property and slavery, and even embraced it. Yet he could not control it, and found his nation and the people he recognized as his family threatened by it.

Ultimately, this book revolves around a meditation on the paradoxical nature of that kinship relation, a paradox captured in the title of Miles's book. Kinship binds together African Americans and Native Americans. But that kinship also springs, in this story and in so many cases, from the bondage of slavery. Kinship ties bind African American and Native American people

together, but those bonds do not come without pain. Miles prefaces her work by recounting the story of her story, how she came to research and then tell the tale of Doll, Shoeboots, and their descendants. As she presented her work in public, she found that to many, this was “an unspeakable thing.” One Plains elder implored Miles, “Don’t write your book; it will destroy us” (xiv–xv). The stakes truly are high. Native nations and Native people are under attack, and any story that complicates the simple narrative of Indian authenticity upon which the American public and the American state insist can be used against Native struggles for sovereignty or even continued existence. So, too, are black people under attack, encountering every resistance to telling the story of their past and present in its full complexity. There emerges from Miles’s work an insistence that the answer to the burdens of colonialism and racism and slavery is not to acquiesce to their tidy discourses and neat narratives. Rather, Miles suggests that knowing kinship in its fullness means straying beyond the boundaries of race and exploring the margins that it simultaneously creates and denies. Telling family stories in all their paradox and pain becomes an act of resistance and hope.

### Notes

1. Rudy Halliburton, *Red over Black: Slavery among the Cherokee Indians* (Westport, Conn.: Greenwood Press, 1977); Theda Perdue, *Slavery and the Evolution of Cherokee Society, 1540–1866* (Knoxville: University of Tennessee Press, 1979).
2. Claudio Saunt, Barbara Krauthamer, Tiya Miles, Celia E. Naylor, and Circe Sturm, “Rethinking Race and Culture in the Early South,” *Ethnohistory* 53 (2006): 399–405; James F. Brooks, *Confounding the Color Line: The Indian-Black Experience in North America* (Lincoln: University of Nebraska Press, 2002); Jack D. Forbes, *Africans and Native Americans: The Legacy of Race and the Evolution of Red-Black Peoples* (Urbana: University of Illinois Press, 1993); Claudio Saunt, *Black, White, and Indian: Race and the Unmaking of an American Family* (New York: Oxford University Press, 2005).
3. Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, N.J.: Princeton University Press, 2004); Ian Haney-López, *White By Law: The Legal Construction of Race* (New York: New York University Press, 1996); Cheryl I. Harris, “Whiteness as Property,” *Harvard Law Review* (1993): 1707–1791; George Lipsitz, *The Possessive Investment in Whiteness: How White People Profit from Identity Politics* (Philadelphia: Temple University Press, 1998).