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DELAWARE IDENTITY IN A CHEROKEE NATION:  
AN ETHNOGRAPHY OF POWER

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In partial fulfillment of the requirements for the

Degree of

Doctor of Philosophy

By

Brice Obermeyer  
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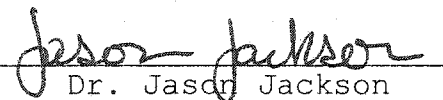
DELAWARE IDENTITY IN A CHEROKEE NATION:  
AN ETHNOGRAPHY OF POWER

A Dissertation APPROVED FOR THE  
DEPARTMENT OF ANTHROPOLOGY

BY



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## **Abstract**

The Cherokee Nation identifies the Delaware as Cherokee even though the Delaware are not historically or linguistically related to the Cherokee nor do they consider themselves to be Cherokee. I explain that the Cherokee Nation wants to control how the Delaware identify with the federal government to legitimize their economic and political power over the Delaware. The Cherokee Nation maintains their powerful position primarily because they manipulate the Delaware political structure and unique cultural beliefs about conflict to make it appear that the Delaware consent to a Cherokee identity.

The unequal relationship explored here can also provide a perspective for the anthropological study of power and why it appears that people participate in their own domination. Michel Foucault understands power to exist in the ability to guide the rules for political and economic participation in such a way as to make it appear that those in subordinate positions consent to the existing inequalities. I agree with Foucault's position on power and I extend his argument to demonstrate that cultural beliefs play an important role in the creation and re-creation of power structures.

## Preface

My involvement with the Delaware Tribe began in 2001 when the Delaware Cultural Preservation Committee contacted the anthropology department at the University of Oklahoma seeking possible assistance for an oral history project. To prepare myself for this endeavor, I began reading what I could to become more familiar with what had been written about the Delaware. What I found was an extensive literature dedicated to preserving and understanding Delaware traditions and history. I also found a considerable amount of anthropological work, which dealt with the Delaware aboriginal language (Lenape) and the moribund Big House ceremony. Feeling comfortable with the background information I had gathered, I packed up for a trip to the Delaware Tribal headquarters in Bartlesville, OK. During this initial visit, it became apparent to me that the most pressing day-to-day issue on everybody's mind was not Delaware history or cultural belief (though the Delaware find both to be a great source of pride), but their shared dedication to protecting the Delaware tribal government from the challenges of the Cherokee Nation. It was this visit that clarified for me a reality about Delaware lives that, although mentioned, had not been the focus of



any anthropological work. The Delaware have a documented past throughout which they have had to negotiate and come to terms with powerful structures in many forms. The most recent, which is the focus of this dissertation, has developed in the context of Native American identity politics in the Self-Determination Era and is perhaps the most crippling as the Cherokee Nation is threatening to erase the continuity and identity of the Delaware as a separate and independent people.

### Methodology

In order to heighten awareness about the issues of power and identity from the Delaware perspective, I used a historically informed ethnographic methodology. Power is complex and embedded in different structural levels and I wanted to reinforce in this dissertation the importance of studying issues of power from the local perspective. I feel that the most relevant conclusions about power are those that come from an agency-oriented analysis of structural relationships as they are experienced in everyday life. Ethnography can be a useful tool for seeing the complex and powerful relationships that exist both within a community and

between the community and external structures. I therefore employed an ethnographic methodology as it was my goal to describe the Delaware socio-political structure within which transpire the negotiation of external forces. As a methodology, ethnography has provided me with a more holistic appreciation for the multiplicity of power as it is integrated into and resisted by the beliefs, experiences and practices of individuals.

Political action in Native American communities is constrained, limited and produced in conjunction with external structures of power yet political processes unique to each tribe or nation take place in many different ways and each tribe or nation has their own style for diplomacy. The appropriate modes for political action in each community are not generally understood by the public at large, yet it is necessary to clarify these local level processes and their articulation with external structures, in order to acknowledge the divergent ways in which Indian communities are able to navigate externally imposed power structures.

As indicated above, I began this research with a review of the extensive literature on Delaware history and culture. I then moved my family to Tulsa, Oklahoma

so that I could conduct recorded interviews and participate in community events. Throughout the past two years, I have also spent a modest amount of time with archival collections as well as the governmental documents and unpublished material located at the Delaware Tribal Headquarters and local libraries.

In the course of preparing the historical background for this dissertation, I found myself relying heavily on the information provided in two sources. Weslager's (1972) work carefully outlines the historical relationships that existed between the Delaware and the Europeans as well as those that developed with other Indian tribes like the Shawnee, Iroquois, Miami, Osage and later the Cherokee. Through an analysis of archival sources, Weslager has also been able to document Delaware settlement locations, governmental structures and shifts in cultural belief. The second indispensable resource was the 230 page legal brief created by Gina Carrigan and Clayton Chambers that documents Delaware political history in the 19<sup>th</sup> and 20<sup>th</sup> century. This document was put together for the Delaware Tribe as a testament to and defense of their tribal continuity and contains a wealth of reprinted documents such as the Delaware treaties, correspondence between the Delaware government and the

BIA, pertinent news articles and Delaware governmental documents.

I also consulted the vast body of ethnographic literature on Delaware culture. Beginning with Lewis Henry Morgan, the Delaware have been visited by and worked with a number of anthropologists and linguists who are now venerated members of the discipline. Men and women like Mark Harrington, Frank Speck, Vincenzo Petrullo, Thomas Newcomb, Anthony Wallace, Ives Goddard, Jay Miller and Sue Roark-Calnek have come before me and have provided an indispensable register on which I have the fortune of relying. I am indebted to the tradition of Delaware scholarship and hope to add my own contribution here.

There is also a less visible body of literature about Delaware culture and everyday life that has been produced by Delaware authors. Motivated by the desire to celebrate and record their unique cultural heritage, Delaware authors like Richard Adams, Nora Dean Thompson, Ruthe Blalock-Jones, Mary Falleaf and Lynette Perry have published life histories and accounts of ceremonial observances. Also, Rita Kohn has published excerpts of interviews with Delaware and other woodland peoples. I have relied on the diversity of Delaware voices evident

in this literature to guide my interpretation of the Delaware perspective.

I was also able to review some of the archival material relevant to Delaware history. One source that has been particularly helpful is the Doris Duke Collection at the Western History Library at the University of Oklahoma. These interviews were conducted in the late 1960's and early 1970's and have given me an insight into Delaware life as it existed prior to the Self-Determination Era. Another useful resource was the collections at the Delaware Tribal Library. Clayton Chambers has compiled an extensive collection for the Delaware Tribe from his research in the major archives (the National Anthropological Archives, the Oklahoma Historical Society, Kansas State Historical Society and Record Group 75 in Fort Worth) that hold material related to Delaware history. A large part of my research would not be possible without the Delaware Tribe's compilation of relevant historical documents which are now stored at the Tribal Headquarters in Bartlesville, OK.

I have also been through my share of genealogical and historical material, some of which has been published in varying degrees. I frequently cite this material, which is either self-published, un-published manuscripts

or a personal communication. Jim Rementer and I have informally discussed many issues relating to Delaware history and culture. His experiences over the past 40 years with the Delaware people have provided a unique and invaluable insight that I borrow from in this dissertation. Ruby Cranor's work, although self-published, has provided a tremendous amount of genealogical and historical information to me and to the Delaware people. Two of her books, which I cite frequently, are adequate resources for learning more about Delaware history in the 20<sup>th</sup> century. Her work is based on both archival research and interviews with local residents.

Beyond these published and unpublished sources, forty Delaware individuals from different backgrounds and ages graciously agreed to give me an interview. These interviews generally lasted a little over an hour and my intention was to focus each interview on two topics; that of family history and each person's experiences with the Cherokee Nation. In many cases, formality and quizzing was quickly replaced by informal visiting and joking. These recorded discussions provide the bulk of the quoted material in the text relating to issues such as power and identity but this was also the place that I began to

learn about other important aspects that are discussed in this dissertation, namely Delaware sense of place and the unique Delaware harmony esthetic.

I have also been both an observer and participant in Delaware community events and political meetings from 2001-2003. I draw on these experiences to illustrate, contextualize and bring to life the complex ways that the Delaware experience power in their everyday lives. It is difficult to formalize a concrete methodology for the vast amount of lessons that I learned during informal visits with community members. These discussions took place at large, formal events such as the Delaware Powwow, the annual Delaware General Council meetings and Delaware Days as well as small gatherings such as the 4<sup>th</sup> Monday social dances, Native American Church meetings, the Tecumseh Celebration, monthly Tribal Council meetings, Trust Board meetings and various committee meetings. After two years of being welcomed by the Delaware, I now have the opportunity to work for the Delaware Tribe as the Director of their Native American Graves Protection and Repatriation Act Program. As I complete this dissertation, I remain an employee of the Delaware Tribe which gives me both experience in the structures I wish to speak about as well as a vested

interest in explicating the particular and powerful realities that the Delaware Tribe and people face on a daily basis.

### Introduction

This dissertation is about the complex relationships of power as they exist within the Delaware community, between the Delaware and the Cherokee tribal government, and between tribal governments and the federal government. I wish to demonstrate that Native American politics are complex precisely because all of these relationships are embedded within one another making the reality of power, and its origin, unclear. To help clarify and locate the powerful agents at work in the situation in which the Delaware find themselves, I have structured this dissertation to help separate the tangled relationships. There are two parts and a conclusion roughly organized for presentation purposes. The first section discusses the relationships of power as they exist at the local level while the second focuses on powerful structures imposed on the Delaware by external forces. Except for the final chapter, each chapter is



oriented historically in order to explain the development of each relationship discussed.

The first three chapters that comprise Part One are intended to be an introduction to the relationship that exists between the Delaware and the Cherokee as well as a discussion about the sociopolitical relationships that exist within the Delaware community. In the first chapter, I condense and present a historical outline of both the Delaware and the Cherokee in order to give the reader a background for why, when and how the Delaware people came into contact with the Cherokee Nation. The opening chapter will also introduce the reader to the relationship that exists between the Delaware and the Cherokee governments. Here I point to significant moments in the past 136 years that indicate the long and strained relationship between these two tribal governments.

In the next chapter, I provide more detail about the structure and origins of political differences as they exist within the Delaware community. This chapter explores how different political, religious and family identities became connected to place in what is locally understood as Delaware Country. I show that this cultural landscape within the state of Oklahoma is both

the current homeland of the Delaware Tribe of Indians as well as a distinct and politically charged territory produced in the competition over a shared group identity. I also discuss the ongoing struggle between the Delaware Business Committee and the Cherokee Nation. As conflict heightened between these two tribal governments in the 1970's, each took steps to make their tribal distinctiveness a part of the cultural landscape that exists within what is now defined as the jurisdictional boundaries of the Cherokee Nation.

In Chapter three, I describe the distinctly Delaware way of avoiding social conflict to demonstrate the significant role cultural beliefs play in establishing the rules for diplomacy. I have observed that the Delaware place particular significance on either ignoring conflict or carefully seeking a mutually favorable resolution when dealing with disputes, especially when the conflict deals with issues related to their cultural identity. This is not a novel practice for the Delaware and I argue that it connects historically to the Delaware concept of kwulakan, a taboo against escalating conflict that has been reported in the work of previous anthropologists (Speck 1931, 1937, Miller 1974). Kwulakan is a uniquely Delaware belief while also being

similar to the general harmony esthetic reported among other woodland peoples and to different degrees for other American Indian communities. In this chapter, my intention is to demonstrate that a sense of kwulakan continues to impact Delaware social action.

It is at this point that I suspend my discussion of the relationships that exist at the local level to focus on the powerful structures imposed on the historical and contemporary experiences of Delaware people. Federal legislation passed in the 20<sup>th</sup> century to further identify Delaware people in ways understandable to the United States and later the Cherokee Nation has created and re-created a subordinate position for the Delaware Tribe. In particular, federal legislation has provided the foundation for the imposition of external racial and national identities on Delaware people. In Part Two, I devote my attention to the unequal relationships that exist between the Delaware, the Cherokee Nation and the federal government. This section illustrates how the imposition of new socio-political structures such as those that developed as a result of the allotment of Indian Territory and the Self-Determination Act, have impacted the Delaware who have negotiated and reshaped these structures to develop and protect their own tribal

identity and government. I wish to show that although these relationships were imposed and act to constrain the Delaware Tribe, they have also been productive of local political action.

The first external relationship of power discussed is that which exists between the Delaware and the federal government. In chapter four, I focus on the imposition of allotment, which used racial concepts foreign to the Delaware to indicate an "Indian" identity. I argue that the racial project that supported the redistribution of land in Indian Territory brought with it a fundamentally new way of understanding racial difference. Blood quantum was imposed to indicate an assumed amount of Indian-ness while simultaneously identifying an individual's competency or ability to own land. In this chapter, I explain how the Delaware have incorporated and reworked this imposed racial identity to meaningfully express their own internal diversity.

In Chapter five, I turn to the relationship between the Delaware and the Cherokee and specifically the imposition of a Cherokee national identity on Delaware people. As a result of the Indian Self-Determination and Educational Assistance Act of 1975, the Cherokee Nation was able to change the meaning of blood quantum as a

means to legitimate their authority to contract and administer services to the Delaware. Under the Cherokee Nation's control, blood quantum now identifies and extends both racial and national membership to the Delaware whose ancestors purchased land in the Cherokee Nation. The Cherokee Nation was able to create a set of rules for identification that made it appear as though the Delaware consented to the Cherokee Nation's authority. This chapter establishes that this is not the case. In reality, the Delaware can only access federal services through the Cherokee Nation and are thus obliged to become citizens of the Cherokee Nation in exchange for marginal economic security.

In Chapter Six, I offer an ethnographic analysis of Delaware sentiment about and resistance to their unequal relationship vis-à-vis the Cherokee Nation. I understand Delaware sentiment as an ideology of resistance to the competing ideology that supports the Cherokee Nation. I also argue that the allotment of Indian Territory helped secure the hegemony of Indian as a racial identity among the Delaware while the Delaware also critically engage, question and undermine the notion that Delaware identity is meaningfully expressed as blood quantum. This chapter argues that the racial and nationalist identities imposed

on the Delaware have been reworked by the Delaware people and incorporated into their own debate over Delaware nationalism.

The concluding chapter is intended to bring together all of the relationships discussed in the previous chapters to show how each articulate to limit and produce Delaware political action. I discuss two issues to demonstrate the multifaceted dimensions of power as they exist in the Delaware community. The first is leadership in the Delaware Tribe and the second is the debate over dual enrollment with the Cherokee Nation. I revisit the Delaware esthetic for avoiding conflict and the kin-based structure of Delaware politics to show how this particular Delaware socio-cultural dynamic favors the selection and support for particular tribal leaders. I also consider how the locally accepted norms of leadership have been obliged to adapt in response to the requirements imposed in the Self-Determination Era. In the second example, I again return to Delaware cultural beliefs and socio-political structures and show how they are implicated in the Delaware Tribe's efforts to resist the Cherokee Nation's ability to exercise administrative power over the Delaware people. In particular, the as yet unsuccessful effort by the Delaware Tribal Council to

institute single enrollment is presented as an example of how Cherokee political leaders are able to manipulate the unique circumstances that characterize Delaware politics. The debate over single enrollment provides an opportunity for me to illustrate how the Cherokee Nation uses both internal and external forces to undermine the Delaware Tribe's effort to be recognized as an independent entity. These two contemporary issues, tribal leadership and dual enrollment, bring my dissertation full circle by confirming the complex ways in which the unique and multifaceted relationships of power come together to make it appear as though the Delaware (and by extension other subjugated groups) seemingly reinforce their own structural inequality.

As you read the pages that follow, keep in mind that it is the Delaware voices that I consider to be most important and my self-chosen role is to amplify their words and bring attention to the relationships of power implicated in being both Delaware and a "citizen" of the Cherokee Nation.

## Part One: Internal Forces

### Chapter One

#### Delaware People in a Cherokee Nation: an Introduction to Delaware-Cherokee Relations

The Delaware Pow-Wow in Northeastern Oklahoma can be an intoxicating experience and it is all too easy to get lost in the sounds, sights and smells of Indian Country on a late spring evening.<sup>1</sup> But I was here to do ethnographic research on Delaware identity politics so I left my seat at the arena and began wandering through the surrounding camps. With the Redland singers still audible in the background, I approached a camp on the outer edge of the grounds that had caught my attention earlier because of its' unique construction. The owners of this camp had taken great care to give the appearance of a frontier-style cabin. It stood in contrast to the other camps as the standard picnic shelter had been transformed into a plank board porch with a few steps leading up to the raised platform that was bordered by a sagging cottonwood railing. The storage and lodging room was also constructed with faded wooden planks similar to the ones used for the porch.



I introduced myself to the Delaware family at this camp, naively describing that I was an anthropologist interested in learning more about the Delaware and their political relationship with the Cherokee Nation. Laughter erupted at my explanation. It was followed by some politically charged comments that I should have paid closer attention to, but I was more interested in making sure I wasn't intruding into a family circle. To my surprise, the four generations stopped their conversation and invited me in and agreed to visit with me. I was offered a chair next to the family matriarch, and she assured me that it was all right if I wanted to record our conversation. I pushed record on the tape recorder and asked her how she first got her Certificate Degree of Indian Blood (CDIB) card. She responded rather frankly that she got it some time ago, "when they were signing everybody up back in Claremore," she explained. "They registered me as a Delaware, because that is what I told them I was, a Delaware." This explanation confused me as I had spent a year talking with Delaware people and had yet to find any tribal member with a CDIB card that had Delaware listed under tribal affiliation. To my knowledge, all Delaware who enroll through the Cherokee

Nation's registration office in Tahlequah are listed as Cherokee.

So I asked, "Does it say Delaware on your CDIB card?" She responded, "on my card it had Cherokee-Delaware, Adopted Delaware." Recognizing the contradiction I wanted to confirm that she did not have any Cherokee ancestors and I asked, "are you full-blood Delaware?" She answered, "No, I am a quarter," to which her daughter quickly corrected, "you're a half, mother," and the matron quickly agreed saying with some sarcasm, "I'm a half breed, that's right. My dad was a full blood (Delaware) and we always said we were half breeds."

As our conversation continued, the Delaware family and I were forced to converse with concepts that characterize Delaware identity in terms of race, and in particular racial identity made meaningful through the notion of blood degree. But, as indicated in our initial exchange, the Delaware woman with whom I was primarily speaking was rather unfamiliar with terms of blood degree and as a result her response about her own identity was corrected by her daughter. Her mother then took the external label, that of having  $\frac{1}{2}$  Cherokee blood listed on her CDIB card, and incorporated it into her own methods for identifying in the Delaware community.

As I interpret this conversation and others that I have had with Delaware people, Delaware identity is locally understood in many different ways and a conflict often exists between the multifaceted ways that Delaware people identify locally and the options available for identification with the federal government. At the intersection between federal identification and Delaware identity is the Cherokee Nation, who administers the identification process. Members of the Delaware Tribe are now labeled, "Cherokee," in their interactions with the federal government precisely because the Cherokee Nation holds the power to identify Delaware people.

This ethnography will explore the different dimensions of Delaware identity and its' integration into the political relationships with the Delaware community and between the Delaware Tribal Council, the Cherokee Nation and the federal government. Since the Delaware are identified as Cherokee citizens by the Cherokee Nation, Delaware tribal members can conceivably be constituents of both the Cherokee and Delaware governments. The availability of dual enrollment makes it more difficult for the Delaware Tribal Council to function as an independent entity with the federal government who continues to recognize the Delaware Tribal

Council as subordinate to the Cherokee Nation. My focus is on the politics of identity among the Delaware to understand the relationship between local socio-political processes and those imposed by more powerful governmental and economic structures.

Prior to Oklahoma statehood, the Delaware had a unique socio-cultural framework that evolved throughout the twentieth century in response to different federal legislations. From Oklahoma statehood in 1907 to the current Self-Determination Era, the shifts in federal policy have created and imposed new definitions for Delaware identity through the regional political economy of northeastern Oklahoma. At each point, the Delaware have continued to critically engage these imposed identities as they challenge, rework and make them a part of their existing socio-cultural framework. Throughout this process of imposition, the Delaware and their tribal government have remained a distinct and viable tribal community. In 1979, the Delaware Tribal government was bureaucratically terminated and the Delaware people were mis-identified as Cherokee and forced to become citizens of the Cherokee Nation. In 1996, the Delaware Tribe regained its federal recognition but remained subordinate to the power of the Cherokee Nation. It is the

contemporary Delaware struggle to resist the power and authority of the Cherokee Nation that I describe and advocate.

The second goal of my work is related to the first as I intend to provide a perspective, by way of a case study, on why it may appear that subjugated groups actively participate in their own exploitation. As I will show, it may appear that the Delaware consent to their subordinate position in the Cherokee Nation, yet the reality is quite the opposite. Delaware resistance to the Cherokee Nation has been ongoing since the Delaware's removal to Indian Territory in 1867. Just as Delaware identity is quite diverse and it is often the case that identity politics within the Delaware Tribe get confused with those that exist on an intertribal or inter-governmental level. Thus, the second aspect of the study is intended to add to the anthropological literature on power to help us understand why it appears that subjugated peoples actively participate in their own subjugation.<sup>ii</sup> I suggest that inter-group hierarchies, like the one between the Delaware and the Cherokee, are maintained not because one group agrees to be less powerful, but because there is no real choice involved. I suggest that subordinated groups are forced to

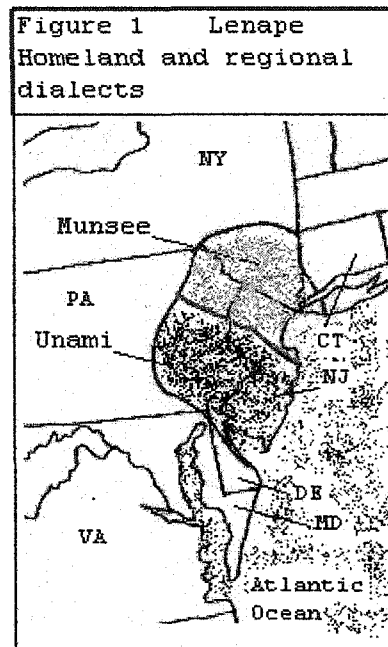
participate in political and economic structures that make it appear as though they consent to their own domination. Once a dominant group is in place, those in the positions of power understand the diversity and structure of subjugated groups and attempt to use this knowledge to manipulate local political action to their advantage.

The Eastern Delaware and their struggle with the Cherokee Nation provide a good example for exploring the complexity of power in Native American politics. The Delaware and the Cherokee are not historically related nor are they culturally or linguistically similar. The only comparison is that both the Delaware and the Cherokee do not presently reside in their ancestral homelands. Both were forcibly removed to Indian Territory in the nineteenth century and have lived in proximity to each other since 1867. In the next section, I provide a historical outline to give a context for my overall discussion. Here I show that Delaware political structures have become increasingly centralized while also implicated in the governmental structures of external groups. I also show that throughout their shared histories, the Delaware and the Cherokee people

have maintained distinct, yet socially integrated communities.

A Cultural History of the Eastern Delaware and the  
Oklahoma Cherokee

The Delaware or Lenape originally lived in the present states of New Jersey, Pennsylvania, New York and Delaware.<sup>iii</sup> Their native language and culture is similar to the other coastal Algonquian peoples.<sup>iv</sup> The historic Delaware are divided into two distinct



dialect groups that correspond to separate geographical areas. Munsee was spoken in the villages along the upper Delaware and lower Hudson rivers and the Unami dialect was spoken along the lower Delaware River and Unami continues to be the dialect learned by Delaware people in eastern Oklahoma (Goddard 1978b:213-216). The Delaware participated in a particular style of woodland ceremonialism in which a first fruits ceremony in various

forms was held once or twice a year, coupled with family sponsored feasts and dances. The central annual ritual event later became known as the Gamwing or Big House ceremony and although held in a structure similar to the longhouses common to historic northeastern groups, the Big House structure and ceremony were unique to the Delaware and were not performed by any other group (Goddard 1978b:220).

The history of Delaware sociopolitical structure follows a trajectory from a loosely unified body of village sachems to its' current form as a Tribal Council. Significant to this history is the increasing centralization of power following the era of tribal fission in the eighteenth century and the shift from a tradition of matrilineal ascendancy and lifetime service to tribal elections and four-year terms of office.<sup>v</sup>

Archaeological evidence suggests that prior to the arrival of Europeans, the Delaware lived in autonomous villages united by a shared language and led by leaders chosen based on their membership in one of three matrilineal clans (Wallace 1947, Kraft 1986). Clinton A. Weslager (1972:63) reports that documents dating to the seventeenth century indicate that succession of leadership not only followed the matrilineal clan



structure, but that the Chief or Sachem named his successor. Since this status was a lifetime appointment, this often took place in the Chief's later years of life, appearing in the historical record as a last will and testament. But the power of leadership was not internally vested in one Sachem, but rather a group of Sachems each representing their own clan.<sup>vi</sup>

Both ethnographers and historians indicate that the Delaware social structure was divided into three matrilineal clans: Wolf, Turkey and Turtle and that they were recorded for the first time in 1764 (Goddard 1978b, Weslager 1972:250). Each clan had a head Sachem attended by Councilors and War Captains of the same clan.<sup>vii</sup> Since authority was decentralized, it was up to this group of clan representatives to make political decisions, a structure that frustrated colonial officials in their attempts to solidify alliances and broker land deals.

Though political decisions were made by consensus, individual Delawares initially profited from interactions with the colonists primarily through the fur trade with the Dutch, English and Swedes (Weslager 1972:98-136, Goddard 1978b:220).<sup>viii</sup> After the English secured a monopoly of the fur trade in 1664, the British aggressively colonized the region, establishing

commercial ports at New York and Philadelphia (Weslager 1972:134,137-152). Most Delaware Sachems first aided the British colonization of the Delaware River valley through their alliance with William Penn. After Penn's death, however, the new British officials overlooked their Delaware allies and intensified an existing alliance with the Five Nations or Iroquois as a means of resting control of the interior Northeast from the French (Weslager 1972:155-172). The Five Nations and the British used misleading treaty agreements to force the Delaware people to abandon their homeland and move further west, often with other displaced coastal peoples, to refugee settlements along the Ohio and Susquehanna River valleys in what is today the state of Pennsylvania (Weslager 1972:173-193, Goddard 1978b:221-222). The Five Nations/British Alliance put pressure on the Delaware to name a "king" who could represent the different villages and with whom the colonial government could engage treaty negotiations. Various interpretations exist on when the Delaware first began to recognize a central leader, but it is certain that even when colonial agents recognized certain Delaware leaders, the appointed chiefs held a somewhat tenuous authority over the entirety of their people (Wallace 1970, Weslager 1972:209).<sup>ix</sup>

By the mid 1700's, most of the Delaware villages in their aboriginal homeland were either abandoned or sold to the English. The majority of Delaware people were coalesced in refugee villages on the frontier under the protectorate of what was now considered the Six Nations as the Tuscarora had joined the Five Nations by the eighteenth century (Weslager 1972:180, 196-208). The refugee villages, although supposedly loyal to the English, resisted their seemingly subordinate position in various ways (Weslager 1972:196-218, Goddard 1978b:223). During the French and Indian War, for example, Delaware leaders pledged loyalty to both the French and the English (Weslager 1972:221-260). In the American Revolution, the majority of Delaware leaders initially aided the Americans, but later lost support as more and more Delaware allied themselves with the British (Weslager 1972:294-315).

In retaliation for their alliance with the British during the revolutionary war, the American government removed most of the Delaware to the Northwest Territory which is today the state of Ohio while other Delaware moved further west and a few families managed to remain in Pennsylvania (Goddard 1978b:223).<sup>\*</sup> One group moved to Spanish Territory and the descendants of this group are

recognized today as the Delaware Tribe of Western Oklahoma or Delaware Nation (Hale 1987). The Moravian Delawares followed the missionary David Ziesberger north to Canada where they finally settled along the Thames River in what is today Kent County, Ontario (Weslager 1972:319-320). The Delaware who were relocated to the Northwest Territory actively supported and participated in an intertribal military resistance to the new American government (Weslager 1972:317-322, Goddard 1978b:223). These battles ended when the Americans defeated the tribal confederacy at the Battle of Fallen Timbers, which led to the signing of the Treaty of Greenville that took place near the present town of Greenville, Ohio in 1795 (Weslager 1972:322). The Northwest Territory Delaware surrendered to the United States and would never again take up arms against the Americans.

Following the Battle of Greenville in 1795, the Northwest Territory Delaware, who were also considered the main body of the Delaware, were subsequently invited by the Miami (another Algonquian group) to live along the White River in what is now the state of Indiana (Ferguson 1972, Weslager 1972:333, Goddard 1978b:224). The Delaware relocated to the White River and it was here that Delaware leadership became further centralized. A

revitalization movement took place within the tribe that institutionalized a renewed sense of Delaware identity in opposition to Christianity, which the new leadership blamed for the Delaware's inability to defeat the Americans (Wallace 1956a:16, Miller 1994:246-247).

Missionaries were banned from Delaware lands and the clan sachems with the most support were also traditional ceremonial leaders. Clan membership still determined the appropriate leaders but now participation in the Delaware Big House Ceremony further strengthened one's ability to gain support within the clan. Ascendancy continued by appointment, with the passing chief often naming a brother or maternal nephew as his successor. Crucial, however, is that during this revitalization, both the United States and the Delaware recognized a principal chief for the first time as the Delaware Council elevated Chief Anderson's position from clan sachem to overarching tribal leader.

In 1821, the Delaware were again forced westward by the United States from Indiana to what is today the state of Missouri and later in 1829 they made preparations for another move to the junction of the Kansas and Missouri rivers in present day northeastern Kansas which was completed in 1831 (Weslager 1972:357-372, Goddard

1978b:224). The Delaware re-established towns and soon prospered from business along the Santa Fe Trail in which Delaware men served as traders, military scouts and guides (Farley 1955). The nativistic fervor began to lapse and Christian missionaries were allowed to return. The missions soon set up schools and churches on the Delaware reserve and many influential Delaware were either educated or converted by the Baptist, Methodist or Moravian Mission (Farley 1955, Weslager 1972:373-387). By the mid nineteenth century, most of the clan leaders constituting the Delaware Council were converted Delaware. Also, the federal agent assigned to the Delaware played an increasing role in the nomination of clan chiefs as he favored leaders from the local Christian missions (Weslager 1972:384-388). Although predominately Christian, leadership positions were still achieved through appointment by matrilineal ascendancy. Consider the similarity between Captain Ketchum's appointment request with that of Ockanickon.

Ketchum (1856): "I want my nepheew Ah-lar-a-chech or James Conner to be a Chief and my people look upon him as such, I think he is a suitable man to fill the place as Chief."

Ockanickon (1682): "therefore I refused them to be kings after me in my stead, and I have chosen my Brother's Son

Jahkursoe in their stead to succeed  
me."<sup>xi</sup>

Notice that despite the fact that Ketchum was a converted Methodist and removed from Ockanickon by almost 200 years of intense warfare and migration, they both named the sons of either a brother or a sister, not their own sons, as their successor. This comparison also indicates that matrilineal ascendancy was more of an ideal that could be negotiated rather than an unconditional rule. In Ockanickon's case, his matrilineal successors were plotting against him, asking the doctor to intentionally not cure the old chief. On hearing of this, Ockanickon named his brother's son as successor (Weslager 1972:63)

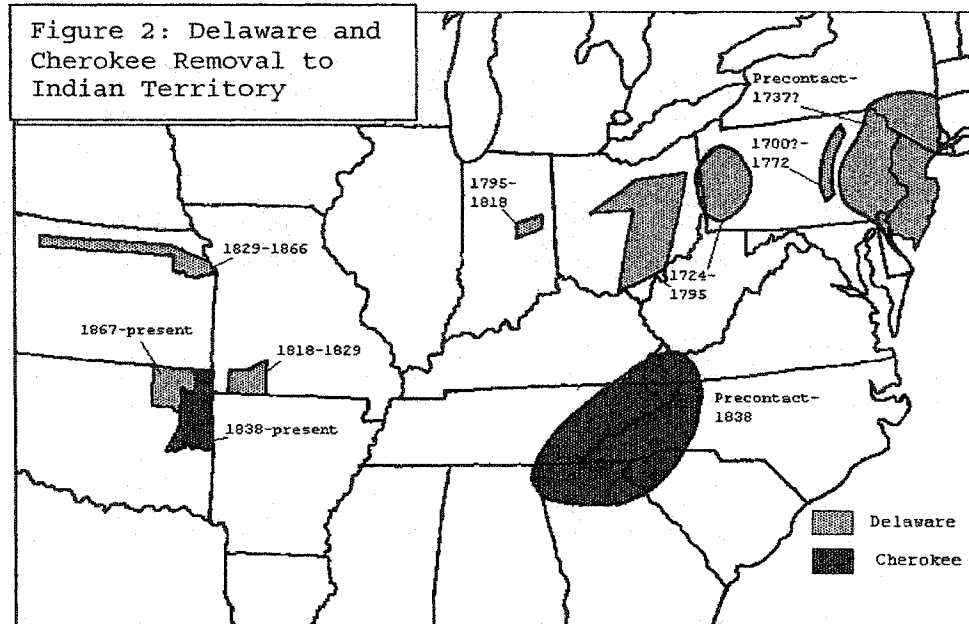
Following the Civil War, white encroachment and railroad speculation along the Santa Fe Trail increased and the Delaware were again forced to relocate, this time to Indian Territory (Weslager 1972:399-429, Goddard 1978b:224). The signing of the agreement that secured the Delaware removal in 1867, coupled with the mounting religious differences within the tribe resulted in the transformation of the Delaware sociopolitical structure and polarized political sentiment between the traditional and Christian Delaware families (discussed in Chapter 1).

In Indian Territory, the Christian Delaware Council adopted a new form of government in 1895, the Delaware Business Committee, and those who served were elected rather than appointed based on clan affiliation (Carrigan and Chambers 1994:22). Leadership roles were now achieved by effectively building support from the existing social networks that were increasingly being defined by membership in a bilateral extended family in the Christian Delaware communities. On the other hand, leadership among the more culturally conservative opposition, although not recognized by the Bureau of Indian Affairs, held to the ideals of chiefly ascendancy carried over from the period of Chief Anderson's leadership. This traditional model of governance recognized their leadership based on clan membership and reproduced itself primarily through participation in Delaware ceremonialism and most importantly the Big House Ceremony. Interestingly, in both groups the leaders often served lifelong careers, whether they were elected or appointed to office.

It is at this point in time that Delaware history connects with Cherokee history. The Cherokee were also forced to relocate to Indian Territory in the early nineteenth century where they re-established a tribal



government in Indian Territory (McLoughlin 1993). The Cherokee are an Iroquoian-speaking people originally from the Southern Appalachian Mountain regions of what are



today the states of Georgia, South Carolina, North Carolina and Tennessee. Their language is similar to the Iroquoian languages of the interior Northeastern tribes, and they participated in a number of southeastern cultural complexes (McLoughlin 1986:9). The Green Corn Ceremony was their primary annual ceremony and it was performed in late summer (Hudson 1976:371-375).<sup>xii</sup>

In 1866, the United States brokered a deal between the Cherokee Nation and the Delaware. The two governments signed an agreement in which the Cherokee sold the Delaware the right to citizenship in the

Cherokee Nation. The Delaware also purchased enough land for each Delaware to have 160 acres of land in the Cherokee Nation. The agreement did not terminate the Delaware Council nor their function as the recognized tribal government of the Delaware people. The agreement was only intended to purchase land in the Cherokee Nation and at the time, the Cherokee Nation only allowed Cherokee citizens to own land (treaty reprinted in Carrigan and Chambers 1994:A25).

When the Delaware moved to Indian Territory a separate roll was taken listing 985 Delaware tribal members (Weslager 1972:425-426). This roll did not mention blood quantum and only listed those Indian and non-Indian tribal members who were either adopted or married into the Delaware tribe that relocated to Indian Territory.<sup>xiii</sup> The Treaty of 1866 between the Delaware and the United States also stipulated that each adult Delaware could chose to remain in Kansas if they dissolved their membership in the Delaware Tribe. The Delaware who stayed in Kansas were forced to become citizens of the United States and their land was held in severalty by the Secretary of the Interior (Weslager 1972:423). Weslager (1972:516-517) lists the nineteen families that chose to stay in Kansas but the Delaware

Council did reinstate those families who later decided to join their relatives in Indian Territory.<sup>xiv</sup>

Almost forty years after the removal to Indian Territory, another roll was taken of Delaware people. This time the roll was compiled by the Dawes Commission and is officially referred to as the Final Rolls of Citizens and Freedmen of the Five Civilized Tribes, Cherokee Nation or more commonly as the Dawes Roll. This roll was different in that it included a blood quantum for each individual based on the information provided by the enrollee. The Dawes Roll also listed Delaware people who were born in Indian Territory with both Cherokee and non-Cherokee descent as "Cherokee by blood," making them indistinguishable from the Cherokee. It is therefore difficult to determine the number of Delawares who are labeled in this way. There were, however, 197 Delaware who were labeled "Registered Delaware" because they had been born in Kansas and were living in the Cherokee Nation in 1906. The children of "Registered Delawares" who were born in Indian Territory were also listed as "Cherokee by blood," even though their parent(s) were "Registered Delaware(s)."<sup>xv</sup>

The Delaware Business Committee compiled a separate roll of Delaware tribal members in 1904. Known as the

Delaware Per Capita Roll it listed 1,100 tribal members, including four intermarried whites. This document had no category for blood quantum and made no mention of Cherokee citizenship.<sup>xvi</sup> From 1906 until the present, this roll has been used to indicate political and legal membership in the Delaware Tribe. The Delaware listed on the Delaware Secretarial Roll and their descendants are the only people eligible for membership in the Delaware Tribe.

It was during the twentieth century that the Delaware Big House ceremony was discontinued and the rural Protestant churches possessing predominately Delaware members closed or followed their congregation to the local towns like Bartlesville and Alluwe. Delaware people increasingly turned to other forms of religious expression such as the Native American Church and Intertribal or European-American Christian services. These practices remain fundamental to Delaware lives today.<sup>xvii</sup> Also significant was the emergence and popularity of new intertribal events and clubs such as the annual Delaware Pow-Wow and the Bartlesville Indian Women's Club (Howard 1955, 1956a).<sup>xviii</sup>

After the Big House Ceremony was discontinued and its leadership passed following World War II, their

descendants replaced the clan appointed leadership model and adopted the structures for leadership already established by the Delaware Business Committee. At the same time, recognized tribal leaders were faced with the prospect of returning substantial amounts of wealth to tribal members through the Indian Claims Commission. To do this successfully, however, required an in-depth knowledge

Figure 3: Tribal Rolls (1867-1906) on which the Delaware Appear.

Roll	Compiled by:	Blood Quantum?	Federal Indian ID?	Tribal membership
1) Delaware Roll 1867	Delaware Agency	No	No	Delaware
2) Delaware Per Capita Roll 1906	Delaware Business Committee	No	No	Delaware
3) Cherokee Dawes Roll 1906	Dawes Commission	Yes	Yes	Cherokee

of federal law and the synthesis of tribal history into forms understandable for land claims litigation.

Leadership took on a new dimension, as highly connected Delaware lawyers that were able to gain support from the larger and active extended families soon dominated the Business Committee. Also important is that during this transition, the Delaware Business Committee adopted a constitution and bylaws for the first time in 1958. It stipulated, among other things, that the five members of the Business Committee and the five members of the Grievance Committee shall be elected by secret ballot and serve four year terms. This is the first point that women began serving in elected leadership positions. Although there was not a written restriction against women leaders, the political arena was strictly male dominated prior to World War II (Weslager 1972:64).

The Delaware Business Committee continued to pursue land claims litigation in hopes of enforcing past treaty agreements with the United States and the Cherokee Nation. They filed various claims beginning in the early 1960's and subsequently secured cash settlements in the 1970's through the Indian Claims Commission, which was to be distributed to tribal members with 10% held in trust by the federal government as programming funds for the

Delaware Tribe. In order to authenticate an individual's membership and eligibility for the payment, the Delaware Business Committee worked directly with the Bureau of Indian Affairs (BIA) office in Muskogee who used the Delaware Per Capita roll of 1906 to define Delaware tribal membership (Weslager 1972:460). The promise of large monetary judgments to enrolled tribal members made membership more economically attractive and dramatically increased the enrolled Delaware population.<sup>xix</sup> Weslager (1972:462), who was researching Delaware history at the time that the per capita payments were being distributed; commented on the effect that the money was having on Delaware tribal membership. He observed that the application process was like a lottery, with the winning ticket coming in the form of being able to show a genealogical connection to someone listed on the Delaware Secretarial Roll. He also indicated that, "many of the claimants are middle-class people ... who, until the present, have been far less interested in Delaware Indian matters than the few traditionalists who have tried to keep Indianism alive (Weslager 1972:462)." As Weslager's observations indicate, the per capita payments not only increased the Delaware Tribe's population, but added a new dimension to tribal politics.

In 1975, congress passed the Indian Self Determination and Educational Assistance Act. This legislation laid the groundwork for a transformation in the Delaware Business Committee's relationship with the BIA. It gave tribal governments the jurisdiction to administer federal services to their members and other Indian people within a geographically bounded service area. Because of a politically astute maneuver by the Cherokee Nation, the Delaware Business

**Figure 4: History of Delaware Political Structure**

<b>Era</b>	<b>Years</b>	<b>Tribal Government</b>	<b>Qualifications for leadership</b>
<b>Protohistoric</b>	1600-1675	Autonomous Villages	Village Membership
<b>Protectorate</b>	1675-1763	Tenuous Chiefs	Clan
<b>Tribal Fission</b>	1763-1795	Factional leadership	Clan
<b>Revitalization</b>	1795-1867	Tribal Council	Clan
<b>Tribal Fission</b>	1867-1982	Tribal Council vs. Business Committee	Clan vs. Family lineage
<b>Self-Determination</b>	1982 - present	Tribal Council	Family lineage

Committee was terminated even as it was beginning the process of contracting with the BIA to administer health and housing services to Delaware tribal members and other Indian people living within the Delaware service area.



Without the permission of the other tribes listed on the Cherokee Nation Dawes Roll, Cherokee political leaders adopted the Dawes Roll as its base roll and included all of the descendants of this roll as tribal members. In 1977, Ross Swimmer, the principal Chief of the Cherokee Nation, began sending letters to the Department of the Interior asking federal officials to cease interaction with the Delaware Business Committee on a government-to-government basis (reprinted in Carrigan and Chambers, 1994:A67-A71). He and other elected Cherokee leaders argued that since the Cherokee Nation included the Delaware people as Cherokee tribal members; there was no longer any need to recognize the Delaware Business Committee. More importantly, Chief Swimmer argued that the Delaware should not be allowed to administer the remaining programming funds that were held in trust by the Bureau of Indian Affairs. The BIA was convinced and the Delaware were left off the list of recognized tribal governments issued by the BIA in 1979 (Carrigan and Chambers 1994:A73-A80). What happened was not that the Delaware lacked a governmental organization, but that the Self Determination Act affected a shift in the structure by which tribal governments were empowered to exist under

Federal Indian law. Elected leaders from the Cherokee Nation used this change to their advantage.

The re-definition of Cherokee tribal membership effectively included all of the Delaware, Shawnee, Creek and Natchez listed on the Dawes Roll and their descendants because all of these different cultural groups were listed on the Cherokee Nation Dawes Roll. The Shawnee have a similar history with the Cherokee Nation, having been relocated to Indian Territory from the interior northeast. They signed an agreement similar to the one the Delaware signed with the Cherokee Nation though they did not purchase land in the Cherokee Nation. There were also a few Creek families listed on the Cherokee Nation Dawes Roll, who had broken away and become Cherokee citizens as well as a small group of Natchez who have been absorbed into the tribe through intermarriage (Howard 1970, Sturm 2002:75-76). The Creek, Natchez, Delaware and Shawnee do have an Indian blood quantum but in most cases their blood quantum is labeled as "Cherokee by Blood." The Indian groups listed on the Cherokee Nation Dawes Roll were not identified by their cultural identity but were identified as "blooded" citizens of the Cherokee Nation.

The self-determination act's primary purpose was to allow the transfer of administrative services from the Bureau of Indian Affairs to tribal governments. In the late 1970's, the Cherokee Nation began contracting with the Bureau of Indian Affairs to administer, regulate and distribute the federal identification cards known as Certificate Degree of Indian Blood (CDIB) cards, taking over the process completely in 1984 (Cherokee Nation Registration Department, personal communication, 2002). The Cherokee Nation will only issue CDIBs to those people who are either listed on the Cherokee Nation Dawes roll or who can show a genealogical connection to those listed. Furthermore, the certificates issued by the Cherokee Nation only give tribal affiliation as "Cherokee" regardless of the individual's cultural heritage.

The Cherokee Nation does not issue CDIBs to the descendants of the Intermarried Whites and Cherokee Freedmen listed on the Dawes Roll. Intermarried Whites became more numerous as the promise of Oklahoma statehood neared. Most often intermarried whites were men who married Cherokee women, making them able to pursue land based trades in the Cherokee Nation, such as agriculture and mining. W.W. Keeler, principal Chief of the Cherokee

Nation (1948-1975) and Joe Bartles, Chairman of the Delaware Business Committee (1922-1951) were both descendants of Intermarried Whites who became prosperous businessmen in the Bartlesville region during the late nineteenth century (Teague 1967). The freedmen descend from the former slaves of the Cherokee planters. After the Civil War, the Cherokee Nation was to abolish slavery and include those emancipated as citizens (Littlefield 1978, Sturm 2002:170-171). When the Dawes Roll was compiled the Cherokee Freedmen and the Intermarried Whites were not given a blood quantum.

In response to the Cherokee Nation's identification policy, the Delaware have taken steps to subvert the Cherokee Nation's strategy and re-establish their government-to-government relationship with the BIA. This has been particularly difficult as the Cherokee Nation has positioned itself as the tribal government responsible for the administration of services to Delaware people. The BIA is very hesitant to recognize a tribal government for the purpose of contracting services to members dually enrolled in another recognized tribal government.

In 1979, the Delaware met in General Council and discussed a proposal authored by the BIA for the Delaware

Tribe to reorganize. It was rejected primarily because this new document called for the Delaware Tribe to define its membership in relation to the Cherokee Nation. Instead, the General Council adopted a new constitution and bylaws consistent with the Oklahoma Indian Welfare Act, defining the membership of the Delaware Tribe as the descendants of the 1906 Delaware Secretarial Roll. They also established the Delaware Tribal Council to replace the Delaware Business Committee and to deal with tribal affairs. However, the Bureau of Indian Affairs did not recognize the Delaware Council because it was not much different in structure from the Business Committee and the restructured Delaware Tribal Council refused to define itself as a tribe within the Cherokee Nation. The BIA did not release the Delaware Trust and the money continued to be administered through the BIA who required that the Delaware obtain CDIBs from the Cherokee Nation before they would distribute the per capita payment.

In the years following their termination, Delaware tribal leaders developed innovative government structures in an effort to challenge the Cherokee Nation's political claims while still complying with the regulations in the Self-Determination Act. with hopes of adopting a tribal government that would satisfy the Bureau of Indian

Affairs, the Delaware General Council drafted a new constitution in 1982, which called for a Tribal Council form of government. They elected their previous Business Committee Chairman, Henry Secondine as their new Chief and the Grievance Committee was restructured as a Tribal Court though it still consisted of five members (Carrigan and Chambers 1994:A91). In the 1982 constitution, membership in the Delaware Tribe was defined as all those listed on the Delaware Per Capita Roll of 1906 and their lineal descendants. The constitution said nothing about blood quantum. Since the Delaware Tribal Council refused to define their membership relative to the Cherokee Nation, the BIA again denied the Delaware federal recognition.

In 1990, under their new Chief Lewis Ketchum and after years of trying to work with the Cherokee Nation for recognition, Delaware leaders struck on an innovative way to deal with their dilemma. Rather than change the 1982 constitution, they adopted a new document now called the Trust Document, designed to gain access to the Delaware Trust funds without compromising the Tribal Council's resolve to remain independent of the Cherokee Nation. In 1991, the Delaware Trust Board was created as a separate governing body from the Tribal Council for the

purpose of administering and gaining access to the Delaware Trust funds. In accordance with the original BIA proposal, the Trust Document defined Delaware tribal membership in relation to the Cherokee Nation, allowing Delaware tribal members to also be eligible for membership in the Cherokee Nation. The BIA accepted the Trust Document and turned over the Trust Fund. The Trust Board oversaw the immediate allocation of money for new tribal programs while the Tribal Council continued as the internally recognized representatives of the Delaware Tribe. The Council worked closely with the newly organized Delaware Trust Board. In fact, many members of the Trust Board also served on the Delaware Tribal Council.

In 1996, the Assistant Secretary of the Department of the Interior, Ada E. Deer, reversed the 1979 decision and restored the federal recognition of the Delaware Tribal Council effectively instituting two recognized governing bodies for the Delaware Tribe. Partial recognition meant that the Delaware Tribal Council was federally recognized but only as the representative body of a land-less tribe whose members were still obliged to register through the Cherokee Nation for federal services. The Delaware Tribe is currently challenging

this subordinate position and as such the Cherokee Nation still does not recognize the authority of the Delaware Tribal Council. The dual enrollment clause in the Trust Document remained and since the Delaware constitution and bylaws made no mention of dual enrollment with the Cherokee Nation, the Trust Document held precedence and the Delaware continued to be considered dually enrolled. To make things worse, the Cherokee Nation immediately appealed the Assistant Secretary's decision and the Delaware Tribe is currently defending the 1996 finding in the federal courts.

Delaware tribal leaders have subsequently tried to persuade their members to rescind the dual enrollment clause, but these efforts have only been marginally successful. The Delaware remain dually enrolled in the Cherokee Nation, not because they think they are Cherokee or want to be Cherokee but because they have no other choice but to remain enrolled as Cherokee if they are to continue to have access to the services provided by the federal government through the Cherokee Nation. If the Delaware Tribe could adopt a single enrollment policy (meaning Delaware tribal members can not be enrolled in other tribes), then they too could begin contracting and administering federal services. Some Delaware recognize



and support the reasons for adopting single enrollment while others do not see it as necessary. In both cases, they all agree that their enrollment policy has little impact on their own identity as Delaware people, even though it is critical to the Delaware Tribe's relationship with the BIA and the Cherokee Nation.

Delaware identity on a federal level has become the very subject around which tribal recognition revolves but, in the process, it has been further alienated from local understandings of Delaware identity and tribal histories on which this identity is based. It is the complexity of Delaware identity politics and it's relationship with the power structure of the Cherokee Nation and the United States government that is the focus of this ethnography.

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<sup>i</sup> Descriptions of the Delaware Powwow also appear at the opening of a discussion on Delaware culture in Weslager (1972). Sue Roark-Calnek (1977) gives a detailed analysis of the Delaware social network that surrounded the Delaware Powwow as it existed in the early 1970's and Jim Rementer has provided me with an unpublished but detailed description on the origin of the Delaware Powwow and flier advertisements from various years.

<sup>ii</sup> See Fogelson and Adams (1977) for a clear discussion of the foundational perspectives in the anthropological study of power.

<sup>iii</sup> The Delaware communities throughout the United States and Canada trace their cultural and political heritage back to the Lenape. Weslager (1972, 1978) gives a detailed discussion of the migrations of the Delaware people. The Lenapehoking or Lenape homeland lies on the banks and tributaries of the Delaware and Hudson Rivers, and archaeologically there is evidence that this area was inhabited

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since the arrival of humans in the Northeast (14,000 BP). The material culture differences between the Proto-Munsee and Proto-Unami villages are recognized as early 10,000 AD suggesting antiquity in the cultural barriers between the Unami and Munsee people. For more information on the archaeology of this region I refer the reader to the major works of Herbert Kraft (1974, 1977, 1984, 1986). The name Delaware comes from the English Lord de la Warr the third (Sir Thomas West), who was appointed the English governor of Jamestown in 1610. As a way to honor the lord, Captain Samuel Argall named the bay and river inhabited by the Lenape people after his lord de la Warr on an expedition up the Atlantic coast. The name, "De-La-Warr" was soon attached to the people who were living on its banks and was later used to designate the Munsee groups that lived in the Hudson and upper Delaware River valley (Weslager 1972:31). Both "Delaware" and "Lenape" continue to be used interchangeably today as a tribal identifier.

<sup>iv</sup> Linguistically the Lenape are related to other tribes along the Atlantic coast (Mahican, Nanticoke and other New England tribes), the interior northeast (Shawnee) and the Great Lakes region (Cheyenne, Miami, Sauk and Fox) (Goddard 1978a).

<sup>v</sup> That indigenous political systems of Woodland peoples have shifted over time is well documented. For work on the impact of the Fur Trade in the Northeast see Cayton and Teute (1998), Jennings (1975), and White (1991). Also for the effect of federal policy on Iroquois see Fenton (1988) and Hauptman (1981). Particularly relevant to this work is Sturm's (2002) analysis of the impact of western ideologies of race on Cherokee political institutions and leadership. For the Delaware, research on the recent impact of federal policy is largely non-existent (see Duane Hale (1987) for a political history of the Western Delaware). The effect that forced relocation and the appointment of leaders to speak as the recognized Delaware "King" had on the Delaware clan structure and the centralization of tribal government is covered in a rich body of historical research (Thurman 1973, Wallace 1947, 1956b, 1970, Weslager 1972, 1978).

<sup>vi</sup> The antiquity of the Delaware clan system is unknown, but it is associated with village leadership, which indicates that it probably existed prior to the arrival of Europeans. Miller (1989:2-3) indicates that a symbolic connection existed between the chief/clan/town for the Delaware and the ascendancy of clan identity over town membership in the eighteenth century probably reflects the refugee position of Delaware people during that era.

<sup>vii</sup> War Captains were responsible for declaring war and protecting the people, yet they could not declare peace. Civil Chiefs were the only one's who could declare peace (Zeisberger 1910:98)

<sup>viii</sup> For more information on the history of Dutch colonialism in New Netherland see AJF van Laer (1924), Brasser (1974), Weslager (1972, 1986) and Kraft (1996).

<sup>ix</sup> Consider the directness of this Pennsylvania official in 1751, "I desire you may choose amongst Yourselves one of your wisest Counsellor and present to your Brethren of the Six Nations and me for a Chief, and he so chosen by your shall be looked upon as your king, with whom Publick Business shall be transacted" ... and the Delaware response, "it would take some time to consider a Man that was fit to undertake to rule a Nation of People, but as soon as possible they would make a full answer, which they hoped would give

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Satisfaction to their Brothers the English and the Six Nations." (Reprinted in Weslager 1972:209). With such externally imposed power, appointed chiefs frequently faced opposition groups within the tribe who often gave voice to their dissent through alliances with antagonizing forces recognizing their own leadership instead of the calls to unity from the externally appointed Chief. During the American Revolution, for example, Captain White Eyes who was then considered the principal chief of the Delaware in Ohio by the Americans, held steadfastly to his allegiance with the Continental Congress, urging his constituents to "Collect yourselves together; resolve one & all to be govern'd by the Chiefs of your choice." (Weslager 1972:296). With economic pressure from the British mounting, keeping this alliance was difficult and after American rebels murdered over 90 Christian Delaware at Gnadenhutten it was nearly impossible. Most of his supporters joined the opposition leader, Captain Pipe, and secured the majority of the Delaware's alliance with the British in Canada in the later years of the war. As a result, Captain White Eyes dream of a 14<sup>th</sup> Indian State was considered null and void after the continentals claimed victory over the British (Weslager 1972:312).

<sup>x</sup> This sense of conflict resolution is largely silenced. The break up of the loosely confederated Delaware Tribe is taken as a matter of fact by historians and tribal members, but I suggest it is best understood in terms of resolving conflict by letting the issue rest and each party going their separate ways.

<sup>xi</sup> Reprinted from Weslager (1972:63,388).

<sup>xii</sup> A small number of Cherokee people in both Oklahoma and North Carolina continue to hold the Green Corn Ceremony (Jason Jackson, personal communication, 2002).

<sup>xiii</sup> A copy of the original roll listing the Delaware Indians who elected to move to Indian Territory in 1867 can be found in the Mary Smith Witcher collection at the Oklahoma Historical Society, hereafter referred to as the MSWC-OHS.

<sup>xiv</sup> On July 14, 1951, the Delaware General Council passed a resolution to formally adopt five named persons, granting them full political and property rights, who were not listed on the 1867 roll but who later joined the tribe in Indian Territory and directly purchased their citizenship rights from the Cherokee Nation (Carrigan and Chambers 1994:36-37). See also: Resolution of the Delaware Tribe of Indians in Council Assembled this 14<sup>th</sup> Day of July 1951, Bartlesville, OK located in the Tribal Resolutions file in the Records Room at the Delaware Tribal Library, hereafter referred to as TRF-DTL.

<sup>xv</sup> A copy of the Cherokee Nation Dawes Roll, and specifically the portion of the roll that lists the "Registered Delaware," can be found in the MSWC-OHS and the Tribal Enrollment file at the Delaware Tribal Library, hereafter referred to as the TEF-DTL.

<sup>xvi</sup> See: Delaware Per Capita Roll, 1904. MSWC-OHS, TEF-DTL.

<sup>xvii</sup> For more on the Native American Church among the Eastern Delaware see Petrullo (1934), Newcomb (1956b) and on participation in Woodland Ceremonialism see Roark-Calnek (1977). For more on Christianity among the Delaware in Indian Territory and Oklahoma see Perry and Skolnick (1999), Cranor (n.d.).

<sup>xviii</sup> My discussion of the trends in 20<sup>th</sup> century Delaware history draws upon the published work cited in the text as well as the large body

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of documents related to Delaware family history collected in the Delaware Files at the Bartlesville Public Library, genealogy room, hereafter referred to as DF-BPL.

<sup>xix</sup> Weslager (1972:462) estimated that this award was over 12 million dollars in 1972.

## Chapter Two

### Delaware Country

Seeking to symbolize their tribal distinctiveness, the Delaware Council held a contest for the best tribal seal in 1974-75. Three of the best entries were chosen and instead of picking one over the other, the council decided to combine the best aspects of each. Since the Big House is remembered as a distinctly Delaware practice, most of the symbols in the Tribal Seal



represent different aspects of the Ceremony; that is except for one. In apparent contrast, a cross appears in the Delaware Tribal Seal and is the only

symbol that does not refer to some component of the Delaware Big House Ceremony.<sup>i</sup> During the deliberations over the seal, many Delaware demanded that the cross be included because to them, Christianity was and continues to be an integral part of their identity. Although its'

inclusion was not popular with some, in the end, the cross remained primarily because the members of the Delaware Business Committee came from families associated with the Christian communities and therefore felt that it should be a part of the tribal seal.

This dispute and its resolution expresses very well the tension involved in being Delaware; a tension that juxtaposes religious, political, and cultural differences that are expressed by different families and localities. Family name and place are important aspects of Delaware identity. They act as emblems that convey a range of meanings in a community that is internally diverse. Most family names are geographically identified with certain places and this linkage communicates a specific, locally understood identity. Different geographic areas, (towns and rural communities) and their associated family names are identified as "Christian," while others are considered, "Traditional." All of this cultural landscape exists within what most consider to be "Delaware Country;" a specific region in northeastern Oklahoma that is understood to be the Delaware territory in the minds and practices of the Delaware and other American Indian people.

Although the Delaware distinguish between traditional and Christian identities, I interpret Delaware identity politics to be much more complicated than such a generalized distinction would suggest.<sup>ii</sup> It is true that a sense of traditionalism does exist among the Delaware and I agree with Terry Prewitt's (1981:72) perception of Delaware traditionalism. He states that it is, "best expressed as the orientation possessed by those who remember and appreciate the Big House for what it was, a well developed knowledge of Spirit forces acting in behalf of all people."<sup>iii</sup> I also recognized a similar sentiment shared by the descendants of the Christian Delaware families who remember and appreciate the Delaware Christian Churches in a like manner.

The difference between traditional and Christian Delaware identities is not definite and depends on the particular orientation sought by the individual. Many Delaware descend from both traditional and Christian families, attend a Christian church and identify and participate as traditional people. Nor is this imperfect distinction between traditional and Christian identities a recent development. Charlie Elkhair was a firm traditionalist and the last leader of the Delaware Big House Ceremony who lived through the Delaware removal to

Indian Territory. He was also educated in the Baptist mission school and a baptized Christian. Big John Sarcoxie was also a leader of the Big House Ceremony while the Delaware were still living in what is today the state of Kansas. After the removal to Indian Territory, he was ordained as a Baptist minister and became active in the Silverlake Baptist Church.

It is with this blurry distinction in mind that I suggest that being Delaware could mean being both Christian and traditionalist. Some choose to associate their political and cultural sentiments with one aspect over the other but the line between traditionalism and Christian identities is murky, fluid and has shifted over time. What has remained consistent is that the distinction between traditional and Christian has been a part of the local geography ever since the Delaware settled in Indian Territory. To understand the relationship between Delaware identity politics and the local landscape, this chapter presents an outline of the historical development of Delaware Country in the context of a broader discussion about the importance of place in American Indian ethnography.



## Identity and Place in Native American Ethnography

In Oklahoma, sense of place is an important aspect of the many Native American cultures that share this territory.<sup>iv</sup> Tribal boundaries persist in the minds and practices of Indian people who often refer to different regions as a tribe's "country". Conceived of as static and bounded territory, tribal countries often reflect the area initially settled by a specific group (Moore 1992).<sup>v</sup> David Hurt (2000), for example, outlined how the Creek re-constructed a new homeland after being relocated to Indian Territory. He details, through a historical analysis, how geographic meanings continue to impact contemporary life in the Muscogee (Creek) Nation.

Anthropologists have also shown how spaces are transformed into culturally meaningful places through discourse and social practice in Native American communities beyond Oklahoma (cf. Feld and Basso 1996). Keith Basso's (1996) ethnography of Western Apache place-names discusses how stories attached to place are used to convey meaning and morality in Apache society. Following in Basso's discourse-centered approach, Karen Blu's (1996) work on place and homeland among the Lumbee shows that by "being placed," the landscape communicates

something about one's social identity. Also, the case of the Lumbee sense of place illustrates quite well the need to view the cultural construction of local geography as a fluid process that is contested through relationships of power. Such a perspective emphasizes that Native American cultures are not the timeless, bounded and isolated entities depicted in some modern imaginations.

Sue Roark-Calnek (1977) first reported on the existence of Delaware Country and Jay Miller (1989:1-2) recognized the importance that locality and homeland has for Delaware people. Delaware Country exists in the prairie/plains region of northeastern Oklahoma roughly situated between the Osage Hills to the west, state (formerly U.S.) highway 66 to the east, Tulsa to the south and the Oklahoma/Kansas state line to the north. It was first defined as a culturally distinct region when the original Delaware families settled in the Caney and Verdigris River valleys after their removal to Indian Territory where they re-established their churches and ceremonial grounds. Along with their different religious and cultural beliefs, the Delaware also brought their political structure and disputes, all of which corresponded with family membership. This diversity made

meaningful by family identities was subsequently made a part of the cultural landscape.

Family membership was and continues to be fundamental to Delaware political and religious sentiment. In the next section, I will show that the removal to Indian Territory created a rift in the clan-based Delaware political structure. The importance of clan membership in the tribal government was superimposed by membership in a Delaware lineage that could be determined bilaterally rather than matrilineally. Bilateral descent meant that one could choose whether he or she wanted to belong to their father or their mother's family or both instead of only belonging to the clan of his or her mother.

I also argue that despite the general shift to bilateral families, matrilineal clan membership did not vanish and remained a defining aspect of leadership among the more culturally conservative families. In both the Christian and traditional families, clan identity is important to many Delaware people today, yet most figure their Delaware family affiliation bilaterally and they trace their Delaware ancestry to an apical ancestor that represents a specific Delaware lineage. Thus, the importance placed on membership in a recognized extended

Delaware lineage did not replace the Delaware clan structure but became the primary indicator of political and religious sentiment.

My second point is that in the shift from matrilineal to bilateral descent, Delaware lineage names became associated with certain places during the initial settlement of Indian Territory. Bilateral lineage names replaced the much older practice in which a Delaware village was associated with the matrilineal lineage of the village sachem (Wallace 1947:11, Miller 1989:2). When like-minded families settled in close proximity in Indian Territory, specific family names quickly became associated with different political and religious sentiments, which in turn gave a specific meaning to the different Delaware settlements. Family names were soon associated with community identities that came to communicate a number of meanings that were previously associated with maternal family membership, most important of which were socio-political alliances. For instance, bilateral lineage names replaced the function of maternal lineage names in determining who was an appropriate marriage partner and often served as an identifier for possible political leadership (Prewitt 1981:19-21). As bilateral extended families became a

part of the Delaware social structure, the new family identities and their associated socio-political meanings were made a part of the cultural landscape of Delaware Country and it is this development that I discuss below.

Locating Delaware politics: family affiliation and settlement in Delaware Country

The cultural diversity embodied in the geography of Delaware Country began in the nineteenth century when the Delaware people were re-establishing themselves in what is today the state of Kansas. Christian missionaries, whom had previously been banned from the Delaware Tribe, were allowed to return.<sup>vi</sup> Churches and schools were built and soon the popularity of Protestantism led to an increased number of baptisms in the Delaware community (Weslager 1972:384-386). Following the precedent set in the Northwest Territory (the present state of Ohio), baptized Delawares were allowed to participate on the Tribal Council and soon became a permanent fixture in Delaware politics (Weslager 1972:288-289).<sup>vii</sup> Yet, this did not lead to any recorded outrage on the part of non-Christian Delaware, since even the Christian leaders were appointed according to the tribal practice of matrilineal

ascendancy and clan representation (Weslager 1972:387).<sup>viii</sup>

It is more likely that the heavy hand of the federal agent instigated tribal dissent as he played a powerful role in tribal government during the Kansas period. The agent held the ability to nominate and approve tribal leaders (Weslager 1972:385-391). The Delaware agents tended to favor the men who were leaders in the local mission communities. Their favoritism, at times, did not follow the Delaware custom of tri-clan representation. For example, Charles Journeycake was a member of the Wolf clan, but was appointed as Turkey clan chief by Agent Fielding Johnson in 1861 (Weslager 1972:391).<sup>ix</sup>

By the passing of the Civil War, most Delaware counted themselves as American, and in particular, Union sympathizers. However, the agent's Christian appointees often made tribal decisions that impacted those who did not feel that they were appropriately represented, since their recognized clan leader was no longer involved but superceded by an imposed nomination. A particularly aggravating event took place on July 4, 1866, when the Delaware signed their last treaty with the United States at the Delaware Agency in Kansas.<sup>x</sup> In this treaty, the Delaware agreed to sell the remaining portions of their

reservation to the Missouri River Railroad Company; a corporation that included the Delaware Agent as a stockholder (Weslager 1972:422). In exchange, they were promised by the United States government another tract of land equal to 160 acres per tribal member, "which may be ceded by the Cherokees in Indian country." John Conner, the principal chief from the Turtle clan, Captain Sarcoxie, chief of the Turtle Clan, and Charles Journeycake, chief of the Turkey clan signed this treaty (Weslager 1972:422). According to the treaty, Captain Sarcoxie and Charles Journeycake were no longer recognized as clan chiefs by the federal government but signed the document as Assistant Chiefs. Furthermore, there were now only two chiefs that ranked below the Principal chief as opposed to the three clan chiefs who signed the previous treaties (Weslager 1972:390). The Wolf clan chief was not made party to the final removal negotiations with the United States (treaty reprinted in Carrigan and Chambers 1994:A4).

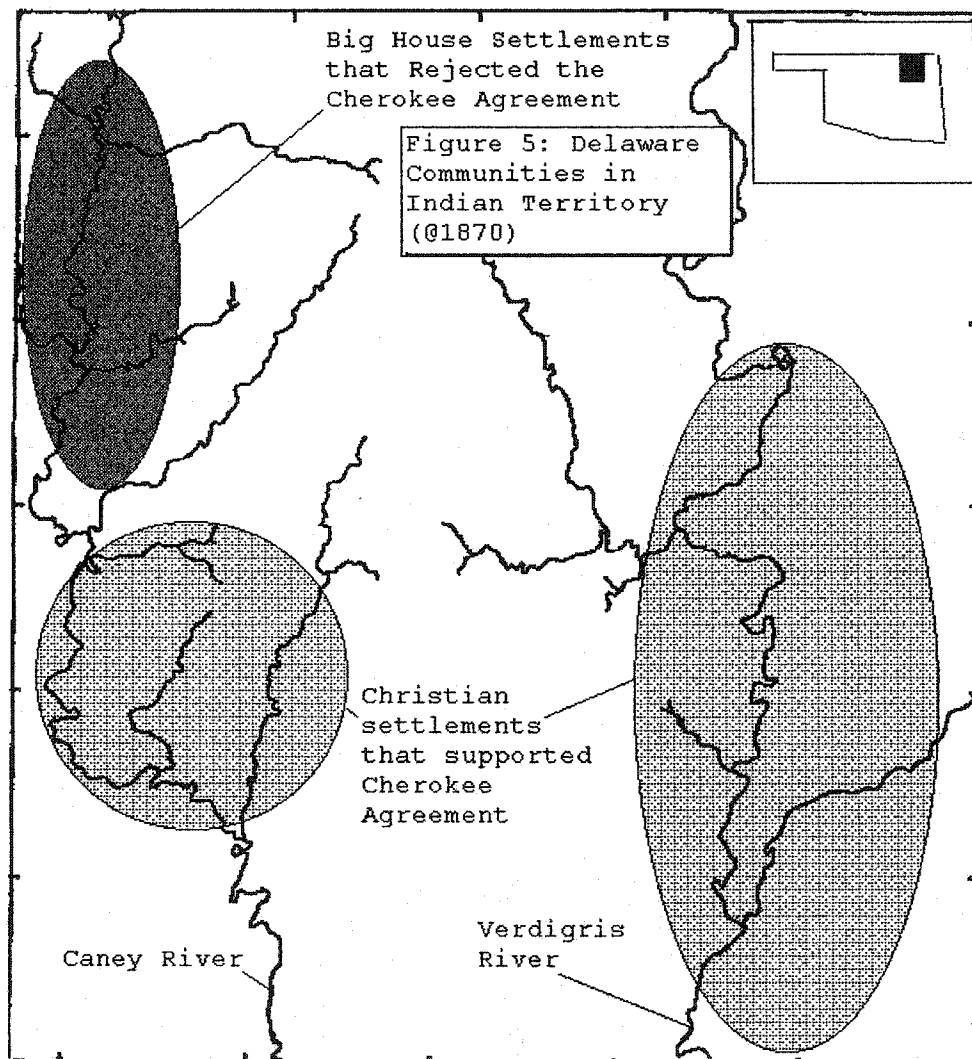
A few months later, the agent led a delegation of Delaware leaders to Washington, D.C. to negotiate an agreement with the delegates from the Cherokee Nation in order to secure the Delaware Tribe's removal to Indian Territory (Weslager 1972:424). In this delegation, John

Pratt, Delaware agent and Baptist missionary, again overlooked the Delaware clan organization and authorized the Christians on the Delaware council as delegates (Weslager 1972:424). Interestingly though, all three clans were represented but only because Big John Sarcoxie, a member of the Wolf clan, replaced his father, Captain Sarcoxie of the Turtle clan, as Assistant Chief. But, this may have been accidental as the clan names were not mentioned in the treaty with the Cherokee (Treaty reprinted in Carrigan and Chambers 1994:A21-A25). It is more likely that this delegation was chosen because of their similar political and religious beliefs as all four signers of the treaty were members of the Baptist Mission run by Agent Pratt (Weslager 1972:424-425, 424-425).<sup>xi</sup>

Since the agreement was negotiated and signed in Washington D.C. and Captain Sarcoxie was not part of the delegation, he along with others, again primarily from the Wolf clan, filed petitions with the commissioner of Indian Affairs.<sup>xii</sup> In the disputed treaty, the Delaware Tribe agreed to purchase land from the Cherokee Nation on which to settle equal to 160 acres per tribal member. The treaty also stipulated that the Delaware were to purchase the right to citizenship in the Cherokee Nation. This second agreement was not a part of the treaty that



Captain Sarcoxie signed between the Delaware and the United States. Despite this, Agent Pratt undermined the official protests submitted by Captain Sarcoxie and later Captain Falleaf, and the more reluctant Delaware families were forced to relocate to Indian Territory by 1869 (reprinted in Cranor n.d.:183-194, Weslager 1972:427).



Dissent over the treaty galvanized existing political and religious sentiments in the Delaware Tribe and the social reality of the groups that coalesced at

removal is still evident today. The tribal divisions evident in the landscape today are most likely the product of a sense of economic collusion that surrounded the partnership between a handful of appointed Delaware leaders and the federal agent, all of which shared the same Christian faith and political ideals.

In 1867, the Delaware established new towns in Indian Territory within a locality now understood as Delaware Country. Roark-Calnek (1980:134-135) refers to these towns as "line communities," which were comprised of groups of families with similar political and religious sentiments that settled in linear riverine settlements primarily along the Caney and Verdigris river valleys.<sup>xiii</sup> Most of the families who favored the agreement with the Cherokee Nation settled along the Verdigris River and the Lower Caney River while the families that opposed the agreement established their own communities along the Upper Caney River and its tributaries (Weslager 1972:441-445).<sup>xiv</sup> Thus, two geographically separate groups defined by political and religious beliefs developed in Indian Territory.

Both groups continued to observe the Delaware practice of holding the council near the home of the chief. The recognized Delaware Council continued under

the leadership of John Conner. He relocated the Delaware Council from his home in Kansas to his home in Indian Territory at Lightning Creek. Charles Journeycake also helped establish the Lightning Creek community where he was a founding member of the First Baptist Church in which he was ordained as a minister in 1872. The Lightning Creek community, subsequently renamed Alluwe, was also the site of the Delaware payment house where the annuities were distributed. Over on the lower Caney River, Big John Sarcoxie, who apparently became an ordained Baptist minister at the same time as his adopted son, Little John Sarcoxie, helped Charles Journeycake establish a Baptist Church near their home at Silverlake (Cranor n.d.:79, Weslager 1972:427,445-446). Both communities attracted intermarried whites and Delaware families including Jacob Bartles and his wife Nannie Journeycake, who established a store on the north side of Silverlake (Teague 1967:116).<sup>xv</sup> Other predominately Christian Communities in which some Delaware families settled were Ketchum, Hogshooter, Fish Creek, Coody's Bluff, California Creek, Mormon Creek and the Forks of the Caney.<sup>xvi</sup>

The communities tended to be comprised of predominately Christian families and the prominent men

from each served in the Delaware Tribal government. With the removal to Indian Territory, clan affiliation became less important and membership in a prominent extended family became more important. Kinship, then, still structured tribal government but it was figured bilaterally instead of maternally. Also, since there were not yet term limits imposed on the Delaware Council, most of these men served throughout their lifetime. Initially, then, two Baptist Churches, established by Delaware preachers that conducted service in Lenape, were the locus of political power and Christian settlement with similar but smaller communities located in the vicinity.<sup>xvii</sup>

Since the economic interests of the Delaware Agent heavily influenced the treaty negotiations, the more conservative Delaware associated Protestantism with unscrupulous political partnerships and a renewed sense of nativism developed. They relocated the Big House from Bismark Grove in Kansas to a site along the little Caney River in Indian Territory (Weslager 1972:419, for its approximate location see Prewitt 1981:2; or Miller 1980b:109). The new building was associated with Colonel Jackson, a Delaware leader who was not made a part of the delegation to Washington. Since Jackson apparently

replaced Big John Sarcoxie as conductor of the Wolf clan ceremonies, this may indicate a shift in the political voice of the community (Grumet 2002:73). This is further evidenced in that the traditional community continued to recognize their own political leadership based on clan membership and rejected the authority of the Delaware Council in Alluwe (Weslager 1972:441-443).

The traditional community was much smaller however and was comprised primarily of Wolf (*Tukwsit*) and Turkey (*Pele*) clans, with the Wolf clan being the most numerically dominant (Grumet 2002:18). The predominance of Wolf clan members among those opposed to the Delaware Council is likely a correlate of the Delaware Council alienating recognized Wolf clan leaders from the treaty negotiations in Kansas.<sup>xviii</sup> Although small, the political opposition settled in four distinct communities along the Upper Caney River basin and the prominent men from each community served as both political and religious leaders.<sup>xix</sup> Julius Fouts was a prominent leader in the Post Oak Community and his home was a well-known meeting place where he often hosted Doll Dance ceremonies and social dances.<sup>xx</sup> To the north on Coon Creek, John and George Anderson were also influential community leaders who participated in the Big House ceremony (Grumet

2002:18-19). Another settlement along Cotton Creek was also established where Colonel Jackson served as one of the more influential leaders. A much larger and somewhat more politically diverse community lived along the Little Caney River. Willie Longbone, who was a singer or *Telekaok* in the Big House, lived near the Forks of the Caney. Captain Falleaf also lived in this area and was a well-respected leader in the Big House community. Other influential leaders like Charlie Elkhair, the Delaware leader identified with the second Big House building, and Frank Wilson, one of the last leaders or *Temiket* of the Big House ceremony, lived further north in the proximity of the Delaware Big House (Miller 1980b:109, Grumet 2002:8,19).

These distinct Delaware groups also recognized their own political leaders. Leadership potential was defined by different criteria based on the religious and family organizations of each local community. The families living in Silverlake, Alluwe and the surrounding communities structured their politics around the local Delaware Baptist Churches as the pastors and church leaders from the prominent extended families were often elected to serve on the Delaware Business Committee. The families associated with the smaller communities in

northern Washington County structured their political leadership around matrilineal clan membership and roles in the Delaware Big House Ceremony. The Big House leaders from the different clans were often looked to and recognized for their role as secular leaders in the community at large. Thus, religious sentiment and leadership helped structure politics in both the Christian and traditional Delaware communities. The two political bodies were distinct in form but their constituencies and support often overlapped and shifted over time.

Since the treaty negotiations had disrupted the clan structure of the Delaware Council, the Alluwe-centered leadership eventually adopted a new form of government. In 1873, supporters of the tribal government in Alluwe elected James Conner, John Conner's brother, as the principal chief of the Delaware.<sup>xxi</sup> In 1877, Charles Journeycake was elected to fill this position and in 1878, another election was held and Charles Journeycake was elected principal chief and Big John Sarcoxie became the only assistant chief. In 1889, the Delaware General Council, which consisted of all tribal members, chose to abandon the assistant chief position and voted to restructure the tribal government, primarily to more

effectively deal with the U.S. Supreme Court cases against the Cherokee for defaulting on their treaty agreements. They elected six delegates to represent them and those elected were from the families in the Christian enclaves (Carrigan and Chambers 1994:124). They were all educated lawyers, businessmen or preachers and were chosen based on membership in certain bilateral extended families and participation in the Delaware social network that revolved around a local Christian Church.<sup>xxii</sup>

Charles Journeycake remained the principal chief but after the court cases were resolved and his death in 1895, the Department of the Interior reorganized the committee as the Delaware Business Committee, which consisted of five elected members from which a chairman was selected. George Bullette, a member of the Alluwe community, served as the first chairman from 1895 to 1921 and he moved the location of the General Council to Dewey, OK (Carrigan and Chambers 1994:125).<sup>xxiii</sup> After Bullette, John Young, from the forks of the Caney, served briefly as chairman in 1921 and was later replaced by Joseph Bartles, the grandson of Charles Journeycake, who served as chairman of the Business Committee for the next 30 years (Carrigan and Chambers 1994:125). Bullette,



Young and Bartles all lived in the Dewey area and as such the Council remained in the town for over 50 years.<sup>xxiv</sup>

The Business Committee continued to cooperate with and petition the federal government to ensure that their treaty agreements were upheld. Although, they did enact legislation, there was no real enforcement or any written document outlining the mechanism by which this committee was to operate (Carrigan and Chambers 1994). Yet, they existed as the recognized body representing the Delaware Tribe in transactions with the federal government. The Delaware Business Committee also developed both familial and political relationships with the Cherokee and European communities in the area. Once the power of the Cherokee Nation was dissolved following Oklahoma statehood, previously tense relations with the Cherokee government healed, and by 1950 members of the Delaware Business Committee were working closely with William Keeler, the appointed principal chief of the Cherokee Executive Committee (Sturm 2002:90).<sup>xxv</sup>

As a political body, however, the Business Committee very rarely included representation from the Big House community. The bias of the Christian families is perhaps best illustrated in that the membership of the committee rarely included Delaware from the traditional

families.<sup>xxvi</sup> Also, the Business Committee did not consider itself to be responsible for encouraging the practice of Delaware ceremonies and language. For example, the Business Committee turned down a parcel of land, which a tribal member wished to donate to the Committee for the purposes of holding Delaware cultural events (Jim Rementer, personal communication, 2002). Feeling disaffected from their own tribal government, the Big House community continued to recognize it's own leadership, which was still based largely on maternal lineage membership and participation in the Delaware Big House ceremonies. But, by the 1920's, support for the Big House leadership and its structure was weakening and the ceremony itself was finally discontinued (Prewitt 1981:71).<sup>xxvii</sup>

In an effort to maintain their own socio-political independence from the Delaware Business Committee, the Big House leaders extended their social network to include the traditional leaders from the neighboring Osage and relied more heavily on their existing ties with the Shawnee living in the White Oak and Sperry vicinities. In Indian Territory, the Delaware and particularly the Big House community settled in close proximity to their former enemies; the Osage. As an act

of friendship, the Delaware held "smokes" annually to establish and maintain an alliance with the Osage (Weslager 1972:429). Also, Delaware elders remember stories about Osage and Delaware social gatherings like horse races and war dances that often took place near the Delaware Big House grounds or at a community member's home.

The Shawnee were also active participants at traditional Delaware ceremonial and social events. The Delaware have counted the Shawnee as friends ever since their shared occupation of refugee villages along the Susquehanna and Ohio rivers. The Delaware and Shawnee have lived in close proximity throughout their shared removal history and the Delaware refer to the Shawnee as their sister tribe (Weslager 1972:440, Howard 1981:40). It is this tradition that continued in Indian Territory where the Delaware remained particularly close to the Shawnee and many Delaware from both the Christian and Big House families are intermarried with Shawnee families. Oral histories and my own research indicate that leaders from the Big House community frequently attended Shawnee events at the Spybuck and White Oak grounds and some Shawnee families in turn attended the Big House ceremony and other Delaware ceremonial events. Although the

Spybuck grounds and the Delaware Big House are now defunct, the traditionally oriented Shawnee-Delaware (individuals with both Shawnee and Delaware heritage) as well as a few Delaware identify with the Shawnee grounds at White Oak.

The Big House leaders also pursued non-Indian partnerships in their overall effort to institutionalize the traditional Delaware political structure and help perpetuate their religious and cultural beliefs. In 1929, Frank Speck and the Pennsylvania Historical Society offered to help revitalize the Big House ceremony and donated \$500 toward the renovation of the Delaware Big House Church. In response, the traditional Delaware leaders met and organized the Big House Committee on June 15, 1929. The nine original members met at Joe Washington's home and passed a resolution to,

accept the amount of \$500.00 ... for the purpose of preserving our native church building known as the Big House ...[and] desire to express our appreciation to Mr. Speck and all others who have contributed to this fund.<sup>xxviii</sup>

With this resolution, the Big House Committee indicated in writing to Speck and the Pennsylvania Historical Society that they were willing to revitalize the Big House Ceremony and were looking forward to working with

Speck and others on the preservation of traditional Delaware culture.

As the days passed, subsequent resolutions made by the Delaware Big House Committee indicate that dissent between the clan leaders was growing. By October of 1929, the Big House committee amended the resolution stating that the committee would not "preserve" the existing church, but build a new church on Fred Washington's allotment along Cotton Creek some miles to the east of the existing Church.<sup>xxix</sup> Although there is evidence to suggest that a new Big House was built in a different location when a new ceremonial leader was chosen, it seemed that there was little need for doing so since the existing church was yet standing (Miller 1989:2). Charlie Elkhair, the then ceremonial leader was also a founding member of the Big House Committee and it seems that there was a dispute over who was to occupy the leadership position. The amendment to move the church indicates that others may have favored placing the leadership and ceremony under the Wolf clan leader, Joe Washington. The majority of the committee, however, supported Charlie Elkhair and the existing Turkey clan leadership and most of the original committee members refused to participate in relocating the church. Support

for the Big House Committee subsequently dwindled and the funds to build the Big House apparently never arrived.

Despite the failed attempt to revitalize the Big House ceremony in 1929, these leaders and their descendants did not give up trying to make their voice a part of the Delaware government, often through somewhat confrontational participation at the Delaware Business Committee meetings.<sup>xxx</sup> Newcomb (1955:1041), for example, commented that the Business Committee meetings were never harmonious and tribal members report that some traditional leaders favored a reorganization of the Delaware Business Committee.<sup>xxxi</sup> In their efforts to preserve a sense of conservatism, the Big House leaders revived the Big House Ceremony during World War II (Newcomb 1956a:110). Reuben Wilson and those still living that had participated in the ceremony held the Big House Ceremony a couple more times in a semi-permanent shelter near Julius Fouts' home north of Dewey. Although the ceremony was not performed for political reasons and was primarily intended to expedite the end of World War II, its connection with the traditional community should not be overlooked as a possible way to re-invigorate support for the culturally conservative leadership (Newcomb 1956:110). In the end, the Delaware traditional

leaders were only marginally successful and the Delaware Business Committee continued largely unchanged as the recognized governing body.

Traditional Delaware identity continued to be associated with the Delaware ceremonial and social dances that were held on Delaware allotments in the rural locations of the Dewey/Copan region. The Fouts family home place was probably the most well-known site. This family hosted a number of stomp dances, Delaware ceremonial observances and war dances as did many other families, including the Paces, Jacksons and the Falleafs. The Native American Church was very active among the traditional families and meetings were held at the Anderson, Elkhair and Washington home places among others (Petrullo 1934, Newcomb 1956b, Roark-Calnek 1977).<sup>xxxii</sup>

The Delaware soon found themselves in the midst of a massive increase in Euro-American settlement fueled by the discovery of easily accessible oil fields in Delaware Country. Most of the towns plotted during the transition to Oklahoma statehood dramatically increased in population and towns like Bartlesville, Copan, Dewey, Alluwe, Nowata, Delaware and Chelsea are often characterized as oil "boom" towns (cf. Teague 1967). It is at the moment of European settlement following

Oklahoma statehood that a crucial distinction between the Big House and Christian Delaware becomes evident. The three Delaware Baptist Churches in Alluwe, Silverlake and California Creek and the Methodist Church in Ketchum welcomed both Indian and non-Indian participants. The Delaware Big House adherents frowned on white participation in the ceremony and there were incidents when Delaware participants would refuse to perform the ceremony if Euro-Americans were present.

The influx of white settlement that followed statehood soon became a part of the Delaware Christian congregations. Since the new membership was drawn largely from a population that believed in the same religion but not related by kinship, intermarriage between whites and Christian Indians increased. This also translated into fewer Lenape speakers and the pastors were forced to use English in their sermons to ensure wider comprehension. The transition from Lenape to English in the Delaware Churches is difficult to pinpoint for each church, but in general this process began with Oklahoma statehood in 1907 and was completed at some point during the 1920's.

The shared belief in Christianity helped facilitate Euro-American settlement within the Delaware communities.



When oil was discovered in the Alluwe area in 1905, the Journeycake Church found itself in the center of the increased Euro-American settlement that lasted until the 1920's but the large number of English only speakers meant that the service was no longer performed in Lenape. Delaware sermons at the Silverlake Baptist Church also ceased around the turn of the century when a new church was built one mile north on the south side of the growing city of Bartlesville. The Silverlake Cemetery is located in the middle of the Hillcrest Golf Course and marks the location of the original Silverlake Church. In 1910, the third Delaware Baptist Church originally founded in the California Creek community was moved to the town of Delaware. The Church building was moved again in 1920 but remained in the town of Delaware. Many of the families from the surrounding communities like Coody's bluff, California Creek and Mormon Creek continued to attend the Delaware Baptist Church and some relocated to Delaware or the nearby town of Nowata.<sup>xxxiii</sup>

The Christian families were, by the 1930's predominately located in what developed as the larger towns in Delaware Country and these families continued to dominate the Delaware Business Committee. The affinity between the social and religious networks of the

Christian Delaware with the large Euro-American settler population caused the urban spaces to become associated with their political and religious sentiments. Although Copan and Dewey were also large and successful "boom" towns in the early twentieth century, the Euro-American settlers that comprised the vast majority of the population only interacted with the Big House community through socio-economic, not on religious terms. Thus, the urban areas of Dewey and Copan, even though they were located near the Big House communities, retained a sense of Christianity while the Delaware ceremonial institutions and events took place in the "rural" Delaware settlements and were attended by Delaware followers and those from neighboring tribes.<sup>xxxiv</sup>

Although religious belief was a part of the diversity that existed among the Delaware, as I have suggested, the intra-group distinctions were more complex. In fact, it is more instructive to think of these differences as a composite of three continuums. The Business Committee and the Big House leadership indexed the poles of the political spectrum. The religious spectrum was defined by Delaware ceremonialism and Christianity and the locality spectrum contrasted rural versus urban places. This model was the ideal

structure for Delaware identity, but in practice, Delaware people often did not fit neatly at either end of the spectrum but rather most identified at different points on each continuum. In practice then, the ideal binary oppositions were not mutually exclusive, but they were recognized as opposing cultural markers that went hand in hand with political differences that were embodied in specific locations. Urban areas were and continue to be the Christian world while the rural settings along the Upper Caney River are identified as traditional. Thus, a complex web of religious and political identity developed that connected to a sense of place in ways that conflated notions of urban and rural with the existing kin-based social structure.

Figure 6: Delaware political spectrum

Big House	Business Committee
Delaware Ceremonialism	Christianity
Rural	Urban

For almost one hundred years, the different Delaware political groups, defined by family membership and localized in specific communities, attempted to negotiate a tribal government that would adequately represent the

diversity of the Delaware Tribe. They subsequently mapped their internal political differences and family histories onto the landscape creating particular senses of place for Delaware Country. The local environment, then, reflects a history of cultural, political and religious differences in the Delaware Tribe that continues to inform contemporary identity and social life.

#### Continuity of Tribal Diversity after World War II

As more and more Delaware children were educated in boarding schools or the local public schools they returned home having lost the ability to speak Lenape.<sup>xxxv</sup>

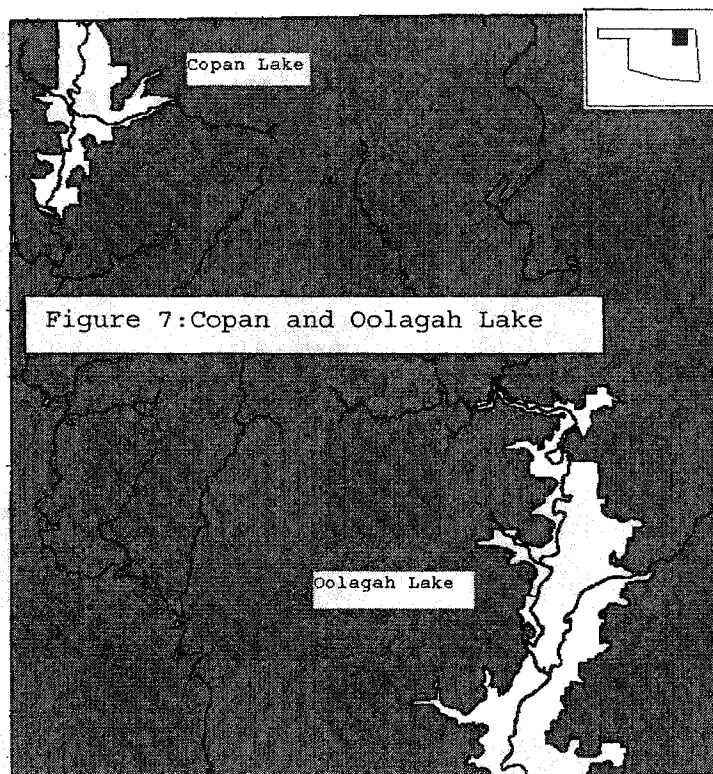


Figure 7: Copan and Oolagah Lake

Also, many Delaware men followed in their grandfather's footsteps and enlisted in the military service while

others moved out of state in search of better employment opportunities.

In the midst of all this change, the federal government embarked on the construction of water reservoir and flood control projects in the 1960's intended to increase agricultural productivity in the region. Oolagah Lake was completed in the late 1960's and Copan Lake had not filled until 1984. The remnants of the rural Delaware communities that remained on the fertile flood plains of the major rivers were displaced and forced to relocate. Managed by the Corps of Engineers, these lakes now cover what used to be entire communities. The surrounding land condemned for flood purposes includes the two sites of the Delaware Big House, the Delaware payment grounds and a number of cemeteries that had to be moved from the river bottoms (Prewitt 1981:2). Those Delaware who still owned their allotments or who had inherited the title to them were now forced to sell and move to the local regional centers. By the 1980's, the traditional sense of place associated with the rural areas of Delaware Country was limited to a relative few allotments that were not impacted by the reservoir projects.<sup>xxxvi</sup> The importance of place remained, however, and social events performed and

organized in the spirit of Delaware traditionalism continued to be held in the rural locations of northern Washington County.

The attraction of better jobs in the regional centers combined with the disintegration of the Delaware settlements helped draw the new generation of Delaware men and women, born after 1907, in to town. Delaware men and women became more active in new social events that relied on existing intertribal and interracial social networks (Newcomb 1955:1041-1044). The descendants of the Delaware Big House community continued to differentiate themselves as a traditionalist community in opposition to the descendants of the Christian enclaves (Miller 1980b:109, Prewitt 1981:71-72). In their efforts to continue a sense of Delaware traditionalism, these descendants developed both Christian and intertribal organizations that, at times, attracted Delawares and those from other tribes living in the Christian oriented urban centers (Newcomb 1955:1041-1044). In a sense then, a sort of political healing took place as a result of economic pressures and federal land confiscation, but ideologically Delaware people still recognized that a difference existed within the tribe. One group was

raised in the rural Big House community and the other in the urban and predominately Christian world.

The founding of the New Hope Indian Methodist Church and the Delaware Powwow provide good examples of how self identified traditionalists relied on existing social networks with other tribes and intermarried whites to construct new organizations that were fundamentally inspired by the memory of the Delaware Big House. One Delaware woman recalls the story about her mother's role in helping initiate the Indian Methodist church.

The Big House, that was really important to her and the last time they had it then was during the war, and they quit after that ... at the time we were going to stomp dances at Bill and Thelma Pace's ... down from their house to the south is Coon Creek ... Well they fixed a stomp area and we'd have; go to stomp dances down there and it was just, it would be just packed. I mean there would be a hundred Indians down there and they'd be, you know, having a good time and everything. And mom was, she talked to Bill Pace and told Bill, said Bill we should have a church for all these people, said there is no church for them and they'd go [to] different churches, some of them did and he said, well we'll see about it, you know, because Bill had been a minister at one time.

From this explanation, we can see the way that memories from the Delaware Big House informed the establishment of social and religious practices. In this instance, both the stomp dance attendees and the Indian Methodist Church congregation were connected to the spirit of

traditionalism embodied in the Delaware Big House Ceremony.

Bill Pace contacted the Methodist church and after some time a representative returned with a new preacher. Eight original members, which included Delawares, Cherokees and Whites, established a charter and began holding services in the Dewey park until they could secure a proper building, which was built on the west side of town just outside of Dewey, OK. Anna Davis named the church New Hope and the church soon attracted Indian families from the Dewey area. Today, the predominately Delaware, Cherokee and White congregation has grown to include Osage and Shawnee families as well.

Although other intertribal organizations were founded following World War II, the Indian Methodist Church was distinctive.<sup>xxxvii</sup> Because of its historical development and location it is marked with a sense of Delaware traditional sentiment. Similar to the ways in which Native American Church, powwow and stomp grounds are given a tribal identity despite intertribal participation, the Methodist Church is today a "Delaware" church that welcomes all people to worship. In fact, when the Bartlesville Indian Women's club secured funds to support Cherokee and Delaware language classes, the



Delaware classes were taught in the Methodist Church, while the Cherokee classes were taught in Bartlesville. The Methodist Church then, although an undeniably Euro-American institution was internalized as a Delaware one because of it's association with the participants at the Pace family stomp ground and it helped encourage a renewed Delaware identity that remained linked to a respect for the moribund Big House ceremony.

In much the same way, the Delaware Powwow began as an innovative way to bring the old structures and meanings together with new social realities. In 1965, Don Wilson and Numerous Falleaf, who were both descendants of the Big House leaders, held the first annual Delaware Powwow at the Falleaf Stomp Grounds on Cotton Creek. The organizers hoped to use the more popular aspects of other powwows to encourage and increase the awareness and continuation of Delaware songs, dances, stories and dress. Today, the Delaware Powwow is one of the premier powwows in northeastern Oklahoma, but like the Methodist Church, it maintains a particularly Delaware sense of place because of its rural location and family affiliation as well as Delaware practices such as woodland social dances and Indian football games.

Despite a change in Delaware social events the general distinctions about family and place remained. The rural landscape of northern Washington County continued to be looked to as distinctly traditional while the Bartlesville, Nowata and Chelsea regions were regarded as the more Christian dominated areas. Today this is evident in that the elected leaders are understood to represent specific constituencies from Bartlesville, Nowata or Chelsea. Similarly, even though the Big House ceremony was no longer performed and the Christian Churches stopped using the Lenape language, both continued to serve as symbols that were respectively identified with the different Delaware family lineages. Because new intertribal organizations and events relied on existing social networks and identity symbols associated with the traditional community, participation in these events was soon connected with a sense of traditional Delaware identity. Participation in the urban Christian churches was not seen as assimilation but more of a continuation of the Christian Delaware social network.

It is clear that the landscape of Delaware Country provides a road map for understanding Delaware identity. On many levels, the prairie landscape continues to

signify religious, political and family differences and the multiple meanings embodied in different locations throughout Delaware Country serve as internally understood markers of different identities. Fred Falleaf described the connection between Delaware identity and the landscape in an interview conducted in 1969. He stated,

Nowata County over in there. Over on Alluwe, now that's part of Delaware Country ... Yeah, I even think that's where that Journeycake bunch was. Yeah, over in there ... Yeah, they bought in with the Cherokees. They give them the same rights that they've got. They've got the same rights of the Cherokees.<sup>xxxviii</sup>

As Mr. Falleaf indicates, the local geography, like the tribal seal, represents the internal diversity and tension in the Delaware tribe as well as their shared history. When Mr. Falleaf refers to the "Journeycake bunch," he is identifying the Delaware lineage descended from Charles Journeycake and his daughters. Mr. Falleaf's response is typical in that a lineage name automatically triggers a place name that also identifies one's political and religious sentiment. Although Mr. Falleaf is Delaware and so are the Journeycakes, the Falleaf family lineage is associated with the traditional Delaware geography that is connected with the Delaware

Big House and opposition to the agreement with the Cherokee Nation. The Journeycake family lineage, on the other hand, is identified with the Christian Delaware geography associated with Christian churches and support for the Cherokee-Delaware Treaty.

In light of the historical context I have provided for Delaware identity politics it is understandable that Mr. Falleaf would separate himself from the Journeycake lineage whose apical ancestor signed the agreement with the Cherokee Nation and served as an important leader in the Delaware Christian community. Although Mr. Falleaf and most of his fellow Delaware understand their differences in terms of a traditional versus Christian divide, the divisiveness indexed by these labels is complex. Delaware cultural diversity has been made a part of the local landscape and serves as the foundation for Delaware identity and political action. Within the field of Delaware identity politics, there exists a cultural ethos that informs the ways in which social action takes place. In the next chapter, I explain what I have noted as a uniquely Delaware practice for avoiding and resolving social conflicts.

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<sup>1</sup> The other three symbols represent the three clans of the Delaware Tribe; the turkey (fowl), the turtle and the wolf (canine). In the center of this diamond configuration, sits the Messing next to a

Fire Drill and long Peace-Pipe lies across both. All of this is encircled by twelve prayer sticks that provide the outer border on which is written "Seal of the Delaware Tribe," on the top and "Lenni Lenape" on the bottom. All of this appears in the tribal colors of red and black.

<sup>ii</sup> E. Jane Dickson-Gilmore (1999) provides a similar interpretation of Kanawake Mohawk political factionalism and Lewis (1991) shows that the model of conservative versus progressive factionalism is not useful for conceptualizing Ute politics.

<sup>iii</sup> Raymond Demallie (1988) gives a similar historical perspective on the meaning of traditionalism for the Lakota.

<sup>iv</sup> Cultural geographers were the first to discuss the importance that place has for group identity. For neo-marxist and postmodern approaches that deal with similar issues see Harvey (1990) on postmodernism and place and also Harvey (2000), which gives an interesting historical analysis of place in medieval Europe, Duncan and Ley's (1993) edited volume offers some good case studies, Keith and Pile's (1993) work on Navajo Sacred Places is directly relevant to Native American ethnography on place and Massey's (1994) discussion of gendered spaces adds another dimension to this literature.

<sup>v</sup> Tribal territories among displaced peoples in Oklahoma are not fixed but constructed in response to forced relocations, internal tribal differences and external political and economic pressures. Beyond Native American Ethnography, Liisa Mallki (1992) demonstrates that Hutu refugees were unified by the very concept of displacement and the re-creation of homeland.

<sup>vi</sup> Following the nativistic movement in 1806, led by Chief Anderson and described in detail by Jay Miller (1994), the Delaware banned Christian missionaries from access to the tribe. Later, when Issac McCoy traveled to the Delaware settlements on White River, some chiefs promised him that he could return after the tribe was relocated west of the Mississippi. McCoy kept in contact with the Delaware during their sojourn in southwest Missouri and later when the Delaware finally relocated to their reserve in what would later be northeast Kansas, he was the official surveyor of the Delaware reserve. In 1836, Rev. Ira Blanchard established a Baptist mission school near Edwardsville. After being destroyed by a flood, Rev. John Pratt rebuilt the mission on higher ground and prominent Delaware leaders such as Charles Journeycake and John and James Conner were active in this church. Pratt later stepped down from this mission after being appointed the Delaware agent in 1864 (Weslager 1972:370, 384-385). The Methodists were the first to establish a mission on the Delaware Reserve. In 1832, the Methodists built a church and school five miles north of the old Delaware Crossing and soon the White Church community was established. Captain Ketchum, the first Christian Delaware Chief was converted in this church and is laid to rest at the White Church cemetery (Weslager 1972:388). The Moravians of United Brethren were the last to build, constructing their mission in 1837 on the north bank of the Kansas River near the town of Munsee. Not surprisingly, the congregation was mostly Munsee and included a few Stockbridge families as well (Weslager 1972:384). These Christian based Delaware communities held together in the removal to Indian Territory. Many of the Moravian Christian Delaware remained in Kansas, while the Baptist and Methodist families settled around the

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re-established churches at Alluwe, Silverlake and Ketchum in Indian Territory. For more specific information on Delaware family histories see DF-BPL.

<sup>vii</sup> While settled in what would later become eastern Ohio, the Delaware Council (then called Lupwaaenoawuk or wise men) was faced with the decision of whether or not to allow Christian Delaware onto the Council. This matter became increasingly important due to the success of the Moravians and their conversion of many Delaware during the eighteenth century. After much discussion, the Council agreed that converts would be allowed on the council (Weslager 1972:288).

<sup>viii</sup> See (Goddard 1978b:225) for overview of Delaware clan based political organization. In Kansas, Captain Ketchum was the first "Christian" Delaware principal chief, but he was also of the Turtle clan and was appointed as principal chief through matrilineal ascendancy even though he was a converted Methodist. Ketchum served from 1849 to 1858 and was succeeded by his maternal nephew John Conner, also of the Turtle clan (Weslager 1972:387-390).

<sup>ix</sup> I am speaking, in particular about the last three Delaware agents; Thomas Sykes, Fielding Johnson and John Pratt. Although a number of accusations have been made about the use of liquor and land to obtain tribal signatures, this form of bribery was not uncommon in federal negotiations with tribal representatives (cf. Weslager 1972:413-415). Perhaps more illustrative is how the power afforded these agents affected a disregard for clan representation in the Delaware Tribal Council. For example, In 1861, Kockatowha, who was chief of the Turkey clan, died and the Delaware agent brought the council together to name a new chief. He nominated Charles Journeycake who, according to the agent, was unanimously confirmed by those assembled in 1861 (Weslager 1972:391). Journeycake was, however, not a member of the Turkey clan as his mother was a member of the wolf clan (Morgan 1959:52). But, what was more important to Agent Sykes was that Journeycake was a prominent member of the Baptist Mission. At the time, the mission was under the parsonage of John G. Pratt who was later appointed as the Delaware agent in 1864 and with whom Journeycake was a close friend. Journeycake's daughter Nannie even married the minister's son, Lucius and the couple later ran the Baptist mission near Edwardsville, KS during Pratt's tenure as Delaware agent (Weslager 1972:385-387). It is also interesting to note the parallel between the federal agents in Kansas and the Moravian Missionaries in Ohio. Obviously, the Delaware agent was a strong voice in the Delaware Council just as Weslager (1972:289) reports that Moravian ministers such as John Heckewelder and David Zeisberger were also counted in the Council's held on the Tuscarawas. Ever since the American Revolution, the United States has negotiated with the Delaware Council through these intermediaries and in this alliance Christian Delaware are often associated historically with the Pro-American sentiment.

<sup>x</sup> While in Kansas, the Delaware were party to five treaties with the United States prior to the Treaty of 1866 (Carrigan and Chambers 1994:A92).

<sup>xi</sup> The delegation did include Captain Sarcxie's son, who is reported to have been the last person to "bring in" another form of the Big House ceremony in Kansas (Grumet 2002:73). He later became a Baptist preacher in Indian Territory. The delegation also included

other members of the Baptist mission like John and James Conner, Charles and Issac Journeycake, Joseph Armstrong and Andrew Miller. Also in the delegation were Reverend James Ketchum, Black Beaver, Henry Tiblow and John Young (Weslager 1972:425). But only the members of the Baptist Mission John Conner, Charles Journeycake, Issaac Journeycake and Big John Sarcoxie appear on the agreement signed between the Cherokee and the Delaware (Carrigan and Chambers 1994:A24). Indeed, here is also some indication of the extent to which the leadership of the eastern and western Delaware coordinated. John Conner, the principal chief of the eastern Delaware at this treaty negotiation had only recently moved to Kansas in 1860. Prior to this, he lived on the Texas frontier as a leader and landowner among the western Delaware. Since Black Beaver, also a prominent leader among the western Delaware, was among the delegation, this probably represents the fact that the western Delaware, along with other tribes loyal to the Union fled from Oklahoma Territory to different agencies in Kansas during the Civil War (Hale 1987:74-80).

<sup>xii</sup> It is has never been explained why the delegates were asked to travel to Washington D.C. to come to a resolution. Past treaties between the Delaware and the United States were signed in Kansas. Furthermore, this was an agreement between the Delaware and the Cherokee, not the United States and since Tahlequah, the capital of the Cherokee Nation, was less than 300 miles from the Delaware Agency, it would seem even more unreasonable to travel to Washington, D.C. The Delaware were familiar with the route to the Cherokee Nation and even representatives, including Captain Sarcoxie, who had previously traveled to the Cherokee Nation and other areas of Indian Territory for the purpose of locating suitable land (Weslager 1972:409). Clan membership did help mobilize resistance as the wolf clan was the most vocal and is the same clan Journeycake overlooked in his appointment to the Turkey clan chief (Weslager 1972:391). Also, see January 16, 1867 Protest Letter to the Honorable Commissioner of Indian Affairs from Captain Falleaf on behalf of 701 members of the Delaware Tribe of Indians (reprinted in Carrigan and Chambers 1994:A31-A34); and June 13, 1867 Protest made by Capt. Sarcoxie and others on behalf of the Delaware Tribe of Indians to the Hon. Commissioner of Indian Affairs, Delaware Nation (reprinted in Cranor, n.d:193-194).

<sup>xiii</sup> I have developed a partial list and map of the locations of these settlements. Some of them were simply given the name of the creek settled like Cotton Creek, Coon Creek, Hogshooter, Post Oak and Silverlake, while others took the name of their founder like Coody's Bluff, Ketchum, Fish, and Bluejacket. Still other communities like Alluwe were given Delaware names. Interestingly, the regional centers that developed after statehood were named in a similar fashion, which may come as little surprise since these towns were often founded by Delaware and intermarried entrepreneurs. For example, Bartlesville is named after Jacob Bartles who, although of European ancestry, was married to Charles Journeycake's daughter and had lived with the Delaware in Kansas, Nowata is a corrupted Lenape word, Noweta, which means welcome, and the Armstrong, Journeycake and Ketchum families were instrumental in its incorporation. The connection with the Delaware and to other regional centers, Delaware and Lenapah, is obvious (Teague 1967, Cranor 1985). Also, other tribes shared this part of Indian Territory with the Delaware

settlers. The Loyal Shawnee were also forced to move from Kansas to Indian Territory and in 1869 they too signed an agreement with the Cherokee Nation but unlike the Delaware Tribe they did not purchase land or citizenship (treaty reprinted in Carigan and Chambers 1994: A26-A27). Some Shawnee families settled in the Delaware communities but the distinctively Shawnee settlements predominated along the drainages between the Verdigris and the Grand Rivers. The Shawnee built their ceremonial grounds at White Oak along Pryor Creek and later established the Spybuck grounds along Bird Creek, (see Howard 1981 for detailed discussion of Shawnee settlement). Along with the Shawnee, there was an equally significant Cherokee population in Delaware Country, yet I have found no evidence of a Cherokee ceremonial ground in the region. I have been told that a Cherokee Church did exist at one time in the predominately Cherokee settlement of Matoaka south of Bartlesville. Thus, even though Cherokee people lived in this region, the culturally conservative Cherokee settlements and religious sites were and continue to be located within the Ozark Plateau region east of the Grand River (Warhaftig 1968: 511, Bays 1998:76, Sturm 2002:12,146-150).

<sup>xiv</sup> Reverend James Ketchum settled along the Grand River near the town today bears his surname; Ketchum, OK (Weslager 1972:444). But, its identity as a specifically Delaware town is somewhat uncertain and requires further archival research, but my initial hypothesis is that this community was comprised of relocated Delaware families that were members of the Methodist Mission in Kansas. This town and its leaders, although Christian, were somewhat marginalized from the Baptist dominated Delaware Council in Indian Territory. Today, the locations of the Baptist and Methodist Delaware communities are evidenced by a handful of cemeteries that remain intact and maintained by either the Delaware Tribe, the state, county or individual efforts.

<sup>xv</sup> Journeycake's daughter, Nannie Journeycake Pratt remarried Jacob Bartles, a European trader and entrepreneur who had lived and fought with the Delaware while in Kansas, and they moved to this area in 1873 where Bartles established a trading post on the Caney River. After competition grew from other intermarried Whites, he moved his store four miles up the river where he founded the present town of Dewey, OK. In Dewey, Nannie started holding the first church services and later founded the First Baptist Church in Dewey. For more complete descriptions of each community see Teague (1967).

<sup>xvi</sup> Reverend James Ketchum, who was a Delaware leader present at the treaty negotiations and ordained minister since 1860, built his home along the Grand River near the present town of Ketchum, OK. John Young, a lay preacher and also a representative on the Washington Delegation, settled on the Forks of the Caney where a Baptist church was later built (Weslager 1972:444).

<sup>xvii</sup> Little anthropological work exists about the Delaware Christian beliefs and practices but it is certain that Lenape was spoken throughout the entire service (Weslager 1972:444). Also the pastors of each congregation served as the political leaders of the community and since the federal government recognized these men, they held the political power.

<sup>xviii</sup> Most of the information on this community was recorded after the turn of the century by various ethnographers (cf. Grumet 2002). Since these families were rarely involved in official tribal business very little primary sources exist beyond the ethnographic



record and as such I rely heavily on modern oral history, ethnohistorical sources and ethnography to reconstruct their particular social dynamic.

<sup>xix</sup> Although there was no singular political organization in the traditional community, the previous form of government under Chief Anderson had made political leadership, embodied in the Big House ceremony, synonymous with ceremonial competence; see Miller (1994) for further discussion.

<sup>xx</sup> Julius Fouts was a very successful farmer in Washington County prior to the Great Depression; see DF-BPL for more on Fouts family. It is significant to note that Mark Harrington's fieldwork (during which he obtained most of his data on the Big House Ceremony) came primarily from this prominent family from the Post Oak community. Grumet (2002:61) reports that Harrington's main informants were Charlie Elkhair, Julius Fouts, Minnie Fouts and William Brown and my research indicates that not only did these individuals figure prominently in Harrington's photographs, they were also from one family. Julius Fouts, in particular, appears in a number of photographs including one demonstrating the use of a fire-drill and another at the Delaware Big House. Charlie Elkhair was Julius's uncle who actually adopted and raised Julius after Julius' parents died while Julius was still a child. William Brown was Minnie (Bullete) Fouts' uncle and she was Julius Fouts' wife. All four served in the Big House Ceremony and appear in Harrington's photographs. Minnie was an *Ashkas* or ceremonial attendant (Grumet 2002:19). She had previously been married to Willie Longbone, who was a *Taleka* or singer in the Big House, and their son, Ray Longbone, lived next door. The Fouts family also extended their familial networks through adoption but since family adoptions in the Delaware way were informal, they went unrecorded. For example, the Fouts adopted George Bullette's daughter, which was also Minnie's niece and perhaps even adopted Charlie Whitefeather as I was unable to find any consistent genealogical information on Charlie and Minnie Fouts was responsible for Charlie's funeral expenses. The discussion above is based on material from the DF-BPL.

<sup>xxi</sup> After Conner's death in 1872, an election was held to name the successor. Reverend James Ketchum of the Methodist community in Ketchum, OK, won the election. After the election was contested by the Journeycake faction, the election was recalled and James Conner, a member of the Alluwe Baptist community and John Conner's brother was elected principal chief, with Charles Journeycake and James Simon as the assistant Chiefs (Carrigan and Chambers 1994:22).

<sup>xxii</sup> The first Delaware elected executive council consisted of Big John Sarcoxie, Andrew Miller, John Young, Henry and Arthur Armstrong, and Filmore Secondine (Carrigan and Chambers 1994:22).

<sup>xxiii</sup> The four members of the first Delaware Business Committee were Little John Sarcoxie, Jr., John Secondine, Henry Armstrong and John Young (Carrigan and Chambers 1994:22).

<sup>xxiv</sup> The host locations for the Delaware General Councils convened in Indian Territory and later the state of Oklahoma are indexed in the General Council Minutes File at the Delaware Tribal Library (hereafter GCMF-DTL). George Bullette was from Alluwe and after his wife died, he moved closer to his sister, Minnie Fouts, who had adopted his daughter and his allotment was located next to Minnie Fouts and other siblings in the Post Oak community. Similarly, as the son of Jacob Bartles, the wealthy landowner whose investments

helped establish railroad depots at Bartlesville and Dewey, Joseph Bartles lived in the town of Dewey and his allotment was located just outside the city limits. John Young was a Baptist but he established a small settlement at Caney Fork in the vicinity of the Big House community (Teague 1967, Cranor n.d., 1985). See DF-BPL for more on Delaware family history. The imperfect reality of Delaware residence patterns points out the obvious fact that my interpretation is generalized as is Delaware sense of place. Christians lived in the Big House community and attended many Delaware ceremonies just like members of the Big House community lived in the predominately Christian settlements and attended the local churches. This however does not negate that currently and historically distinct meanings were given to these places by Delaware people, which is the point of my overall analysis.

<sup>xxv</sup> Much more could be said about these relationships. Prior to statehood, the Delaware Tribe was in constant legal battles with the Cherokee over the interpretation of the agreement. In every case, the Cherokee Nation was unwilling to consent to certain treaty obligations and finally the Supreme Court had to provide the enforcement (Weslager 1972:447-450). Oklahoma statehood took away Cherokee authority and as a result, Cherokee leaders especially those who called Delaware Country home, formed political and familial alliances with Delaware leaders. The Keeler family is the most memorable example among Delaware elders. When Eisenhower appointed Keeler as the Chairman of the Cherokee Nation executive committee in 1948, he was already a powerful economic and political leader from Bartlesville. As the Chief Executive Officer of Phillips Petroleum Company, he either owned or leased most of the Delaware allotments and he also employed many Delaware people, including some of the attorneys who served on the Delaware Business Committee. This affected a strong partnership between Keeler and Delaware Chairmen and committee members, which at the time enhanced the political capital of both bodies. This close partnership was undermined when Ross Swimmer replaced Keeler and the relationship between the two tribes was lost as he pursued efforts to undermine the Delaware government.

<sup>xxvi</sup> For a compilation of those elected to serve on the Delaware Business Committee see: GCMF-DTL.

<sup>xxvii</sup> Many reasons have been given for the discontinuation of the Delaware Big House in 1924. The most convincing argument comes from Prewitt (1981), who systematically explained the demise of the ceremony as a result of increased marriages outside the Delaware Big House community. I would add that after the ceremony was discontinued, the old Big House leaders continued to act as authoritative voices in the community, but without the annual ceremony their political effectiveness in resisting the Delaware Business Committee weakened and they began to be more accepting of external help.

<sup>xxviii</sup> A copy of this agreement can be found in the Fred Washington collection at the Delaware Tribal Library (hereafter FWC-DTL). The Fred Washington Collection was made available courtesy of Jim Rementer.

<sup>xxix</sup> Although further research is required, it seems that the amendment may have been politically motivated. Since the Big House community was a small group organized by clans which were numerically dominated by the Wolf and Turkey clans, moving the Big

House to the Washington allotment would have placed the ceremony under the ownership of the Wolf clan with Joe Washington as the new ceremonial leader. The Wolf clan ceremony was different than the Turkey clan ceremony related to Speck and Harrington by leaders of the Turkey clan. The wolf clan ceremony lasted eight days and would have to have been performed by Joe Washington, thus placing him as the ceremonial leader (Grumet 2002:61,87-94,116-117).

<sup>xxx</sup> My preliminary findings indicate that Speck may have continued to pursue funding for their efforts (Grumet 2002:116). The FWC-DTL also contains correspondence with Speck concerning possible funding opportunities.

<sup>xxxi</sup> The FWC-DTL contains numerous letters between Fred Washington and Frank Speck, and in these letters Washington always addressed his letters as Lenape Nation, and interestingly Speck uses this reference in his notes (Grumet 2002:117). The material in the FWC-DTL indicates that there was an interest in establishing a separate structure of Delaware leadership among the traditional families as the collection contains a vast amount of information on the Oklahoma Indian Welfare Act (OIWA) and other federal programs ranging from vocational training to improvement programs. Also, the descendants of the Big House leaders continued their parents' challenge against the legitimacy of the Business Committee. Ed Wilson (Reuben Wilson's son) and Anna Davis (William Brown's granddaughter) challenged the Business Committee's authority and tried to reorganize the Delaware Tribe under the OIWA in the mid twentieth century. Yet, the Business Committee remained the dominant form of Delaware tribal government until their tribal recognition was terminated in 1979.

<sup>xxxii</sup> There were also Shawnee-Delaware families that hosted events and Native American Church meetings, which the Delaware identify as either Shawnee or Shawnee-Delaware because of their location and/or family lineage.

<sup>xxxiii</sup> My discussion on the history of the Delaware founded Christian churches is drawn from the Bartlesville Examiner periodical collection at the Bartlesville Public Library (hereafter BE-BPL) and the Nowata Star periodical collection at the Nowata Public Library (hereafter NS-NPL).

<sup>xxxiv</sup> Charles Journeycake's daughter founded a fourth Delaware Baptist Church in the town of Dewey after Oklahoma Statehood. Today the Church is locally known as the Journeycake Church.

<sup>xxxv</sup> Many Delaware elders were educated in local boarding schools such as Haskell, Chilocco, St. Mary's and Bacone.

<sup>xxxvi</sup> See: Associated Resources, Inc. letter to Gina Carrigan, Esq. Jan. 16, 1998, TEF-DTL, which states that the majority of Delaware allotments that remain in restricted status are located in northern Washington County. Because of similar demographic trends, the Spybuck grounds were not used after 1937 and the Shawnee ceremonial events were consolidated at White Oak. Some Shawnee families from Bird Creek relocated to the Little Axe/Absentee Shawnee settlements. A smaller number of Shawnees from Bird Creek, as well as some Delaware families, moved to Osage county to work for Osage families possessing oil wealth (Jason Jackson, Personal Communication, 2002).

<sup>xxxvii</sup> The most influential intertribal organization was and is the Bartlesville Indian Women's Club. Once founded it has sponsored numerous powwows, suppers, and language and cultural initiatives for the local intertribal community in the Bartlesville area. Newcomb

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(1955, 1956a) regards these groups, including the Native American Church, as Pan-Indian. Although this is consistent with the accepted anthropological interpretation of the time, I agree with Jason Jackson's (2003a:301-303) conclusion that it is more instructive to think of these groups as intertribal organizations for the expression (not suppression which is implied in Pan-Indian interpretations) of tribal identities.

<sup>xxviii</sup> Falleaf, Fred. Interview by Katherine Red Corn and J. W. Tyner. Page 16, Delaware Indian Oral History, Volume 31. T-299 (7pp.), T-377 (5pp.), T-377-2 (30pp.), T-512 (2pp.), Y-512-1 (22pp.), Doris Duke Collection, Western History Collection, University of Oklahoma Norman (Hereafter DDC-WH),

## Chapter Three

### The Culture of Delaware Politics:

#### Kwulakan and the Woodland Harmony Esthetic

It was always difficult for me not to stray from discussing politics, especially when I had the opportunity to talk to elders in the community. As a result, these interviews never went exactly as planned. On one such occasion I found myself enjoying a very informal discussion with a granddaughter of the late ceremonial leader, John Falleaf. We exchanged stories about our lives that had absolutely nothing to do with my research topic. Realizing that I had lost focus, I reeled myself back in to the task at hand. I changed the subject back to Delaware politics and asked rather straightforwardly if she thought the Delaware Business Committee cooperated with the traditional leaders like her grandfather. Sensing the direction I was going, she thought back and a sense of nostalgia settled over her. She responded, "Oh, I remember them telling me this too, and this is from my grandpa's mouth and my grandma's both." Then she paused almost in an attempt to mimic the memory of her departed grandparents and her tone shifted

from melancholy to conviction as she relayed this message to me from the past, "the Delawares are like clouds, they never get together."

As indicated in this woman's response, the Delaware interpretation of tribal politics is similar to most American Indians who consider tribal politics to be synonymous with perpetual intertribal arguments that probably will never be resolved, making political actions unpredictable and ripe with potential conflict. The reality of Delaware politics that this woman learned from her grandparents also goes one step further and implies that although conflict is inevitable there is a favorable way to deal with socio-political strife. Her cloud story states in a very direct way the unmistakable fact that Delaware people have a history of difficulty in reaching consensus, but the eloquence of this statement rests in the metaphor used to describe this particular form of tribal fission. The cloud imagery is unique and is suggestive of a distinctively Delaware form of conflict resolution. The impression one gets from a cloud is one of constant, unhindered change. As one divides into two, each moves slowly and steadily and is unencumbered by its former companions. Although the clouds continue to break apart, they all march forward in the same direction.

Never the same again, they hold onto their differences and subsequently change shape and break into other clouds; yet, the many forms that are now moving across the sky are always united in their common origin.<sup>1</sup>

To understand this metaphor is to grasp the cultural background informing Delaware life and I think it is imperative to explore the impact that Delaware cultural beliefs have on Delaware identity and politics. In this chapter, I will demonstrate, through a series of ethnographic and historic examples, that the Delaware consider it more appropriate to ignore a conflict, especially when it deals with issues related to their cultural identity, rather than pursue further recourse. Just like the cloud metaphor, when disagreements inevitably arise in both politicized arguments as well as interpersonal relationships, it is better to let the issue rest and each go their separate ways than to escalate the issue further for fear of increasing social tensions.

## Kwulakan: the Delaware form of the Woodland Harmony

### Esthetic

Speck and Miller were the first to report on the way in which the Delaware approach conflict. Both Speck and Miller indicate that kwulakan was a concept commonly understood and used among the traditionalist Delaware fluent in Lenape as recently as the 1970's (Speck 1931:51, 1937:61, Miller 1975:46). Kwulakan was a unique taboo that was most often placed on particular foods but could also be given to an item or place that may either be or become dangerous if social relations are allowed to breakdown as a result of aggravated conflict. To avoid kwulakan, Delaware people would often ignore a subject under contention and let the matter rest in hopes that it would go away and not escalate into a kwulakan that, if reached, is certain to bring about supernatural punishment on those involved (Miller 1975).<sup>ii</sup> In illustrating kwulakan, Miller (1975:45) describes an incident in which a local game reserve officer was willing to donate a deer for a Delaware event, but when the day came, the reserve administrator argued that he would not provide the deer. Because of the unpleasantness that developed, the deer was later refused



when the reserve administrator changed his mind back again. The Delaware involved felt that the deer had become kwulakan and would certainly bring harm if they were to accept it.

Miller further reports that the Delaware discussed the kwulakan concept to explain their motivations for their removal. The Delaware explanation stated that a sense of kwulakan influenced their migration from the east coast and gives a counterpoint to the accepted knowledge that the Delaware were forced west due to European aggression. Miller's informants explained that when conflict between the Delaware and Europeans became too great, the Delaware began to fear that their land and well-being would become kwulakan and they were more obliged to move (Miller 1975). Although it is impossible to confirm that a sense of kwulakan played a role in the Delaware migrations, my research into culturally appropriate methods for dealing with conflict indicates that a sense of kwulakan continues to inform Delaware life. <sup>iii</sup>

The culturally appropriate method for resolving conflict that the Delaware explained to Speck and Miller as Kwulakan and to me through the cloud metaphor is similar to that considered appropriate among the woodland

peoples of Northeastern Oklahoma. Social cohesion is ideally maintained through an emphasis on the importance of harmony and community. To illustrate this, I present a quote from Emma Greenfeather Donaldson selected from Rita Kohn and Lynwood Montell (1997:91). Mrs. Greenfeather Donaldson is a fluent Loyal Shawnee woman from White Oak, OK. In the passage below she explains that she was always taught:

to be good and kind to each other and not be angry or have bad feelings in your heart ... just do like the old timers taught us, especially when we've got something going together, to help each other and be kind to each other ... Just say that I will treat you like you treat me. And if you do you're going to find out that you are going to be blessed.

The sentiment expressed by Mrs. Greenfeather Donaldson indicates a concern for community and harmony that is supported by religious conviction. Robert Thomas (1958) reported a similar esthetic to have existed among the traditional Cherokee. He describes a covert cultural pattern in which interpersonal relationships are maintained by avoiding conflict and emphasizing the humility of the individual in favor of the group. He adds that when conflict developed, one would withdraw from the frustrating situation and use informal forms of

social control, such as gossip, as a way to criticize and perhaps correct the situation.<sup>iv</sup> Sturm (2002:118-119) found evidence to support Thomas' analysis and agrees that the Cherokee harmony esthetic continues in the traditional Cherokee communities of Oklahoma.

Roark-Calnek (1977) showed that the woodland ceremonial social network and Powwow circuit in eastern Oklahoma emphasized themes of reciprocity, sharing and communalism and that the Delaware participated in these events to legitimate their sense of traditionalism. Jackson's (2003:204-205) experience with the Yuchi and the ceremonial ground social network of Oklahoma has led him to also agree with this interpretation for woodland peoples in general. My experience has also supported the conclusion that the Delaware, as woodland people, share a similar although specific, culturally informed logic for maintaining social cohesion that emphasizes a sense of community sanction.

## Constituent Expectations and Political Reality

The emphasis on community sanction that is part of the woodland harmony esthetic can also be found in different forms among the Plains peoples of Western Oklahoma.<sup>v</sup> Loretta Fowler's (2002) work with the Cheyenne-Arapaho points out the need for research on the relationship between constituent expectation and the tribal government, rather than the unequal relationships between the tribal government and the federal government. Fowler shows that tribal leaders are also constrained by the expectations of and relationship within their local community. Her general conclusion is applicable to the relationships that exist between the Delaware people and the Tribal Council and I wish to complement her approach with the Delaware experience to show how cultural beliefs that are both similar and unique to the Cheyenne-Arapaho differentially effect social action. In the final chapter, I show how the Delaware belief in avoiding conflict combined with the local kin-based social structure are active and unique forces that must be understood to present a complete picture of Delaware politics.

In the Delaware world-view, conflict is seen as potentially harmful to the well-being of the Delaware community. The expectation of communalism is juxtaposed by the realities of tribal politics, which requires individual decision-making and competition for elected positions. Although the tribal government is expected to move only with the sanction of the tribe as a whole, the reality is that much of the functions of tribal government are determined by a small number of elected leaders who must challenge one another to remain in office. The individual initiative required to run a federally recognized tribal government contrasts with communal expectations and the result is a sense of alienation between the constituency and the tribal government.

Because conflict is a necessary condition of tribal politics, though supposedly working to better the condition of community, political action is seen as particularly dangerous to the health of the community. At the same moment, the same chaotic sense given to the political arena also makes it the appropriate space for interpersonal disputes and family feuds to take place that would be forbidden during ceremonial occasions. On the other hand, ceremonial and ritual life, which

Delaware people most often associate with Delaware culture, identity and necessary for a healthy community, remains harmonious precisely because cohesion and conformity are actively enforced. If conflict were to be pursued in the realms of Delaware ceremonial observances, the violator would be reprimanded and even shunned by the community in an attempt to keep the observance free from conflict. If cultural observances are allowed to be "political", the Delaware feel that it would pollute and make the continuation of the observance potentially harmful to all participants.

There does exist a certain amount of cost benefit rationalization involved but one that is more appropriately understood in different terms. Actions that take place in the political sphere, which may include highly ritualized behavior and the use of culturally specific language and items, are considered appropriate only to the extent that the context in which those actions and items are used is quantifiable in terms of market value. In the sphere of cultural identity and ceremonialism, the behaviors and items are considered non-quantifiable or price-less. There exists no sense of connection with economic or political gain, though the two may in fact be embedded. Communalism is enforced as

well as sought by participants for two reasons. One, there is no economic or political gain perceived and Second, precisely because political and economic motivations should not be involved for the sake of the participants. At the opening of the 2002 Delaware General Council, a business meeting of all the Delaware who wished to attend, Chief Dee Ketchum held a memorial for those Delaware that had passed during the previous year. He recalled the words of the recently departed Ceremonial Chief, Leonard Thompson, who was fond of commenting during times of remembrance, "we are losing a lot of Delawares."<sup>vi</sup> Then, with resolve, Chief Ketchum called the names of those that had been laid to rest over the past year. As each was mentioned, the family of the departed rose in recognition of their newest ancestor. This was an inspiring scene as each Delaware family was seated in the council in small blocks and when they stood, they rose in solace and continued standing until all of the names were called. By the end of the list, the entire General Council was standing to honor those, whose lives had meant so much to the Delaware community. The uneasy silence that followed was soon broken by a few of the Delaware singers seated at the large powwow drum in the corner of the room. With a hollow beat, they

began a solemn memorial song. No one spoke, but as the tempo from the drum kept time, the singers brought forth a harmony that somehow combined a feeling of remembrance, pride and grief into a rhythmic performance. Although the singers remained resolute in their folding chairs staring deeply into the heart of the drum, the song resonated throughout the room and moved many to tears and others to quivering chins. When the song was completed, the men in attendance returned their caps to their heads, the ladies removed their shawls from their shoulders and everyone was seated in unison.

The obvious sense of communalism that pervaded the memorial observance at the opening of the General Council stood in sharp contrast to the scene that soon followed where it was apparent that action that has become politicized is frequently challenged. Ever since the 1990's, the Delaware Tribe has had an Economic Development Committee look into options to increase tribal funds. The committee has been interested in the prospective returns from Indian gaming as was a majority of the tribe. The real problem was where to put the facility, since the Cherokee Nation held jurisdiction on all of the Indian land in Delaware Country. The Delaware did have the option of purchasing land outside the



Cherokee Nation, since the Bureau of Indian Affairs considered the Delaware a "land-less" tribe. Leaving all options open, the Delaware began negotiating a deal to build a facility on the west-side of Kansas City, KS within the old boundaries of the Delaware reservation. After meetings and many resolutions, the impression among some was that tribal leaders were moving too slowly, that perhaps the project might even be rejected. Other options were explored in Pennsylvania, Oklahoma City and even New York, but none seemed as carefully researched and prepared as the Kansas City option. Days before the General Council meeting in 2002, the economic development director finally secured a contract with the necessary officials in Kansas City, and he proudly announced the decision during his committee report at the General Council. This announcement was met with a challenge from the then current chief's political rival who claimed that the Economic Development Committee had not had the chance to review the new agreement. The director tried to answer the challenge but after a couple of questions from those assembled, the director finally acquiesced and returned to his seat and the challenger also stepped out of the proceedings. Soon the discussion took on a life of its own with people from all sides trying to defend or

attack the existing administration, but the initial antagonists were no longer involved. As the debate continued for more than an hour, a group of families allied in opposition to the administration took over the conversation. Finally order was restored, yet the issue remained unresolved.

I view both scenes as typical of the different postures taken in Delaware ritual observances and political meetings. In the former, unity is adamantly reiterated while the later is highly competitive. Although political gain played a significant role in both contexts, I think that a connection exists between the annual memorial observance and the arguments over the casino contract that connects to the general Woodland emphasis on harmony and specifically the Delaware sense of kwulakan. The attempt to keep cultural identity from being polluted was officially impressed upon me during a meeting of the Cultural Preservation Committee. As an employee of the tribal government, I was given the responsibility of responding to queries about the location of archaeological or cultural sites that the Delaware considered significant. The tribe was not paying me for the service, so I suggested that the tribe request a small fee to cover the expenses (paper, printer

ink, envelope, postage, etc.). My suggestion caused some debate among the committee. Those opposed to my suggestion argued that the tribe should not ask people for a payment when all I was doing was trying to protect the Delaware ancestors.

Tribal politics provide the appropriate space for interpersonal disputes to take place that would be forbidden during ceremonial and ritual events. Delaware people associate ceremonial events with Delaware culture and identity and they encourage social harmony during these occasions to protect their cultural identity from becoming kwulakan or "politicized". Dictated by both their specific historical experience and a cultural logic of how to deal with conflict, the Delaware have a certain political consciousness that both connects with and is different from the one described for their fellow Oklahomans, the Cheyenne-Arapaho.

#### Echoes of Kwulakan in Contemporary Delaware life

Kwulakan is a specific form of cultural logic that informs the appropriate methods for dealing with situations that have the potential to upset the status quo. Group knowledge of kwulakan is a part of Delaware

life in that it is learned through socialization throughout one's lifetime. My experiences with Delaware people combined with Speck's and Miller's findings have convinced me that the Delaware do more or less share a learned behavior for dealing with conflict and that it deserves attention. When disagreements arise, the prescribed course of action is to carefully consider all options. Rushing to judgment leads to rash decisions and this brings about supernatural retribution in Delaware stories and sanction from the community in contemporary life.<sup>vii</sup> Some of the stories that Delaware people tell relay this message asserting that there are consequences for making irresponsible decisions.<sup>viii</sup> Consider the story of the Giant Squirrel as recited to me in 2002 by a Delaware woman who was told this story by her mother:

Well at one time he was really big. He was so big that when he tramped through the forest all of the animals were afraid of him. And because of that he was a bully and felt like he could do anything he wanted. ... His favorite thing, God had created men and put them in this forest too but he told the squirrel: "I have given you the smaller creatures to eat and leave the man alone." And the squirrel was so big he thought he could do anything he wanted to. So he loved to grab men and he would eat them. So, God was displeased with him. So one day, the squirrel had just finished eating a man and he (the squirrel) had his (the man's) hand in his (the squirrel's) hand and God said: "What have you done?" And the squirrel put it under his arm and said: "nothing." And God said: "I see what

you've done and because you disobeyed me you will be small. And you will be hunted by man and you will scurry around fearful for your life.'" ... You see a squirrel today, he is always nervous and he is always running and scurrying around and he's little. ... the thing is nowadays when you kill a squirrel look under it's arm and you will see a muscle or gristle that is in the shape of a man's hand.<sup>ix</sup>

The underlying moral that one will be punished if one ever becomes so self-important that he or she thinks themselves superior still comes through and resonates with contemporary stories about times when community members were less than diplomatic in their public behavior. This connects to the logic of kwulakan, in that if a particularly assertive individual is allowed to intensify a dispute, it could bring danger to all those involved. Consequently, those members of the Delaware community who are considered inattentive to the need for group consensus are shunned, and often dismissed, for being potentially harmful to the community.

In the past, dogmatic personalities were considered a sign of supernatural power, but power that could be used for both good and bad. In order to avoid the possible destruction these individuals could generate, they were variously ostracized from the Delaware community, often labeled as witches or at least accused of possessing some form of inappropriate supernatural

power. In the narrative I give below, one man relates a story to me about his father, who was considered a very powerful yet non-conforming Delaware traditionalist:

The drum incident where he broke the drum and the guy had a heart attack? He went to ... where they'd have stomp dances. ... (my dad) was a soloist though because with his hearing impairment he didn't sound like those other people. He sang all right ... but it didn't blend in with the chorus. And these older guys, they were remnants of the church, the Big House. ... and for some reason, I never found out why, they didn't like him, they didn't want to be around him. Maybe because when he was young and a scoundrel at the church stealing tobacco, being just outwardly rebellious about it.... Anyway, they were singin' and he wanted to sing with em'. ... of course they didn't want him singin'. You know they recognized he was a good soul, but he couldn't stay, he was different from 'em. So they told him, you don't know the words and he got angry, he could get very angry, but he took the drum and broke it, ... This caused the drummer to have a heart attack and they said he disappeared, my dad disappeared. He was there, you know, and then, they couldn't find him. They didn't know where he was. He told me about it, he said: "Hell, I just went down there where them old men was drinkin." He said: "that would be the last place they would go."

What is interesting in this passage is not the conflict itself but the community response. The protagonist's son reports that those at the event have told him that they thought the violator disappeared after disrupting the peaceful gathering. Also, the man's transgression is considered the cause of the singer's sudden heart-attack.

By escalating a conflict during a cultural event beyond the threshold of kwulakan, the breaker of the drum was considered responsible for the harm brought to those assembled.

The contemporary restraint I have witnessed in tribal disputes suggests that the ideals of kwulakan are still a part of the Delaware community. Some Delaware, and particularly the Delaware traditionalists, explain that they were raised in two worlds, the White Man's world and the Delaware World. From the actions of their parents, they learned as children the harm that can result from escalating conflict. In their everyday interactions outside the Delaware community, they also internalized a logic that juxtaposes culture and politics. Culture is regarded as primordial and the essence of group identity while politics is reserved for secular acts and is therefore plastic, maleable and in constant flux.\* Reflective of this unique cultural syncretism, Delaware people raised in this way return to their unconsciously held convictions about the damaging effects of confrontation and conflict when those beliefs and practices that are important to their cultural identity are at risk of slipping into the potentially contentious realm of tribal politics.

The word "kwulakan" is no longer used because the adult Delaware of today were either not taught Lenape as children or they were forced to not speak it during their education. In the process of language loss, it seems that in the past 20 years the more supernatural powers attributed to rash individuals has been replaced with explanations that range from political aspirations to arrogance, yet those who are perceived in this light are still snubbed by the larger community. My research on contemporary Delaware politics indicates that kwulakan and it's relevance to social conflict continues in the Delaware's habitual avoidance of, "making things political," when confrontations arise that involve their cultural identity.

Consider, for example, one woman's explanation to me about the possibility of reviving the Delaware Big House Ceremony:

Some people around here have been wanting to build a longhouse but I told them I didn't think it was right because they wouldn't use it for what it was supposed to be used for. So they never did ever build one.

And also, the possibility of the tribe regulating the Delaware name giving ceremony:<sup>xi</sup>

A lot of people think you have to fill out an application to get an Indian name, and that's



what they tried here, fill out an application and get okayed to get an Indian name. But I told them that's not right, you give an Indian name, there's no, its not a public thing you know ... they don't do that anymore.

In both examples, the indication is that politicizing or publicizing Delaware cultural observances is particularly dangerous. Although an implied caution, each story is suggestive of a supernatural sanction if the questionable behavior is pursued. Also, the observed ethic was to discontinue a particular course of action amidst dissent. Thus, just as things that have become or are in danger of becoming kwulakan are to be avoided, now a similar feeling surrounds cultural observances that are overtly political or in danger of becoming so.

The ideal course of action when conflict arises, especially when culturally significant practices and beliefs are to be considered, is to ignore the issue when differences become irreconcilable. However, some benefit can be achieved by politicizing Delaware cultural domains such as language as it can enhance the status of the user as well as ensure that the language continues to be used. In order to successfully negotiate local sentiments about this potentially dangerous course, the political aspects, although locally understood, should not be advertised in

order to maintain the perception of authenticity. For example, on a hot and steamy afternoon in July, the Culture Committee, chaired by the current Chief's political rival, held a dance at the Eagle Ridge Dance Grounds. On the same day, another man was holding a celebration at the Delaware Community Center to honor his daughter's recent wedding. As the scheduling of the two events conflicted and both were important to the community, it was an opportunity to see where the socio-political lines fell. Although the Culture Committee chair was disappointed in the turn out, nothing more was mentioned. If he had publicized this aspect further, he would have outraged his Delaware constituents and lost more than he would have gained. By choosing not to escalate the underlying tensions that informed the patterns of attendance, the community center and the dance ground were saved from becoming regarded as overtly political sites. The motivations for participating at both places were understood but not voiced in detail and the episode itself was allowed to rest.

There has also been a move within the Culture Committee to build a sweat lodge near the old Big House site. Some argue that this was a part of the Big House ceremony and in lieu of rebuilding the church this would

serve certain ceremonial and spiritual needs of the Delaware people. Others argue that it was not a part of the Big House and including it would only spoil its' memory. After further insistence, the go ahead was given by the committee to build the sweat lodge, but they never agreed that it would be a good thing or that it was part of the Big House rituals. Rather, they dropped the issue in order to maintain stability in the committee. Not surprisingly, however, the sweat lodge is yet to be built. Perhaps this is due to other factors, but I suggest that the uncertainty and conflict over the issue may have brought about some concern over any potential harm it may bring if built.

Another example of this process occurred when a group of men formed the Lenape Gourd Dance Society. One of the Delaware men was already a Gourd Dancer from the Arapaho Starhawk Society so he was asked if he would help get the new group started. He and his wife wrote up the etiquette to be used for the Delaware society, which was borrowed from those of the Arapaho Starhawk Gourd Clan. The Lenape Society's first sanctioned dance was held in 1994 and by 1996 their membership was on the rise. The original charter named one Delaware man the clan leader, and according to the Arapaho way this position was to be

held indefinitely. Some Delaware members felt this should be changed with a new leader being elected every so many years. Since there were other members who did not agree with this amendment, those who opposed the lifetime regulation simply stopped participating as frequently, therefore leaving the problem unresolved but keeping the Gourd Dance and its membership free from inharmonious repercussions.<sup>xii</sup>

An equally non-confrontational resolution occurred in the evolution of the Delaware Powwow. In 1965, when the event first started it was a non-competitive powwow that hosted local and primarily Delaware war dances followed with Delaware social dancing in the evening. The families who participated camped at the Falleaf stomp grounds where the event was held.<sup>xiii</sup> As the popularity of the event grew, there rose the need to expand the operational capabilities and program of the powwow. Competition dancing was introduced and a larger arena was built further away from the Falleaf home to hold the dancing. The prize money drew an even larger crowd and the emphasis of the event shifted from a Delaware social event to a massive intertribal powwow.<sup>xiv</sup> Although today many Delaware families take great pride in the Delaware Pow-wow and look forward to it as an annual celebration

of their shared group identity, the decision to enlarge its scope discouraged a number of the original founding members. Although no challenge was publicized, everyone involved recognized the tension that existed between the new and old powwow organizers. Here again, instead of fighting back for control of the powwow, the first planners, consisting of a handful of descendants from the traditionalist community and their families, simply stopped attending. Even today, some 30 years after the initial schism, those involved avoid attending the more competitive parts of the Delaware Pow-Wow. As one man explained to me, "it makes me kind of sad to come back here." He and his family helped start the event as a Delaware celebration and now it has lost that meaning for him. But the recourse has never been to speak out publicly against the powwow, but rather to allow each to go their separate ways.<sup>xv</sup>

It is also the case that avoiding conflict happened in internal family disputes. The camps that surround the Delaware Pow-Wow grounds are like a directory of local family names and participants in the powwow circuit in Northeastern Oklahoma. As families have grown since the original camps were staked out, the campsites have fissioned and expanded in a seemingly haphazard

distribution. Although all of the camps are now in a rather tight cluster around the north and western sides of the powwow arena, some shelters are owned by related families while others are situated next to distant or non-relations. In a couple instances, small lots have had to either be divided up due to internal differences or some family members simply moved and built another camp in a new location. In most of these cases, it began as an argument that instead of escalating to the point of ruining the good feelings of the camp, one party simply moved away, built a new camp and avoided the confrontation.<sup>xvi</sup>

It is with these examples in mind that I tentatively suggest that the sense of kwulakan, and its increasing association with keeping cultural identity separate from the political realm, may have played a role in the discontinuation of the Delaware Big House ceremony. Terry Prewitt's (1981:71) demographic analysis of the Delaware Big House community suggests that increased extra-tribal marriages coupled with the impact of "English only" boarding schools during the early twentieth century created an adult population without adequate vision experiences to perform the rites. Certainly these factors are important but it is

instructive to also consider how shared cultural attitudes would have shaped individual responses to these pressures. After the turn of the century, the performance of the Delaware Big House Ceremony was becoming increasingly publicized at the same time that membership is reported to have started to decline (Prewitt 1981:71).<sup>xvii</sup> Also, some remember stories passed down about the Delaware Christian preachers that would sometimes disrupt the observance with fire and brimstone sermons, telling those assembled that the ceremony was an abomination (Prewitt 1981:66). As tension mounted over the observance, I suggest that concern for the integrity of the ceremony itself, persuaded Delaware traditional leaders to abandon the Big House rather than persist with what was considered by its opponents to be a controversial religious expression.<sup>xviii</sup> I suggest this interpretation because it is one that was often implied to me when I talked to Delaware elders about the Big House Ceremony.

Although it is impossible to go back in time and find out exactly why the ceremony was stopped, perhaps the words and actions of their descendants provides a local perspective on this decision. A sense of keeping the Big House apolitical exists today and resonates with

reported attitudes about kwulakan. For example, today, the Eagle Ridge Ground sits within a stone's throw of the old Big House sites. It consists of a square dance area surrounded by a wooden bench with openings to the east and the west, not unlike the Shawnee Ceremonial Ground at White Oak. When it was first built, there was talk of rebuilding a model Big House even perhaps using it as a tourist attraction. But tribal elders who warned of the danger that would result if such a sacred symbol were used for commercial purposes quickly crushed this suggestion. As one descendant of a Big House family explained to me:

"You know, the Big House was lost, it shouldn't have ever been started back up again because many of those old Delawares, you know they, just like, the Big House when it falls to the ground that's it. You can't revive anything like that ... it would be foolish."

The foolishness of reviving the Big House also connects with the relative lack of native language speakers in the Delaware community. Powerful structures, like the boarding schools and the Indian Relocation Act, were bent on the "civilization" of the Indian. Through coerced education in the twentieth century, the federal government shredded the enculturation processes necessary for Delaware children to internalize the Lenape language.



Yet, assimilative processes were implemented in similar ways throughout Oklahoma, so why the accelerated loss of native language speakers among the Delaware relative to other tribes?<sup>xix</sup>

I suggest that the reason the Delaware have relatively few native language speakers can be further explained with reference to the Delaware esthetic for avoiding conflict. Interviews with tribal elders indicate that language loss, now lamented by tribal members, was one of many choices that the Delaware were forced to make in order to avoid conflicts with the Euro-American dominated socio-political world. Below is one woman's story that gives a pithy outline to me of just how this took place and it is suggestive of a crucial period of time in recent Delaware history during which parents and grandparents acquiesced to avoid the increasingly politicized aspects of speaking Lenape:

My grandmother, she just refused to be like everybody else. She was traditional Delaware, and so, it was very hard for her. She spoke Delaware and she knew English but she wouldn't speak it. Even when she went to town, went shopping, she took somebody with her that was an interpreter. ... She was just stubborn about it. ... But when (my mother) went to school she had to learn to say everything in English. Kids, Indian kids were punished and if the teachers heard them talking to each other they were told that they weren't to do that.

Obermeyer: Did you learn to speak?

No, when I was little mom taught us how to count to ten and names of animals and names of different things you know like eat and thank you and those are the only words I really learned, those that I learned when I was little. But I could understand grandmother when I was little but I was never allowed to try to learn, to try to speak.

The transcription above should not be read as a reflection of the broken spirit of a subordinated people, but the implementation of a culturally appropriate method for dealing with powerful institutions that discouraged, at times with force, the use of native languages. As a young girl, the narrator recalls that she "was never allowed to try to learn, to try to speak." She could understand the language, and it was obviously spoken in her home, but there was an understood family prohibition against her learning the language.

Language usage, then, was actively contested by the local power structure, making fluency in Lenape itself an act of defiance. As the dispute heightened in the twentieth century, a majority of Delaware elders were forced to choose to simply drop the subject rather than have their language spoiled by political battles. But in so doing, they strengthened their resolve in other areas that were difficult for the external institutions to

challenge. Their children and grandchildren recognized this fortitude and later internalized it as a source of support as they came to terms with the challenges presented in their own lives. Consider, for example, this empowering message as one woman connects with her Grandmother's resolve when I asked why her grandmother didn't teach her the language:

We were never taught the Delaware language and should've been. But, Grandma and Grandpa said: "We live in a White man world; we have white man ways. So we don't need to learn." But one thing they did teach us. And that was hold your head up high and be proud of who you are and what you are. You're a Delaware Indian girl and be proud of it.... And that, I think, the way I was raised, more or less, it made me strong. Because I went through a divorce, I had four sons, I got no child support. ... and if I hadn't had been strong I wouldn't have made it.

Indicated in this woman's experience is another testament to the fact that many Delaware parents refused to teach their children the Delaware language in the mid-twentieth century. Her story also shows the complexity of what, on the surface, seems like the acceptance of assimilating to the dominant society. But the interpretation that the Delaware woman relayed to me was far from assimilation in that even though she felt slighted because she was not taught Lenape, she was never taught to be ashamed of her

Delaware heritage. In fact, she cites the pride in her Delaware identity that her grandparents instilled in her as the reason why she is able to take on the more strenuous obstacles that confront her everyday life.

Among the Delaware today, there is still a sense that the language itself is teetering on the threshold of kwulakan and in critical danger of becoming political. Inspired by a handful of Delaware elders who kept the transmission of Lenape going through periodic language courses during the last quarter of the twentieth century, some current leaders are fluent enough in the language to speak at tribal events and ceremonial occasions in their native tongue. However, their motivation for doing so is, at times, interpreted by Delaware people, and especially those who remember their parents' and grandparents' ways of speaking, as having political designs regardless of any actual intent. In this sense, then, some Delaware are somewhat reluctant to support language revitalization if it is to be used for political gain. The elders learned from their parents that it is potentially dangerous to politicize Lenape, and they would rather let the language pass out of usage than allow it to be misused for political aspirations. Thus, those who support the language classes advocate teaching

to children more so than adults. Since children learn better, it is argued that it will increase retention, but I suggest that it is also an innovative method for increasing the number of Delaware speakers without threatening the integrity of the language itself.

### Conclusion

The Delaware strategy for resolving conflict organizes and channels the tremendous amount of social diversity and cultural variability found within the Delaware community. If a dispute is dropped rather than aggravated, then the subject itself does not become dangerous as long as both parties agree to disagree. Like other subjugated groups, Delaware people face conflicts with which they must engage in the context of powerful external structures. But these negotiations are much more like clouds, because for them it is better to stay in a state of divergence and continue to move forward rather than to escalate a feud.

The interpretation that I have presented in this chapter is not intended as a romanticized analysis of what it "means" to be Delaware, but rather a culturally informed framework for understanding the more vocal

ideological battles that take place in contemporary tribal politics. Members of neighboring tribes may share some practices and beliefs to different degrees but their specificity should not be lost in the overgeneralized ideas of Pan-Indianism.<sup>xx</sup> Rather it is tribal identity and history that gives meaning to Delaware contemporary experience. The sense of kwulakan, manifested today in the habitual withdrawal from disputes that concern cultural identity, not only informs a unique Delaware tribal identity but plays a central role in shaping tribal politics.

It is here that I suspend my discussion of the local Delaware socio-political structure and cultural belief to turn to an analysis and critique of the external structural forces that have been imposed on the Delaware in the twentieth century. Beginning with the allotment of Indian Territory, the federal government has imposed new definitions for Delaware people to identify both economically and politically as Indian people. The external expectations for tribal governments have also shifted throughout the twentieth century in ways that made it possible for the Cherokee Nation to redefine themselves as the appropriate leadership for the Delaware constituency. The Delaware have had come to terms with

these powerfully imposed realities in ways that are understandable within their local structural and cultural realities. Throughout their history as "citizens" of the Cherokee Nation, the Delaware have never supported the loss of their tribal government and resist in complex ways the power imposed on them by the Cherokee Nation.

I will reintroduce the Delaware socio-political structure and cultural belief in the final Chapter to show how local structures and cultural etiquette both drive and check the political struggle between the Delaware and the Cherokee. In the final chapter the dissertation will come full circle to show how external structures combine with local structures through the agentive maneuvers of both Delaware and Cherokee elected leaders.

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<sup>i</sup>In Delaware cosmology, the sky was associated with the Creator and the twelve levels of Heaven. The Creator was said to be lost in thought for all eternity and could only be reached through the twelve mediators or guardians at each celestial level. Thus, the sky is juxtaposed to the earth. The Cedar Tree and the ritual performance of the Big House ceremony were routes through which humans could contact the supernatural. I suggest that the cloud metaphor takes on greater significance in light of Delaware cosmology signifying 1) supernatural sanction for conflict resolution, and 2) the importance of thoughtfulness to Delaware people when confronted with a dispute. For more on Delaware religion and worldview see Speck (1931, 1937) and Speck and Moses (1945) and Miller (1974, 1977, 1980a, 1997). See James Howard (1980) for a discussion of the social context of the Delaware Big

House ceremony in Oklahoma. Howard (1981:170-171) also offers an interesting comparison among the Shawnee who recognize a supernatural being known as "Cloud Boy" or *Peputhichkilaweetha* that although subordinate to the all-powerful Grandmother deity is considered one of the principal subordinate heavenly beings. Howard (1981:171) reports that, "he innocently plays with cumulus cloud formations, fashioning them into ephemeral animals for the amusement of people on earth."

<sup>ii</sup> "Kwulakan," was first reported by Speck (1931,1937) as something akin to a taboo or something forbidden. Miller's (1975) further research with Nora Dean Thompson suggests that *kwulakan* is not so much a static concept, but one that refers to a condition of becoming dangerous if social cohesion is allowed to dissolve. By way of three short vignettes, he shows that *kwulakan*, as a state of becoming, is believed to result from conflict that is allowed to escalate to unpleasantness and a breakdown in social relations between those involved. Thus, the argument between siblings over who was to inherit a house brought on lightning that destroyed the residence. The *kwulakan* state can be avoided, then, by either compliance or by avoiding the conflict entirely. He concludes that *Kwulakan* is then a threshold, a line that when crossed brings on a supernaturally sanctioned punishment.

<sup>iii</sup> It is possible to use this particular concept of space to contextualize the history of fission within the Delaware Tribe. During the particularly turbulent last half of the eighteenth century, most Delaware found themselves sandwiched territorially between the competing European powers of France, Great Britain and later the United States. For various reasons, some religious, others economic and political, some Delaware removed themselves from the fray. By 1784, a group of Delaware, the so-called Western Delaware, migrated to Spanish territory and settled in what would later become southeast Missouri. This group again moved to the Republic of Texas and finally relocated to Oklahoma Territory prior to the Civil War (Hale 1987:XV-XVI). The Moravian Delaware followed their minister David Zeisberger north to Canada in 1792 and later settled along the Thames River south of where a group of Munsee were already living with the Oneida. Nearby, along the Grand River, there was another small group of Delaware that had migrated west at some point following the American Revolution and were allowed to live on the Six Nation's reserve under the Cayuga (Weslager 1972:17-23). The Stockbridge and Munsee Delaware originally moved west during this same time period and today reside in Wisconsin. I am not arguing that Delaware people moved to Oklahoma on their own free will and even when they did, their new neighbors on the Plains were often less than hospitable. But I am suggesting that similar discourses and practices about conflict and its resolution that both Speck and Miller encountered, resonate with my work.

<sup>iv</sup> James Treat (2003:36-59) gives a description of how this Cherokee harmony ethic influenced Robert Thomas and the Indian Ecumenical Movement of the 1960's and 1970's.

<sup>v</sup> Braroe (1975:60-61) explains how leadership among the Plains Cree are made by the consensus of all the adult males even though the tribal government consists of three elected representatives.

<sup>vi</sup> In remembrance, Leonard Thompson was considered by many to be the last living native speaker of Lenape and the last ceremonial chief of the Delaware Tribe. Mr. Thompson left this earth on August 31,



2002 and was laid to rest in the Busby Cemetery located north of Copan, Oklahoma.

<sup>vii</sup> Probably the most-well known story in which this takes place, is said to have occurred while the Delaware were still living on the east coast. In the Delaware's first land sale to Europeans, one of the newcomers asked if he could purchase a plot of land. At first, the Delaware would not sell but then the man said that he only wanted a portion the size of a cow's skin. The Delaware agreed and so the white man cut the skin into a small string and partitioned off a much larger section of land than originally agreed (Bierhorst 1995:104-106). Although in every story, this action is interpreted as an example of how Europeans cheated the Delaware out of their lands and that some day he may push the Delaware into the Pacific, there never seems to be a resolution (Miller 1975:46, Bierhorst 1995:104). Rather than confront the dishonesty, the matter is dropped. This gives a dual message about the shortsightedness of hasty decisions and that it is better to drop the subject if no alternative presents itself rather than pursue a resolution that could potentially bring about injury to those involved. See Jackson (2003a) for a discussion of this story in the Yuchi community. It is also the case that most cultures share stories with similar messages that rash decisions can lead to danger or have a cost. But as Jackson notes, these stories have old-world distribution yet the stories told by the Woodland Indian peoples retain a specific resonance in the Woodland Indian cultural context.

<sup>viii</sup> Other stories that also speak to this theme are easily accessible in Bierhorst (1995). For example, "How the Big House got started," told by Nora Dean Thompson, tells how the Delaware were punished by the great spirit for falsely accusing and executing a suspected witch.

<sup>ix</sup> Obvious differences exist in this version and the one published in Bierhorst (1995:20-22), the least of which is the reference to God rather than the Great Spirit. Today, most Delaware are Christian, which explains the substitution, but the message of obedience for fear of supernatural retribution remains.

<sup>x</sup> Stocking (1968:306-307) concludes that by the mid-twentieth century the Boasian culture concept was generally accepted by the American public and employed in various movements including the war against the Nazis and the Civil Rights Movement.

<sup>xi</sup> For more on name-giving among the Delaware see Weslager (1971), Weslager and Rementer (1977).

<sup>xii</sup> For more on the Gourd Dance see Howard (1976b) and for more on Delaware involvement in the Gourd Dance see Roark-Calnek (1977).

<sup>xiii</sup> At the first Powwow, Don Wilson and Numerous Falleaf bought a steer, butchered it and distributed the beef to the families assembled. This was done as a way to get people to start coming to the event, which I was informed is the only way to have a successful dance (See Roark-Calnek 1977 for more on the transactions necessary for successful intertribal events). The success of the event drew such a large crowd in the coming years that the face of the Delaware Powwow had changed dramatically by 1970.

<sup>xiv</sup> See Weslager (1972:3-8) for an intriguing description of the Delaware Pow-Wow in 1970 as it was during this time that the Pow-Wow was in transition from a local event to one of the premier events in Northeastern Oklahoma. Notable in his description is the many out-of-state vehicles in attendance and the concern voiced then about

the need to do something about the congestion, "because every year we get more and more visitors." Also, Roark-Calnek's (1977) work on Delaware ceremonialism provides a very detailed description of the regional transaction involved in maintaining the Delaware Pow-Wow and its function, along with other Indian events, as way to honor and legitimize Delaware ethnic identity.

<sup>xv</sup> For a few years, the Delaware Cultural Preservation Committee hosted a family night social dance on the Thursday night before the powwow at the dance grounds. This event was not publicized, but locally known. Families gathered to prepare their camps, eat and visit as they usually did each year. After supper, as night began to fall, some of the men built a fire in the traditional way (using flint and steel). After the fire was lit, everyone settled in around the large arena either on the benches or lawn chairs for a night of social dancing, which variously includes stomp dancing from local leaders and from visiting tribes, as well as other social dances including the Cherokee, Women, Bean, Duck and Stirrup Dances. See Rementer and Donnell (1995) for more information on the Delaware social dances.

<sup>xvi</sup> For related material on Yuchi "camps" see Jackson (1998). He reports that the development of the camps that I have described at the Delaware Powwow Ground is common to all Eastern Oklahoma ceremonial grounds as well as among some native churches.

<sup>xvii</sup> The Delaware Big House was gaining a considerable amount of attention at the turn of the century. First it was central to the work of Richard Adams (1904, 1997), a Delaware lawyer who hoped to use its description as a way to win the pending Court cases with the Cherokee Nation. In 1903, United States senators attended the ceremony and with the impending allotment of Indian Territory, Charlie Elkhair asked the Senate to set aside land for the Delaware Big House (Carrigan and Chambers 1994:24). Ten acres were carved out of Walter Wilson's allotment and set aside for the Big House, which is identified as the Delaware Church on the allotment maps. This land was never sold but was later commandeered as wetland by the Corps of Engineers during the construction of Copan Lake sometime in the early 1970's. In the early twentieth century, the ceremony also caught the attention of ethnographers working with tribes in Oklahoma. Their work soon sparked a considerable tradition in anthropology devoted to reconstructing and preserving the accounts of the observance (Michelson 1912, Harrington 1913, Speck 1931, 1937, Miller 1980b, Grumet 2002).

<sup>xviii</sup> It is also recalled that a U.S. marshal was invited by the Big House leaders to the ceremony in the later years to keep the peace between supporters and opponents.

<sup>xix</sup> See Status of Indian Languages at [www.angelfire.com/ok4/wordpath/status.html](http://www.angelfire.com/ok4/wordpath/status.html). They estimate that in the year 2000 there were approximately 9,000 Cherokee speakers compared to 1 Delaware speaker.

<sup>xx</sup> anthropological work with Indian tribes in Northeastern Oklahoma has favored a Pan-Indian interpretation of Indian identity (cf. Howard 1955, Newcomb 1955, 1956a, Hamill 2000).

**Part Two:**  
**External Forces**

## Chapter Four

### The Political Economy of Race in Delaware Country

The interview with Fred Falleaf quoted at the end of the first chapter was conducted by Katherine Redcorn in 1969. Esther Secondine, a Delaware woman from a Christian family was also present and during the interview Fred and Esther discussed each other's family background and life experiences. The contrast between their life stories makes apparent the cultural diversity within the Delaware Tribe. Fred and Esther's discussion also reveals how the concept of race was and continues to be used to identify their social differences. Reading the transcription, it is possible to see how the Delaware have connected their internal differences with the identity labels imposed by external political and economic structures. I cite below the interview in progress after Esther and Fred have discussed their particular Delaware family lineages:

Esther: Well, I was raised like a white girl and it's just been in the last let me see, - my baby was born in '33 and she was just 3 years old when I got back with the Indians again. So this year was my first time to dance, dance in a Delaware costume.

Fred: Well, it always kind of got me when I talked to her. I could almost talk

Indian to her, think'n she'd understand. It's hard for me to figure she couldn't talk it - she could understand it all right.

Esther: If I'd stayed around with Lou Hicks, my cousin Lou Hicks, I could'a talked as good as you could. But as it is, I was just over there a - just maybe a week at a time.

Fred: You know her, don't you? Joe Lucas' wife, Emma?

Esther: Oh yes, I knew her good. She was my, my good friend. She was really my friend.

Fred: Well, she was a white woman, but she could really talk Delaware. She could really talk good. ... they claim they made a white man outta me when they shipped me to school, you see. But I did save my language. I managed to hang onto it.<sup>1</sup>

In the interview, the racial identities, white and Indian, are used as indicators of the cultural differences that both Esther and Fred understand to exist between them. In the beginning of the interview Fred explains that he lived in northern Washington County, spoke Lenape as a first language and actively participated in the Delaware Big House ceremony. At the time of the interview, Fred was living on his allotment north of Copan where Fred's half-brother Numerous Falleaf and Delaware friend Don Wilson were in their third year of hosting the new Delaware Powwow. Later on in the interview, Esther explains that she came from a much different background, but was beginning to take an

interest in Delaware customs through her participation at the Delaware Powwow. Esther's father was Fillmore Secondine, who was a member of the Delaware Business Committee and preached in Lenape at the Delaware Christian churches. Esther lived in Nowata where she married and raised her family. As the interview progressed, it was evident that Fred and Esther considered Fred and particularly his ability to speak Lenape to make him "Indian" in contrast to Esther who was raised "white." The distinction that Fred and Esther make between their identities does not preclude Esther from participating in Delaware events since both she and Fred recognize that they are both Delaware.

Being Delaware means much more than being Indian at the same time that being Delaware means making distinctions between "Indian" and "White" identities. Delaware identity also means being able to recite a specific and mutually recognizable Delaware family lineage as well as establishing relationships with individuals within the Delaware community. Delaware "Indian" identity is another distinction defined primarily by a certain level of cultural participation and knowledge. Thus, the white woman who could speak Delaware was a point of confluence in Fred and Esther's

social networks. The white woman was considered a part of Delaware society due to her participation in the Delaware "Indian" community and cultural knowledge while also a member of the "white" community because of her genealogy. Although both Fred and Esther were Delaware, Fred was considered more Indian and Esther was culturally white. But Esther was rediscovering her Delaware cultural heritage and in so doing shifting her identity to the "Indian" side of the spectrum.

I chose to introduce the topic of racial identity with Fred and Esther's interview because I found that the Delaware make the same distinctions today. Some modern perceptions of Indian identity see Indian identity as a racial identity and these notions largely inform the Federal Identification policy. The Bureau of Indian Affairs defines Indian identity only in terms of genealogy and blood degree. The Delaware do employ racial identities in ways that correspond to the terminology used by the Bureau of Indian Affairs but the Delaware's understanding of Indian identity is more complex. The Delaware have made externally imposed racial meanings an important part of the internal diversity in Delaware identity. Race is a part of Delaware identity but it is understood in ways specific

to the Delaware community. Racialized differences between Indian and white reflect a unique Delaware history that identifies with race in similar ways but is not merely a copy of Euro-American understandings. The Delaware do not see their Indian identity as a purely racial identity. The Delaware use externally imposed racial identities, but the meanings associated with these labels correspond to differences internal to the Delaware community, not those identified by the federal government. It is through this subversion of race that a distinctly Delaware identity is generated and produced.

In this chapter, I discuss the historical development of racial concepts in Delaware Country and the contemporary ways that race is understood. First I will outline how an Anglo-American understanding of race was imposed on the Delaware and the specific ways in which the racial meanings of white and Indian were integrated into their evolving socio-political differences. The race concepts used by the Delaware today have a specific history that began with the Delaware's removal to Indian Territory in 1867. A significant shift in the original meanings of race occurred when Indian Territory was transformed into Eastern Oklahoma at which time the United States Congress



imposed new definitions of race that measured the degree of difference between Indian and white through blood quantum. The Delaware have resisted the federally imposed meanings of racial identities at the same time that they use them to produce a specifically Delaware way of viewing racial difference.

The Delaware view race in two ways. On one hand, the Delaware use racial distinctions in conjunction with the existing local understandings of Delaware identity discussed in the first chapter. On the other, the Delaware actively resist the validity that blood quantum has for Delaware identity while using and employing racial identities in specific ways in the local community. The contradiction here speaks to a level of consciousness in which the Delaware understand the reality that blood quantum is used in federal determinations of Indian identity. At the same moment, they resist the efficacy of blood quantum by denying its significance and transforming the racist connotations in the label into something of their own.

## Race and the Allotment of Delaware Country

I understand the Dawes Commission enrollment process and subsequent allotment of Indian Territory to be an example of what Michael Omi & Howard Winant (1994:56) define as a racial project. A racial project is the, "interpretation, representation or explanation of racial dynamics, and an effort to reorganize and redistribute resources along particular racial lines." Land ownership was one of the key issues on which the Dawes Commission and the United States Congress focused during the transition to Oklahoma statehood. After Oklahoma became a state in 1907, congress imposed "Indian," status in a more specific sense than it had been used in past legislation. Indian now referred to anyone with  $\frac{1}{2}$  or more Indian blood and was therefore restricted the "Indian" from individual ownership and land taxation. Subsequent legislation also imposed the term "mixed-bloods" to mean anyone with less than  $\frac{1}{2}$  Indian blood. Mixed-bloods could sell their allotments and were also obliged to pay property taxes (Kappler 1929:351-356).

Recent research in Critical White Studies helps me make sense of the imposed distinction between Indian and mixed blood. Researchers have demonstrated that like

other racial categories, "whiteness" is also constructed and made meaningful in specific ways. In general, whiteness is constructed as the unmarked racial category that is hierarchically situated above the racialized groups that are deemed inferior based on assumed distinctive markers such as dress, language, phenotype or lineage. The racialized groups are imagined to be culturally as well as racially distinct and identifiable while the "white" group remains transparent and culturally unrecognizable or even without a culture. The ideology that supports and justifies racial grouping in this way views whiteness as culturally empty while racialized groups are seen as culturally full.

(Frankenberg 1993, Delgado and Stefanic 1997, Hill 1997).

I combine an understanding of allotment as a racial project with the insights from Critical White Studies to view the racial labels used during the allotment of Indian Territory as indicators of unequal economic rights. The creation of two distinct groups with differential access to property created a new racially charged political economy. "White" was and continues to be the unmarked category situated at the top of the racial hierarchy. Those so classified are endowed with the most economic flexibility. The legislative

distinction between Indian and mixed-blood gave the mixed-bloods the same economic rights as the white category, which included intermarried whites and freedmen who were enumerated on the Cherokee Dawes Roll as well as the large immigrant population migrating to Oklahoma in the twentieth century. Indian was imposed as the subordinate socio-economic position and only included a portion of Delaware with  $\frac{1}{2}$  or more Indian blood as well as those of similar blood degree from other tribes. The new racial labels cut across existing tribal identities to establish a new socio-economic system in which the "mixed-blood" Delaware were better able to approximate the dominant socio-economic position while "Indian" Delaware were economically marginalized and their subordinate position was justified through the racial logic of blood quantum.<sup>ii</sup>

Charles Kappler's (1929) volumes on Indian legislation during the nineteenth and early twentieth century indicates that the genealogy of blood quantum in Indian Territory began with the Dawes Commission and was incorporated into subsequent legislation. Blood quantum, as an indicator of property rights and legal competence, was first discussed when the conservatives in the United States Congress wanted all of the land allotted in Indian

Territory to be held in fee simple, making it both taxable and alienable. The progressives on the other hand favored a more paternalist stance in which the land allotted would be held in trust by the federal government making it restricted from taxation and not open to sale or lease without the permission of the federal government. The future of Eastern Oklahoma soon became a political battle in Washington. In order to put an end to the dispute, Congress agreed to use an individual's degree of Indian blood to indicate whether or not the land allotment could be sold by the allottee. According to its internal logic, the imposition of the blood quantum system and its associated restrictions were simultaneously advantageous to Anglo-American settlement while also providing a measure of protection for those of  $\frac{1}{2}$  or more Indian blood. The imposed identities that resulted from this legislation were specifically based on an individual's blood quantum, a concept that was foreign to the Delaware prior to Oklahoma statehood. The enrollment of the Five Civilized Tribes was not the first time that the federal government had used blood quantum to identify Indian people, but it was the first time it was used to identify Delaware people. Blood quantum made a new concept of racial difference a part of everyday

life among the Delaware who increasingly adopted racial labels to further identify their internal differences.

The fact that the Delaware began thinking and speaking in terms of race does not mean that they did so uncritically. The Delaware did not simply adopt the new racial labels imposed through blood quantum but refashioned race to make it meaningful in the Delaware community. In the section that follows, I outline the process by which the Christian Delaware families soon became identified as the "white Delaware," while the Big House families were concurrently identified as "Indian Delaware." I make this argument about Delaware identity because I see that these distinctions are made in the Delaware community, meaning that, as the prelude suggests, being white does not exclude someone from being Delaware as the distinctions imposed by the Dawes Commission would indicate. Rather "white" and "Indian" are used as labels to identify a range of meanings including family background and cultural participation. Politicians may have used blood quantum to separate what they considered to be mixed-bloods from the "Indian" Delaware as a way to protect what they considered Indian rights while also gaining greater access to Delaware land and markets. Despite this, the Delaware never have and

still do not see the differences between themselves in terms of blood degree. As I will demonstrate, the Delaware continued to understand their internal differences in terms of family membership and cultural participation that is made meaningful in the local landscape. Racial differences imposed in the twentieth century have been re-fashioned by the Delaware to fit their internal diversity and have created a particularly Delaware way of viewing race.

"Cherokee by Blood": the foundations for externally imposed racial labels

When the Delaware were still living on the Delaware Reserve in what is today northeastern Kansas, each Delaware was given an individual allotment that they could only sell to the federal government or another Delaware (Weslager 1972:410). When the Delaware were removed to Indian Territory, they were given the option of staying in Kansas on their allotment and becoming citizens of the United States. A handful of families chose this option and remained in Kansas, kept their land and became American citizens. The Delaware who chose to relocate to Indian Territory used the money from the sale

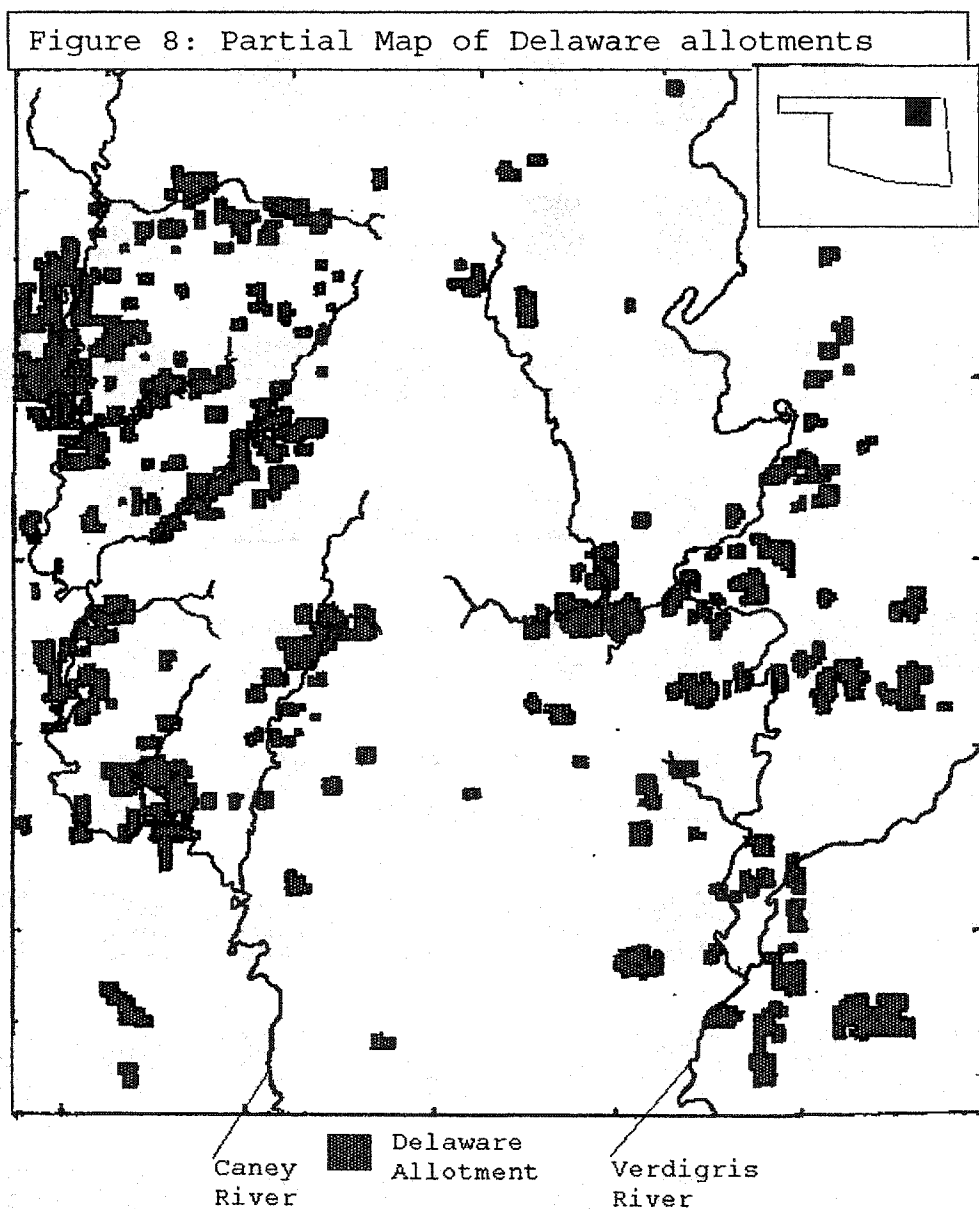
of their lands in Kansas to purchase 160 acre allotments from the Cherokee Nation. In Indian Territory, many Delaware families cleared and developed farms and ranches, which they owned individually by right of purchase from the Cherokee Nation even though in the Cherokee Nation, the non-Delaware land was supposedly held in common.

Differences between Indian and white are commonly understood to have stemmed from the conflicts that arose from Anglo-American encroachment, but the historical interaction between whites and Indians in Delaware Country was very different. The social fabric of this area of Indian Territory made the social distance between white and Indian less guarded and distinct.<sup>iii</sup> The settler migration to this region arrived after the Civil War and included Delaware, Shawnee, Cherokee and Anglo-Americans, who established communities and intermarried with the few resident Cherokee families, who were themselves not indigenous to the region.

The entrepreneurs of this diverse group laid the foundations for the development of an industrial economy in the twentieth century (Foreman 1942, Miner 1976, Bays 1998). Prior to Oklahoma statehood, European and Indian entrepreneurs established small trading posts throughout



Delaware Country, the more successful of which were situated in locations central to the Delaware line communities.<sup>iv</sup> By 1895, Rail lines were built to the central trading posts in Delaware Country to export cattle and agricultural goods to the Kansas City market. This encouraged the economic growth of the trading posts and led to the development of the cities of Nowata,



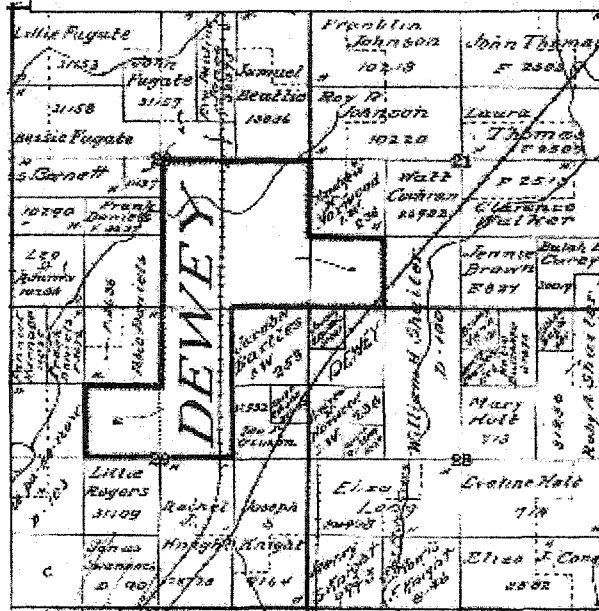
Bartlesville and Dewey.

In 1907, Indian Territory was officially transformed into part of the new state of Oklahoma after the Dawes Commission officially closed the enrollment of those Indians and freedmen living in the Cherokee Nation, dissolved the governmental structure of the Cherokee Nation and distributed land allotments to the former Cherokee citizens. During the enrollment process, the Dawes Commission agents assigned racial identities to each enrollee. The difference between Indian and White was made tangible through the re-organization of the Delaware landscape under the authority of the Department of the Interior. Small allotments identified as townships were set aside at the trading posts, which now doubled as railroad stops for the increasing Euro-American immigrant population (Bays 1998:124-179). The lands allotted for these townships were left unmarked and were identified with a town name securing the anonymity of those living within their borders. Indian allotments were identified by an individual's name and tribal identity. The allotment maps did not indicate that Indians lived within the borders of the unmarked town plats and the presence of the predominately Delaware line communities is never recognized on the allotment maps.

This subtle, yet powerful way of identifying space established a

racialized sense of place that resonated with Euro-American ideologies of race and these distinctions continue today.

Figure 9: Dewey, OK (1907)



The ways in

which the allotment of Indian Territory identified space provides a good example of how white identities are conceptualized as culturally empty in opposition to racialized groups as discussed in the previous section. Allotment effectively pressured Delaware people and others to think in a fundamentally new way. Old spatial boundaries were replaced with urban and rural space that made material the imposed spatial and ideological boundaries between Indian and White worlds.<sup>v</sup>

When the Cherokee Dawes Roll was compiled, blood quantum was assigned under the discretion of the agent collecting the census information. Indian enrollees were asked to recount all of the Indian ancestors and the agent would then assign a blood quantum that could be

used to signify the amount of Indian ancestors an enrollee identified during the enrollment application. The blood quantum assigned was not always accurate for two reasons. One, the Dawes agent's culturally based assumptions of phenotype and culture often determined a person's degree of blood more than any essential ancestral information. Second, because lower blood quantum equated a higher degree of control over one's allotment, some Delaware people de-blooded themselves intentionally to ensure that their land remained unrestricted making the blood quantum listed on the Dawes Roll more inaccurate.

Some Delaware were so furious over the implementation of allotment that they refused to register with the Dawes Commission. One Delaware family is listed with significantly less blood because their grandfather refused to sign the roll. After clearing a large and successful ranch, the Dawes Commission informed him that he would have to give a portion of the ranch away. Infuriated, he told the commissioner that he didn't want any of the land then and he refused to enroll.

An intense sense of frustration is remembered to have existed among those Delaware who felt that they had no other choice but to participate in the allotment of

Indian Territory. One Delaware man related to me a story that his grandfather told frequently. He recalled that his grandfather had carried a leather roll book that contained information about all of the land that he was forced to turn over in exchange for his 160 acre allotment. The allotment was not only significantly smaller than the original family holdings but also less productive. Some of his grandfather's land was allotted to his grandfather's children, brothers and sisters while other portions were given to other Delaware and non-Indians. No one in the family could sell their land without BIA approval because their land was restricted since everyone was full-blood (4/4) Delaware. As a result, the once substantial landowner and his children were obliged to lease their allotments to an immigrant cattle rancher. Today, a small strip of this once substantial Delaware owned property remains in the midst of one of the largest cattle ranches in the region. Events such as this were not unusual, many Delaware remember the stories told about the terrible loss of land endured during allotment.

After the Delaware allotments were distributed, it became increasingly apparent that Delaware Country was right on top of a large pool of oil that sat just below

the surface. Because those with  $\frac{1}{2}$  or more blood quantum were not allowed to own their property, they were forced to lease their land to the oil companies who quickly seized this economic opportunity. The constraints imposed by allotment made economic power more readily available to those individuals with no or less than  $\frac{1}{2}$  Indian blood quantum while those with  $\frac{1}{2}$  or more blood quantum were marginalized from the emerging oil and coal economy. Since the full blood group was not able to obtain title to their own land allotments, they had to undertake transactions involving their allotment through the Bureau of Indian Affairs (Prucha 1984:214). The restricted group was often obliged to lease their allotments to those that had less than  $\frac{1}{2}$  Indian blood quantum or to non-Indians, establishing an exploitive and stratified economic structure (Bays 1998:11).<sup>vi</sup> If a Delaware "Indian" leased their allotment to an oil or coal company, then the BIA appointed a guardian to ensure that the lease was carried out in good faith. The guardian appointed was usually not impartial and had a vested interest in the lease. For example, Frank Phillips, the founder of Phillips Petroleum, was named the guardian of a young Delaware girl named Anna Davis after he secured an oil lease to her property. Phillips

was able to obtain a tremendous amount of oil from Anna's allotment from which Anna received a large royalty payment prompting the media to promote Anna as the richest Indian girl in Washington County.<sup>vii</sup>

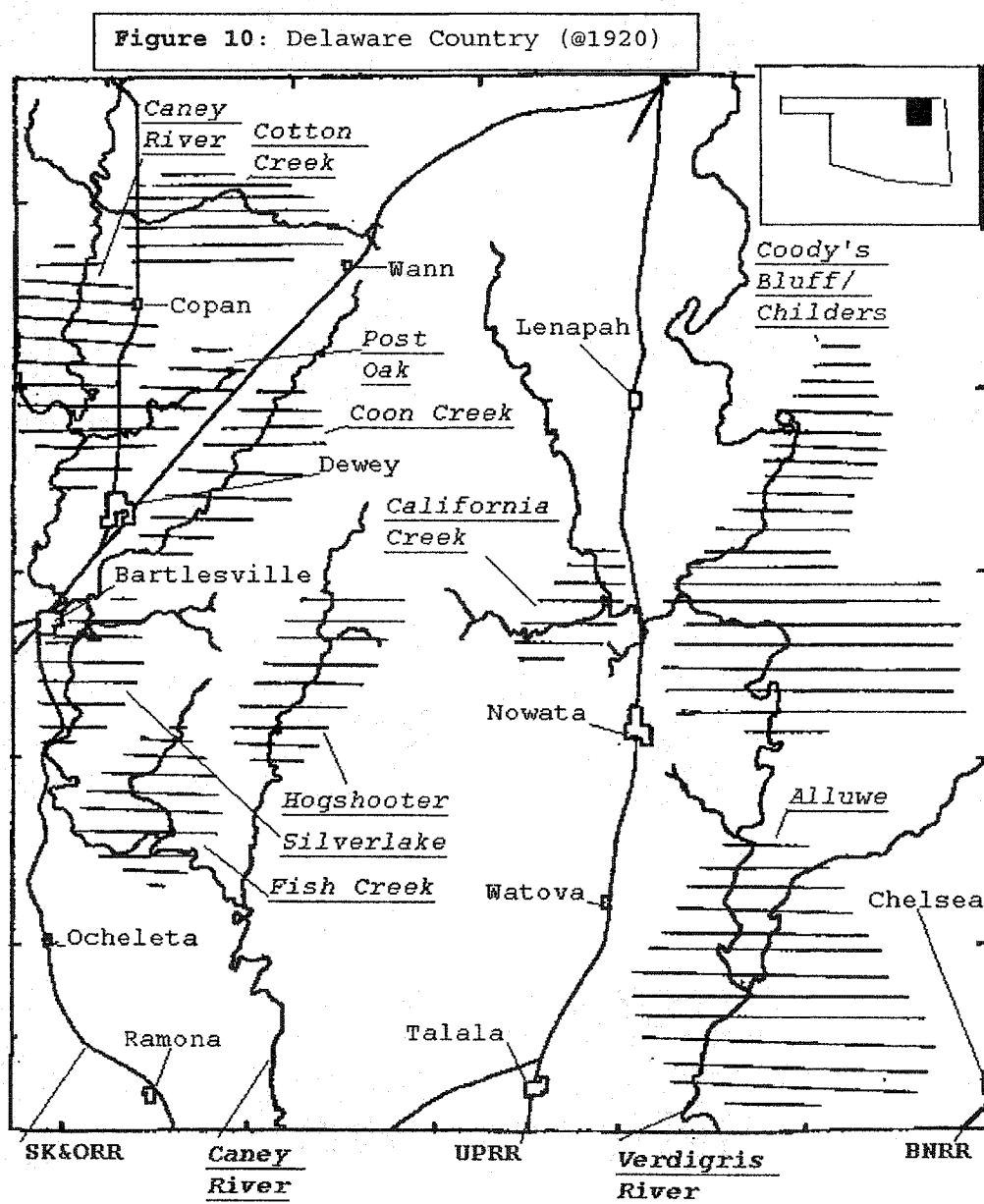
The constraints imposed by blood quantum created an economic structure in which those of  $\frac{1}{2}$  or more blood quantum were largely restricted from producing their own wealth from their allotments. Although some Delaware made a lot of money from oil leases, the more blooded remained a class rich in oil, mineral and land wealth with no way to access it; a condition exploited by the White and less blooded entrepreneurs. "White" capitalists were free to purchase raw materials (oil, coal and grazing) from "Indian" landowners, who were restricted from selling their land or negotiating the terms of the lease. The Bureau of Indian Affairs handled all of the land sales and lease negotiations on "Indian" land. The imposition of allotment created the structure through which the BIA oversaw the transfer of land and capital from the established Delaware and Indian owned farms and ranches to the redefined "white" population. The transfer was justified through a new sense of racialized difference.<sup>viii</sup>

Albert Wahrhaftig's (1968:517) conclusion concerning the differential erosion of Cherokee communities following white settlement is also relevant to the Delaware. He observed that the increased dissolution of traditional Cherokee settlements during the twentieth century was due primarily to their geographic location. Those communities located on fertile flat agricultural land were more attractive to Euro-American farmers. They became interspersed among the Cherokee and increased the disintegration of these communities within a generation or two through intermarriage and migration. In contrast, those communities in the less agriculturally viable hollows that predominate in the Ozark Plateau remained relatively isolated from European settlement and economic integration.<sup>ix</sup>

This model helps explain why the Delaware communities seemed to rapidly deteriorate following Oklahoma statehood. In contrast to the hills and hollows of the Ozark Plateau, Delaware Country is in a prairie/plains environment characterized by a relatively flat topography with fertile soils irrigated by two substantial drainage systems. As such, Delaware Country was much more attractive to European settlement in general and agricultural development in particular.



Also, once it was evident that this area contained vast pools of easily accessible oil and coal reserves, such resources only accelerated white penetration of the Delaware settlements. The Prairie/Plains region of the old Cherokee Nation soon became more economically integrated than the relatively isolated landscape of the Ozark Plateau (Bays 1998:178).



If there is one redeeming quality to the allotment of Delaware Country it is that the distribution of Delaware allotments outside of the townships seem to follow as closely as possible the pre-existing Delaware line communities, thus disrupting the internal continuity of these communities very little. The catalyst for the breakup of the Delaware communities began with the accelerated economic integration of the region following statehood. Many Delaware sold or leased their allotments to local oil, coal and agricultural companies, which triggered a subsequent increase in the Delaware population moving to the local towns (Bartlesville, Dewey, Nowata, etc) or migrating out of Oklahoma (Roark-Calnek 1980:136). Brad Bays (1998:178) also adds that since the oil companies recruited families from Pennsylvania and Ohio to work in the oil fields, a much more industrial northern Appalachian folk culture developed in the towns of this region as opposed to other areas within the former boundaries of the Cherokee Nation. The economic and cultural impact of European settlement on the Delaware explains the increased adoption of a particularly northern form of Anglo-American folk culture among the Delaware. The Delaware not only experienced an accelerated erosion of their

original settlements but were influenced by a much different variety of white-American culture.

As part of this general demographic trend, an association developed in Delaware politics in which the local municipalities soon replaced the Delaware communities as a means for identification. By the 1920's, the "white" towns were established as local centers that exported agricultural, oil and coal products from the Delaware communities. The largest urban centers in Delaware Country, namely Bartlesville, Nowata and Chelsea were the locus for economic activity and were located centrally to the Delaware Christian enclaves. In contrast, the urban/white spaces in the proximity of the Big House communities were relatively small allowing a more rural atmosphere to remain.<sup>x</sup> Outside of the local centers, the more rural a community or space, the more it retained an "Indian" identity in opposition to the increasingly "white" world in the local centers though both landscapes remained identifiable as Delaware.

The imposition of allotment may have brought with it a racialized sense of place but it did not negate the existing cultural geography and politics. The Big House leadership used the new racial meanings in innovative ways to undermine the authority of what they felt were

imposed structures like the Business Committee and to some extent Christianity.<sup>xi</sup> The Big House leaders regarded the Business Committee as a "white man's" government arguing that the only legitimate tribal authority was vested in the clan based political structure used in Delaware ceremonies. Political and religious sentiments were geographically distinct and the meanings of "white" and "Indian" in modern racial discourse became a part of the Delaware landscape. The Christian enclaves, because of their support for the Business Committee and their proximity to the "white" municipalities were identified as "white". On the other hand, the Big House community, characterized by support for Delaware traditionalism and rural living were identified as "Indian, and the Christian and Big House communities generally accepted both distinctions. The racialization of space, although consistent with Euro-American notions of race, is distinct in that it made external meanings a part of a nuanced local discourse that combined race with internally understood cultural differences. This distinction between "white" and "Indian" also explains why the Christian Delaware enclaves are often ignored in anthropological research as

anthropologists also participated in and accepted these racialized distinctions.<sup>xii</sup>

"Delaware by Blood": Delaware Identity and the  
Termination Era

The U.S. Congress passed the Indian Relocation Act in 1950 in which they offered to financially compensate tribal governments for the unscrupulous land deals in previous treaties in an effort to end their treaty responsibilities with tribal governments. In response, the Delaware Business Committee took measures to secure their position as representatives of the Eastern Delaware (Weslager 1972:457-463). Consistent with the Oklahoma Indian Welfare Act, the Delaware General Council finally adopted its first written resolution in 1958 to define the mechanics under which the Delaware Business Committee was to operate (Carrigan and Chambers 1994:38-40). Prior to this, the Business Committee members served based on family membership. There were no term limits and the members were only replaced when tribal members nominated a new leader. The 1958 constitution clearly spelled out the expectations of the Delaware Business Committee.

During the 1958 General Council, it was decided that tribal elections were to be standardized and held every four years. The General Council did not place term limits on those elected to the Delaware Business Committee and there still exists no term limits for elected representatives. A five-member grievance committee was also established for the purpose of investigating complaints of misconduct among members of the Delaware Business Committee. Tribal membership was also an issue and, although not explicitly spelled out, it was to include only, "Delaware by blood." There was no mention of blood quantum in the 1958 constitution and the Delaware Tribe still does not recognize blood quantum as a requirement for membership. The "Delaware by blood," requirement excluded adopted and intermarried members listed on the 1906 Secretarial Roll but included all of the descendants of those Delaware in Canada and Western Oklahoma. This inclusive membership strategy is most likely a legacy of Chief Anderson's hope for a unified Delaware Tribe combined with an uncalculated adoption of federal Indian policy towards tribal membership that had stemmed from the "Cherokee by blood" label used to identify the Delaware since the 1880

Cherokee census. (Constitution and Bylaws reprinted in Carrigan and Chambers 1994:A46-A49).<sup>xiii</sup>

The Indian Claims Commission, which was established in the act cited above, awarded over 9 million dollars to the Eastern Delaware in Dockets 72 & 298 for land in Kansas ceded to the United States in the Treaty of 1854 (Weslager 1972: 460-461). The Delaware Business Committee, working in conjunction with the Bureau of Indian Affairs in Muskogee, was soon swamped with applications for membership (Weslager 1972:460). Delaware identity was something people understood locally and the definition for membership was vague. This resulted in several hundred claims being rejected.<sup>xiv</sup>

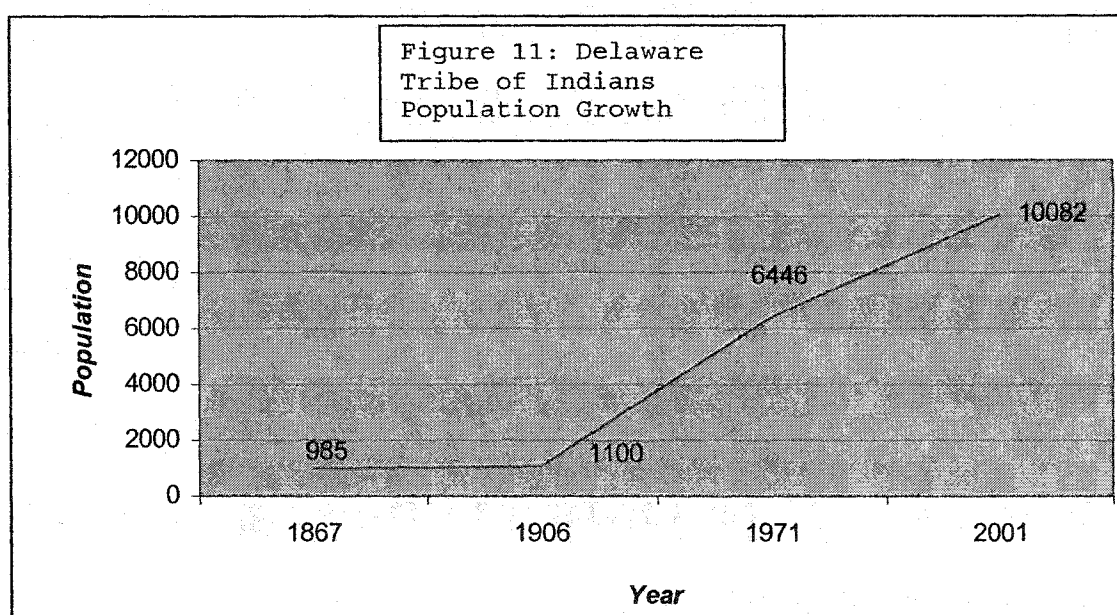
The money awarded in the Dockets was only for lands ceded in what is now the state of Kansas and the General Council resolved the problem of proliferating membership applications by limiting tribal membership. In 1974, the Delaware General Council, under the leadership of their new Chairman, Bruce Townsend, amended the 1958 constitution. The amendment limited the "Delaware by blood," requirement to those who met or whose lineal ancestors met the qualifications required to participate in the distribution of Dockets 72 and 298 (Carrigan and Chambers 1994:A50-A54). The revision restricted tribal

membership to only those descendants of Delaware people listed on the Delaware Roll compiled in 1867 when the Delaware were obliged to relocate to Indian Territory. The applications for membership slowed but the Delaware tribal population still increased dramatically during the 1970's. The promise of per capita payments had forced the Delaware government to codify Delaware tribal identity, effectively transforming local definitions of tribal membership oriented toward culture and genealogy into a legally regulated process.

It was here that another layer of Delaware identity developed and was made a part of local understandings of Delaware identity. Prior to the per capita payments, tribal membership was locally understood to be based on participation in either the Delaware General Council or social events, while Delaware identity was a much more inclusive, almost transnational identity that included all of the descendants of the Delaware migrations. Attendance at the tribal events was usually relatively small; rarely counting more than 300 participants and this is generally the case today (Jim Rementer, personal communication, 2002). Officially, however, the 1906 Delaware Secretarial Roll served as the membership roll of the Delaware tribe and it counted 1,100 tribal



members. After the Per Capita payments, the Delaware tribal population rose from over 6,000 in 1970 (Weslager 1972:460) to over 11,000 tribal members in 2002 with the vast majority of these Delaware living outside of Delaware Country. Many of the descendants of those listed on the 1906 roll now live outside Oklahoma.<sup>xv</sup>



The Delaware demographic shifts that developed during the 1970's set the stage for the development of another set of distinctions in Delaware identity politics based on participation and location. On a continuum, there are those who live in Northeastern Oklahoma and participate daily in tribal events while on the other end there are those who never participate and do not live in the region. The number of tribal members living out of

state increased dramatically and most participate infrequently in tribal events, but they still connect and identify locally through their Delaware family lineage. Living locally and participating in community events is associated with the Indian pole of the composite spectrum, while living outside of Delaware country and not participating is associated with the White pole.

Figure 12: Delaware Identity spectrum  
(cont.)

Indian	White
Local	Non-local
Participate	Not Participate

Warhaftig (1968) addressed a similar intra-group distinction based on variations in social participation that existed among the Cherokee during the formative years of their current governmental structure. He distinguished the "tribal" Cherokee population from those who had legal claim to Cherokee status. Tribal Cherokee were the aggregate of individuals who functioned as participants in a distinctly Cherokee ceremonial institution associated with one of 70 Cherokee settlements. On the other hand, legal Cherokees were those with political rights within the Cherokee Nation but who were variously removed from this more socially

and culturally conservative context. Sturm (2002:105) confirms this analysis showing that it continues to inform the current contradiction between the Cherokee Nation as a legal entity largely controlled by the "white" Cherokee elite whose actions often do not reflect the socio-cultural realities of the traditional Cherokee communities.

The distinction observed among the Cherokee is not unusual for the Indian communities of northeastern Oklahoma. Jason Jackson (2003a) reports that the Creek and Yuchi use a similar sense of tribal versus legal identity when identifying tribal members based on social participation. Roark-Calnek (1977:18-40) also observed the development of this distinction during the course of her fieldwork with the Eastern Delaware in the early 1970's. My experience indicates that the Delaware do indeed separate tribal members by their perceived level of participation but it is a separation that is unique in its' associations with other racial, familial, cultural and spatial meanings specific to the Delaware. Those Delaware who do not participate in the local social network (i.e. Delaware Powwow, General Council) are considered less Indian and thus considered a part of the "white" social network.

It is clear that the federal legislation dealing with the social and economic status of Indian people in Oklahoma did effect Delaware definitions of tribal membership. At two historical moments, namely the Allotment of Indian Territory and the passage of the Indian Claims Commission Act, the requirements and definitions of Indian identity imposed on the Delaware were internalized, reshaped and used to construct a new yet distinctly Delaware sense of group identity. In particular, although some Delaware people identify as culturally white this does not exclude them from participation in the Delaware community nor does it negate the significance of their family lineages and associated place name. The Delaware do distinguish between white and Indian but white identities exist in conjunction with, not in opposition to, Delaware Indian identity. As I will demonstrate in the next section, when the Cherokee Nation and the Department of the Interior challenged the authority of the Delaware Business Committee, both white and Indian Delaware joined in collective resistance in an effort to maintain the overall socio-political integrity of the Delaware Tribe.

From Delaware Country to Delaware Service Area: American  
Indian Landscapes in the Self-Determination Era

In this section, I wish to explore a third legislative impact on the Delaware landscape and identity. Indian Territory had been divided into two BIA districts following Oklahoma statehood. Anadarko was the site of the field office for the BIA in Western Oklahoma while Muskogee served as the field office for the BIA in Eastern Oklahoma. The eastern and western field offices continued in Muskogee and Anadarko after the Self-Determination Act and still provide certain services for American Indians in both halves of the state today.

In 1975, Congress passed the Indian Self-Determination and Educational Assistance Act empowering the Department of the Interior to turn over the administration of Indian services and programs to tribal governments. This legislation meant that the services previously provided through Muskogee and Anadarko would now be contracted out to the tribal governments who would take over the administration of Indian services and programs. Implementing self-determination in Oklahoma was unique in that although the old reservation boundaries persisted in the minds and practices of Indian

people, the former reservation boundaries had been dissolved and replaced by county boundaries (Moore 1992).<sup>xvi</sup> This presented a particular question over which region, now understood in terms of counties, each tribe would be responsible for if they were to contract for the administration of services formerly provided through the BIA. Most tribes claimed the counties that replaced their old reservation boundaries to determine the area within which they would provide services. These counties became and continue to be officially referred to as a Tribal Jurisdictional Service Area (TJSA).<sup>xvii</sup> The Cherokee Nation followed this general protocol and defined their TJSA along the old boundaries of the Cherokee Nation, which now exists as fourteen Oklahoma counties. In so doing, the Cherokee TJSA included the regions locally identified as Delaware, Shawnee and Natchez Country as well as Cherokee Country (Sturm 2002:132).<sup>xviii</sup>

The Cherokee Nation TJSA is similar to other TJSAs in Oklahoma in which one tribal government claims jurisdiction over an area occupied by another tribe.<sup>xix</sup> Delaware Country is in the northeastern portion of the Prairie/Plains region in Oklahoma. Delaware Country is approximately sixty miles northwest of Cherokee Country.

Cherokee Country is the region associated with the traditional Cherokee settlements and social network. Cherokee Country is on the Ozark Plateau and is bounded to the south, west and north by the arc of the Grand River and to the east by the Oklahoma State line. Tahlequah, the home of the Cherokee Nation headquarters, is in the center of Cherokee Country with the majority of the traditional Cherokee settlements, stomp grounds and churches in the surrounding area (Warhaftig 1968:511, Sturm 2002:11-12).

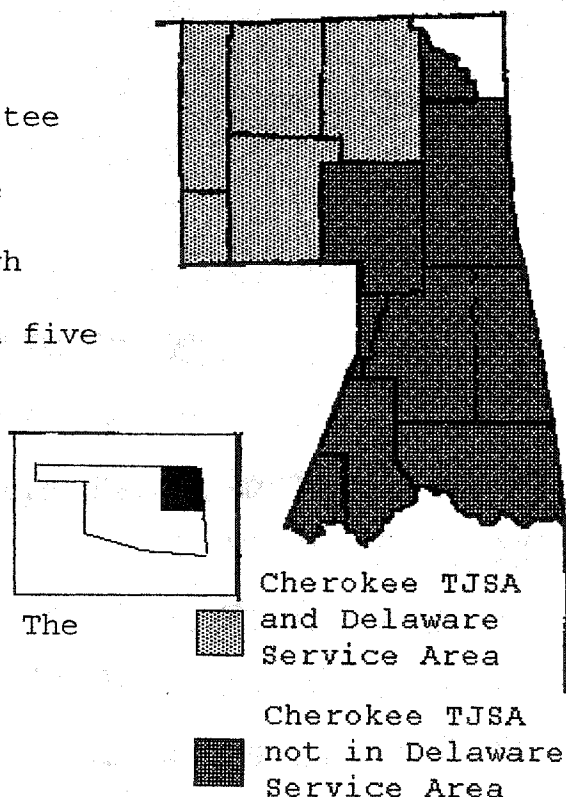
Before the Self-Determination Act allowed the Cherokee Nation to claim Delaware Country as part of the Cherokee TJSA, the Delaware had begun the process of defining their own governmental boundaries. Horace McCracken, of both Cherokee and Delaware descent from Nowata, became chairman in 1951 replacing Jacob Bartles who had served as chairman for over 30 years. Throughout Bartles' tenure, he continued the tradition of holding the Delaware government in the hometown of the chief as he held the Delaware General Council meeting in his hometown of Dewey. McCracken continued to hold the General Council in Dewey, a practice which helped to identify the Dewey High School and Fair building as a shared middle ground for the Big House and Christian

Delaware families to meet (Carigan and Chambers 1994:A91-A92).

The Delaware Business Committee purchased its first tribal headquarters in Bartlesville with funds from the Tribal Government Development Program (TGDP) in 1973. The Delaware Business Committee also focused their efforts on meeting the health needs of the local Indian community. The Community Health Representatives (CHR) program was initiated in the early 1970's and worked to improve the health care of Delaware and non-Delaware Indian people.

Figure 13: Cherokee TJSA and Delaware Service Area

After the Cherokee Nation defined their TJSA, the Delaware Business Committee established the Delaware Housing Authority through which they established a five county service area that included nearly half of the acreage claimed by the Cherokee Nation. The Delaware Service Area

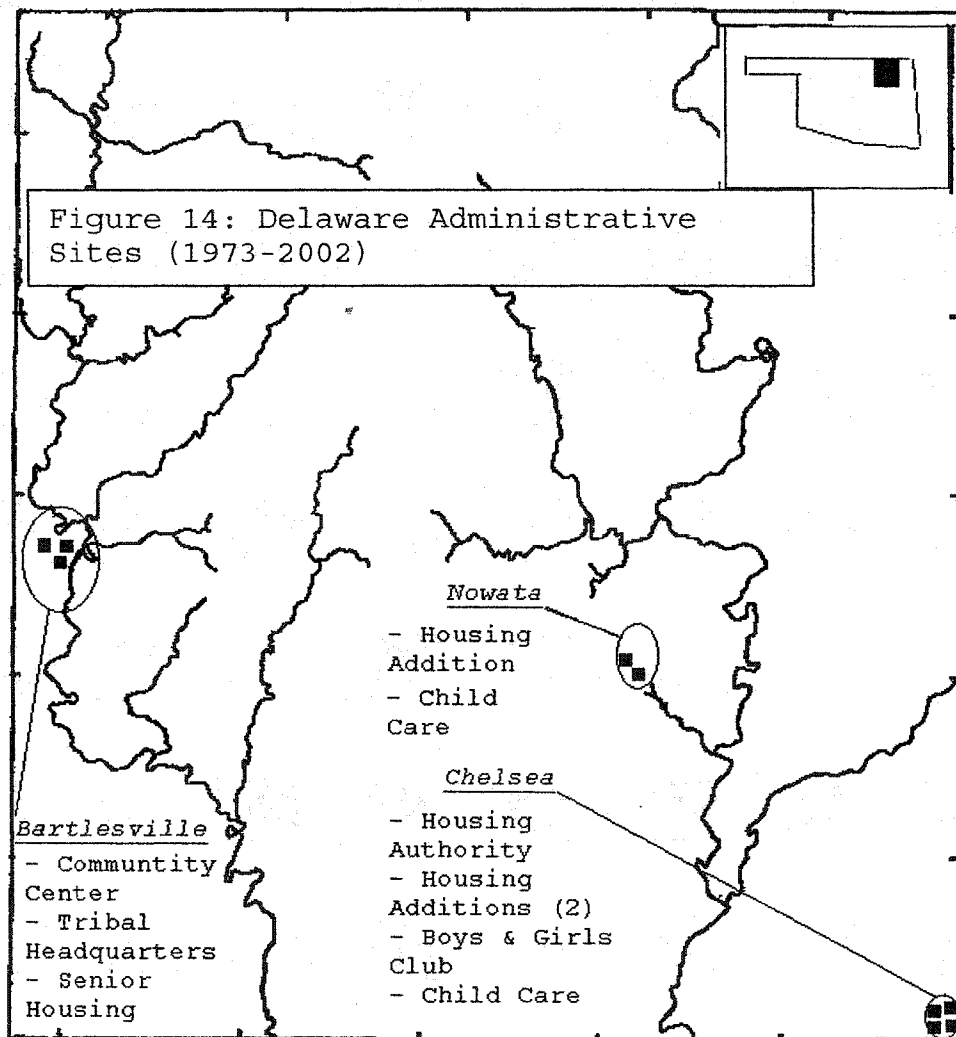




approximated the area locally understood as Delaware Country. Established in December 1977 through the Oklahoma Housing Authority Act, the Delaware Housing Authority began serving Indian families regardless of tribal affiliation in Northeastern Oklahoma that were variously neglected by the Cherokee housing projects concentrated in the Ozark Plateau.

Citing a needs assessment study that found a lack of adequate housing in Delaware Country, the Delaware focused construction in Bartlesville, Nowata and Chelsea, effectively marking the locally understood border between Delaware Country and Cherokee Country. In 1978, the main office of the Delaware Housing Authority and a new housing addition were built in Chelsea followed by the Lewis B. Ketchum Boys and Girls Club. The Delaware Housing Authority recently completed two larger housing additions in 2001 on the south side of Chelsea. In Nowata, the Delaware Housing Authority also built two small housing additions and in Washington County they continued to support housing needs on an individual basis. The ability to provide homes and home repair for American Indians living in Delaware Country (which included both Delaware and Cherokee as well as Indian people from other tribes) served as a way for the

Delaware Tribal government to also make material their claims their own TJSA. Thus, Delaware sponsored housing construction and the tribal headquarters were built in the urban/white areas identified with the Christian leadership and the Delaware Business Committee.



Despite the Business Committee's active involvement in meeting the Indian health and housing needs within their five county service area, the Delaware were not allowed to establish a TJSA because the BIA officially

terminated their recognition of the Delaware Business Committee in 1979 in response to protests from the Cherokee Nation. The Cherokee Nation also challenged the legitimacy of the Delaware Housing Authority. Cherokee Chief Ross Swimmer filed suit in 1980 against the Delaware Housing Authority claiming that the Delaware Housing Authority was illegal because the Delaware Tribe was no longer federally recognized. Since the Delaware Housing Authority was organized under the state of Oklahoma, the court ruled in favor of the defendants in 1983 and the Delaware have continued to run their own Housing Authority (Carrigan and Chambers 1994:127).

After the Delaware were finally awarded the programming funds from the Delaware Trust in 1991, the Delaware Tribal Council allocated money to be used for the protection and preservation of locally significant sites. The Tribe took over the management of three cemeteries in Washington County and currently (ca. 2003) there are calls for the Delaware Tribe to take over other tribal cemeteries in Nowata and Craig counties. The Delaware were also able to secure a tract of land from the Corps of Engineers on the banks of Copan Lake near the site of the old Big House. There, Doug Donnell, with the help of a handful of Delaware cultural

preservationists, built a new dance ground named Eagle Ridge in the mid 1990's. Here they host various Delaware social events including stomp dances and powwows.

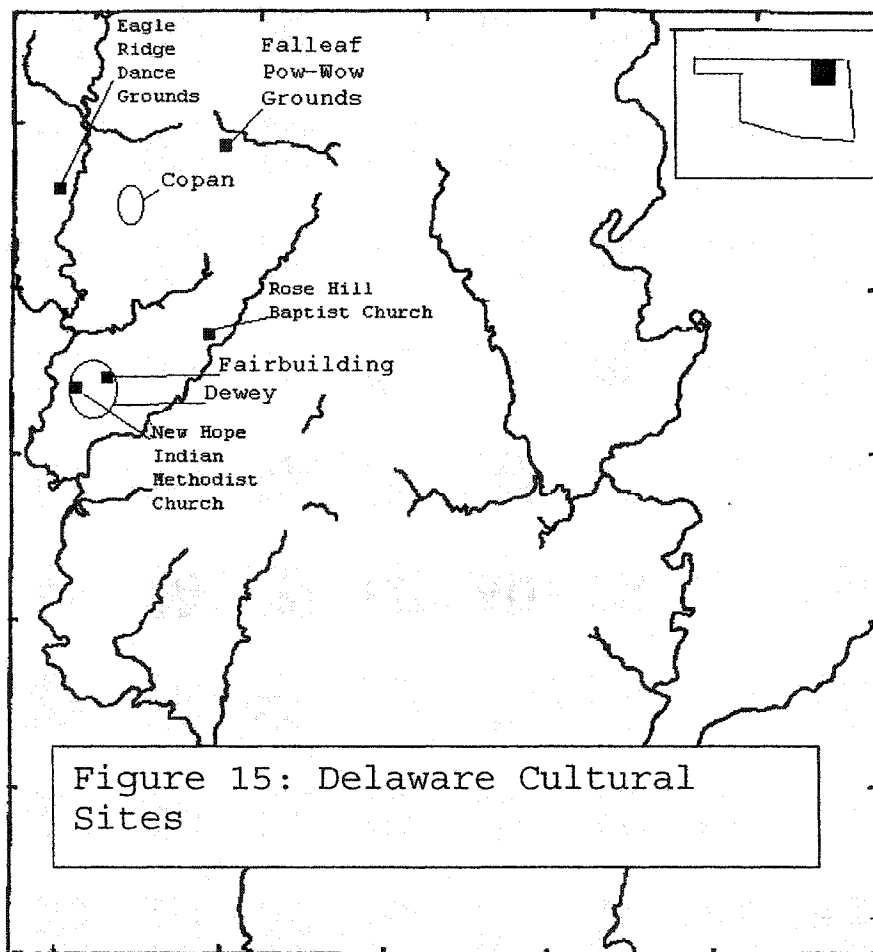
The tribal headquarters remained in Bartlesville but was moved to a larger building in order to house the central offices of the Delaware Housing Authority, the Delaware Trust Board and the Delaware Tribal Council.<sup>xx</sup> The Delaware have also built a Community Center, an Elderly Housing Addition and a Wellness Center in Bartlesville. The community center has a child care facility and conference rooms that host events like the Delaware Elder Nutrition program, weddings, funerals, and social dances on the fourth Monday of each month. For the past couple of years (2001-2003) the Delaware General Council has met annually at this location. The Child Care Program, also administered from the tribal headquarters in Bartlesville, is one of the most visible Delaware services. Funded through both private and federal grants, the Delaware Tribal Council authorized the construction of new child care centers in Bartlesville, next to the Cherokee Nation Health Clinic in Nowata and in the Secondine Housing Addition in Chelsea. The new facilities were built to provide better child care (nutrition, daycare, education) to the Indian people

in Delaware Country. The Delaware Child Care program has recently began construction on a new daycare facility in Caney, KS and has extended their Child Care service area to seven counties by adding two in southern Kansas.

The Dewey Fair building, once the home of the Delaware Business Committee, has become the locus for both tribal and intertribal events, including the Operation Eagle Powwows and Stomp Dances, Wild Onion Dinners and the former Intertribal Indian Club of Bartlesville (IICOB) dances. Because of its location, these events are understood as Delaware events regardless of which intertribal organization acts as the host.

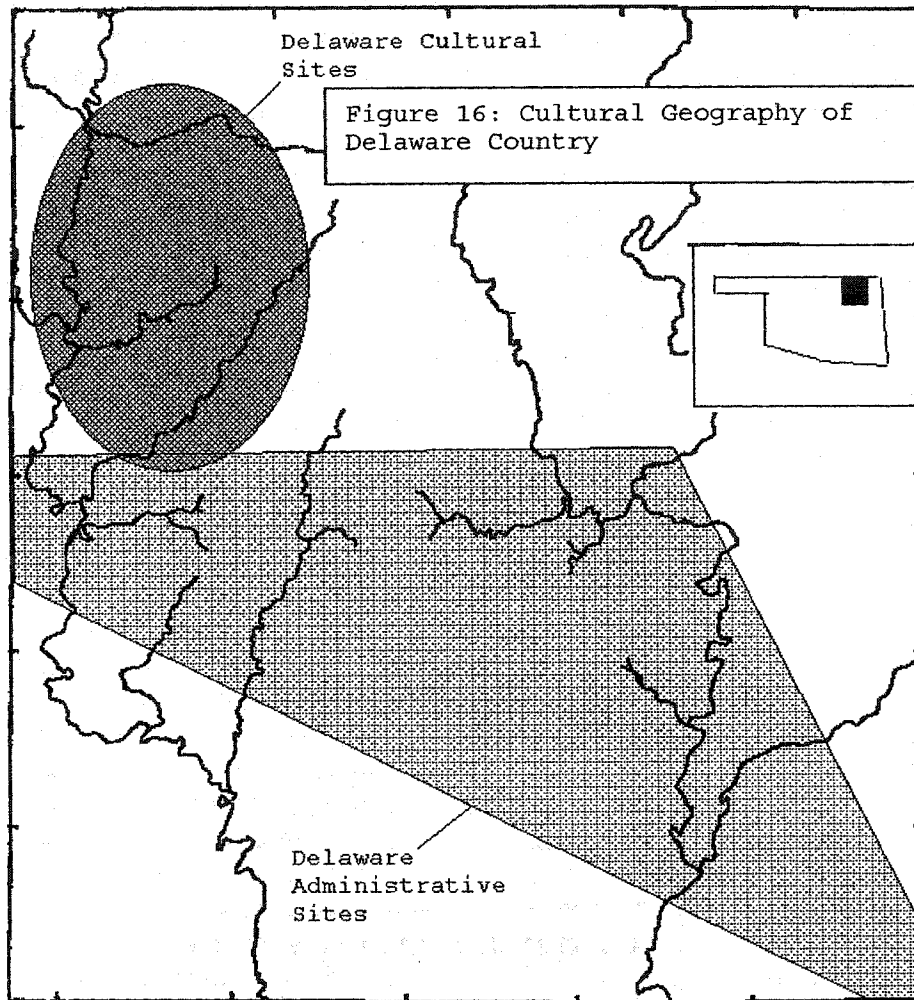
Since the early 1990's, there has also been a recent expansion in the number of Christian churches attended by members of the Delaware community. The New Hope Indian Methodist Church in Dewey continues as a significant social institution for the local Indian population, but other Delaware churches have also been formed. A long time pastor for the Delaware Community in Dewey preaches at the Rose Hill Baptist Church, which was built on his Delaware mother in law's allotment in the early 1990's. Although Rose Hill is not explicitly a Delaware church, its membership and location mark it as such. The newest church in Delaware Country is the Bowen Indian Mission

Church, sponsored and attended by Delawares and other local Indians in search of intertribal fellowship. Although it has yet to establish a permanent facility, the congregation meets in the Dewey area and is actively recruiting members. Interestingly, all three churches are in the Dewey vicinity suggesting that these religious institutions may also serve as a point of social and cultural connection between the descendants of the Christian Delaware communities and the descendants of the traditionalist Delaware community.



The termination of Delaware recognition has resulted in a heightening of Delaware tribal consciousness. New, non-governmental Delaware groups were established during the 1990's that more specifically acknowledged Delaware membership. The Delaware War Mothers, founded in 1991 by Rosetta (Jackson) Coffey, was inspired by the Persian Gulf War and was established to honor the veterans in the Delaware community. Membership in the Delaware War Mothers did not supercede existing intertribal organizations, such as the Bartlesville Indian Women's Club, and many women are members in more than one organization.<sup>xxi</sup> The Lenape Gourd Dance Society, which was also established during this period, helped inspire a sense of fraternity among the men in the Delaware community, some of whom also formed their own drum group known locally as the Eagle Ridge Singers.

Within this general pattern of Delaware cultural revitalization, I perceive an additional pattern within Delaware Country. Delaware people are actively and publicly reaffirming their tribal identities and defending their sense of homeland. In turn, this has motivated an intensification of Delaware community life in the political domain but also in the cultural,



religious and social spheres. Delaware Country today is bounded by an imaginary triangle with points at the tribal headquarters in Bartlesville, the Delaware Housing Authority in Chelsea and the Delaware Powwow grounds near Copan. Delaware Country is further divided by an internal division that the Delaware understand to exist between the Urban/Christian/white and the Rural/Traditionalist/Indian landscapes. These identity distinctions are reflected and have helped shape the distribution of the administrative and cultural sites.



The locations in which the Delaware administer federal services predominate in the urban regions first settled by the families that supported the treaty with the Cherokee Nation and exist in the Christian landscape associated with a "white" Delaware identity. In contrast, Delaware cultural sites are found in the rural regions first settled by the families that opposed the treaty with the Cherokee Nation and exist in the traditionalist landscape associated with an Indian Delaware identity. This distribution reflects the complexity of Delaware identity that expresses the political, religious and cultural diversity of the Delaware Tribe that is made meaningful through a uniquely Delaware concept of race while making a complex and unified territorial claim to a tribal homeland. Again, Self-Determination, like the federal legislation that preceded, was imposed on the Delaware who subsequently reshaped and modified its intended purpose to produce their own way of expressing and identifying the cultural diversity that exists within the Delaware Tribe.

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<sup>i</sup> Falleaf, Fred. Interview by Katherine Red Corn and J. W. Tyner. DIOH, Volume 31. T-299 (7pp.), T-377 (5pp.), T-377-2 (30pp.), T-512 (2pp.), Y-512-1 (22pp.), DDC-WH.

<sup>ii</sup> Sturm (2002:78-81) points out that scholars are generally cynical about the impact of blood quantum, but at the time that blood

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quantum was implemented it could just as easily have been considered an advantageous way to both protect the rights of Indian people while allowing Euro-American's access to the resources in Indian Territory.

<sup>iii</sup> Fowler (2002) provides a detailed description of Anglo-American settlement in Western Oklahoma and the impact it had on the Cheyenne-Arapaho. Her analysis serves as a good counter-example to the Delaware and a comparison of the different settlement histories in Eastern and Western Oklahoma.

<sup>iv</sup> The Bartlesville area is the primary economic market that serves Delaware County, with Nowata serving as a secondary market in the neighboring county. Charles Journeycake's European son-in-laws founded both towns. In 1874, Jacob Bartles moved his store from Silverlake to Turkey Creek where the site of Bartlesville developed. His success encouraged other intermarried white entrepreneurs from the northern United States including George Keeler, William Johnstone and Nelson Carr. In 1899, after losing a bid for a railroad depot, Bartles moved his store four miles up the Caney River where he re-established his business in one of his wheat fields. Soon, the town of Dewey developed and the railroad opened a depot in the community (Teague 1967:116). Nowata actually started as a centrally located railroad depot that quickly attracted local businessmen. J.E. Cambell, a white man who had married one of Charles Journeycake's daughters, opened the first store in Nowata and Jacob Bartles soon followed his brother in-law's lead (Cranor 1985).

<sup>v</sup> See Sturm (2002:78-81) for further discussion of racialized territory and a review of relevant literature.

<sup>vi</sup> See also Hewes' extensive research on the impact of this phenomenon in the Cherokee Ozarks (Hewes 1942, 1944, 1977).

<sup>vii</sup> See documents in DF-BPL.

<sup>viii</sup> The Oklahoma Historical Society has an account from Albert Exendine, a Delaware cattle rancher, who recounts how he was forced to cede an entire ranch to the federal government during the shift to statehood. See Albert Exendine Interview in Delaware Oral Histories Collection at the Oklahoma Historical Society (hereafter DOHC-OHS).

<sup>ix</sup> Warhaftig (1968:518) also predicted a renewed sense of Cherokee-ness to take place in the rural landscape as whites increasingly moved to town.

<sup>x</sup> Although many Delaware people live in the smaller towns of Dewey, Wann, Caney and Copan, these communities do not offer much economically. As such, the people in this area are either attracted to the local markets in Coffeetown, KS or Bartlesville, OK.

<sup>xi</sup> The logic of modern racism is built on the idea of essentialism. So if art, bodies, land and religion were not authentic because of white influences, then political structures too could be similarly inauthentic. For a fuller discussion of the western discourse of race, its development and logic see Stocking (1968), Stepan (1982), or Barkan (1992).

<sup>xii</sup> Anthropologists participated in the increasingly racialized politics of Northeastern Oklahoma. Frank Speck's political support of the Delaware traditional leaders is consistent with his support of other indigenous peoples (cf. Rountree 1990:219-242). Speck was very much involved in the communities with which he worked as he felt that involvement in local politics was an important dimension

of anthropological research (Gleach 2002:504). It is interesting to note that most of Speck's ethnographic data came from members of the Cotton Creek, Coon Creek, and Caney River communities while Mark Harrington's data was primarily from the Post Oak community. Charlie Webber first introduced Frank Speck to local community leaders and in 1929 they began corresponding directly with Speck about Delaware culture. It is from this correspondence that Speck obtained most of his ethnographic data and many of these letters consisted of "fill in the blank" type questions couched in encouraging political statements. For instance, Speck's correspondence with Fred Washington, often included lines such as, "I hope they will hold the Big House this fall. It is wrong to give it up. Stick to the old Delaware customs and beliefs. They are as good as any of the white mans (Frank Speck to Freddie Washington, August 15, 1929. FWC-DTL)." Speck's statement against the European influences in Delaware culture and politics matches the way that Delaware Big House leaders attempted to undermine the authority of the Business Committee. As culturally conservative Delaware leaders were defining themselves in opposition to the existing Delaware government, salvage ethnography, whose project was to comb out the white influences, offered itself as a powerful medium for legitimizing their political claims. Mark Harrington (1913) published only those pictures that portrayed phenotypically aboriginal looking men and women in his visit to Oklahoma in 1909. Even though Harrington took a number of pictures of Delaware men and women in Oklahoma, he only published John Anderson's picture because he was the only one in his collection that did not wear a mustache.

<sup>xiii</sup> Defining tribal membership based on the ability to demonstrate a genealogical link to a Delaware ancestor, without concern for blood quantum, rejects the validity of blood quantum for Delaware identity. See Sturm (2002), for further discussion of the Cherokee Nation and blood ideology.

<sup>xiv</sup> See Pam Wallace (2002) for a discussion of the impact that the Indian Claims Commission Act had on Yuchi identity.

<sup>xv</sup> The norm for Oklahoma Indian Tribes and Nations is that most members live outside Oklahoma. This reality is perhaps best illustrated in the fact that many tribal members regard the local Powwow as similar to a homecoming or family reunion (Jason Jackson, personal communication, 2003). See TEF-DTL for demographic information specific to the Delaware.

<sup>xvi</sup> The Osage Nation did retain the subsurface rights to their former reservation boundaries.

<sup>xvii</sup> Fowler (2002:xxii) describes the Cheyenne-Arapaho tribal jurisdictional service area (TJSA) indicating that it covers eight counties (and part of a ninth) and does not correspond to the BIA and IHS service areas, which cover a much larger area.

<sup>xviii</sup> Loyal Shawnee Country is also within the Cherokee Nation's TJSA (Howard 1981).

<sup>xix</sup> Yuchi Country exists within the Creek Nation's TJSA (Jackson 2003b). The Caddo, Wichita and the Western Delaware all share the same TJSA in western Oklahoma though they each have their own tribally owned lands (Hale 1987:157-158).

<sup>xx</sup> The Delaware Tribe now has three political bodies recognized by different levels of power and domains of responsibility. The Delaware Trust Board is recognized by the federal government and the Cherokee Nation, while the Delaware Tribal Council is recognized by

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the federal government but challenged by the Cherokee Nation. The Delaware Housing Authority is recognized by the state of Oklahoma and the Cherokee Nation ever since the Cherokee Nation lost their suit in 1983.

<sup>xxi</sup> The War Mothers societies is a tradition that can be traced to the Osage but is now an organization found in tribes throughout Oklahoma. Although the Osage tradition inspired the organization of the Delaware War Mothers, the Delaware War Mothers were independently organized and are not affiliated with any other War Mother's organization.

## Chapter Five

### Indian Blood in the Cherokee Nation

I always enjoyed driving the roads in Delaware Country and I each time I remembered the ways in which other anthropologists and historians had talked fondly about the rolling green landscape. During one of these particularly reminiscent moments, I was nearing the city limits of Bartlesville on Highway 75. I watched the now familiar transition as the small farms that dotted the rural landscape gave way to the urban space marked by the clustered churches, homes and businesses. Just on the edge of town, I spotted a large billboard that took me by surprise and required more than a moment to digest. The billboard was an enlarged campaign flier that read, "Re-elect Chad Smith for Principal Chief of the Cherokee Nation." I thought to myself that the billboard seemed out of place but in the days that followed I learned from various media sources that it was indeed an election year for the Cherokee Nation and that the vote was to take place within the month.

The amount of money and attention focused on the 2003 Cherokee election made me come to terms with the amount of power held by the Cherokee Nation relative to

the Delaware Tribe. The Delaware elections had taken place the previous year and although the candidates for chief actively campaigned through the mail and by placing adds in the Delaware Indian News, I never saw any public advertising let alone a huge billboard. Even in Bartlesville, the headquarters of the Delaware Tribe, I did not recall any attention paid by the larger populace to the Delaware election yet everyone knew exactly when the Cherokee election was going to take place. As I considered the differences in scale between the Delaware and the Cherokee elections, I became more aware of the ways in which the unequal relationships of power first developed in the Cherokee Nation and how the Cherokee Nation actively maintains such a structural reality. It is the Cherokee Nation's ability to both obtain and remain in a position of power that I wish to explore in this chapter.

The Cherokee Nation's powerful position vis-à-vis the Delaware Tribe is supported by their ability to define Delaware identity on a federal level. Legislation in the twentieth century has allowed for different entities to control varied meanings of Delaware identity and they have shifted depending on who is in control. From the allotment of Indian Territory to the Self-

Determination Era, the Bureau of Indian Affairs has overseen the transformation of Delaware identity from that of racially Indian to nationally Cherokee. As explained in the previous chapter, legislation following Oklahoma statehood imposed a fundamentally new concept of race onto existent Delaware identities. I turn my focus here to a shift in Delaware identity on a federal level that occurred during the Self-Determination Era. The Indian Self-Determination and Educational Assistance Act was passed by congress in 1975. This legislation made it possible for the Cherokee Nation to take over the administration of services previously provided directly through the Bureau of Indian Affairs in Muskogee. One of the services contracted for was the administration of the Certificate Degree of Indian Blood Card, thus giving the Cherokee Nation the ability to define Delaware identity on a federal level.

The Cherokee Nation subsequently challenged and significantly changed the administration process in ways that asserted and justified their authority within the old boundaries of the Cherokee Nation and over the descendants of those listed on the Cherokee Dawes Roll. In the pages that follow, I show that the Cherokee Nation altered the meaning of blood quantum from an identifier

of degree of racially Indian ancestry to an indicator of Cherokee national citizenship. The Cherokee Nation then established a set of rules for obtaining a CDIB card that made it appear as though the Delaware had the freedom to choose whether or not they wanted to become citizens of the Cherokee Nation. The reality, however, was that the rules for identification mapped onto the existing economic and political realities in Delaware Country in such a way that the Delaware had no choice but to apply for a "Cherokee" CDIB card in order to receive the federal services formerly offered directly through the BIA. This complex process of identification in the Cherokee Nation made it appear as though the Delaware actively consented to being "citizens" of the Cherokee Nation, when in reality their new identity was and continues to be another example of an imposed identity used to justify unequal relationships of power.

#### Contextualizing Governmentality in Native American Ethnography

I argue that two embedded aspects of power allowed for the Cherokee Nation to create and recreate its dominant structural position. First, the Cherokee Nation



has changed and imposed a new concept of blood quantum that justifies their claims to leadership over non-Cherokee Indian people. Second, the Cherokee Nation maintains their powerful position through an identification process that makes it appear as though non-Cherokee Indian people consent to and believe in the new definitions of Indian identity in the Cherokee Nation.

To help clarify and situate my first argument, I call attention to the scholars who critique the use of blood quantum in the federal Indian identification process arguing that it is built largely on racist beliefs used to reproduce the subordinate position of Indian governments and people.<sup>1</sup> They contend that Indian identity was to be increasingly defined out of existence through the ideology of blood quantum. Critical theorists hold that the ideology of blood quantum equates ancestry with cultural and intellectual aptitude. Once the agents of the federal government fixed each individual Indian with a blood quantum, the number would provide the federal government with an indicator of the competency for each individual. As intermarriage proceeded through time, each lineage would become increasingly less Indian and therefore more competent to

handle the responsibilities of participation in a capitalist economy. Blood ideology served as a convenient way to justify the unequal treatment of Indian people and to relieve the federal government of its treaty responsibilities all the while defining Indian identities out of existence.

I wish to extend the critique of blood quantum to contemporary United States Indian policy. The Self-Determination Act allowed tribal governments the opportunity to take over many of the functions previously performed by the Bureau of Indian Affairs. The administration of the Certificate Degree of Indian Blood cards is one of the services that tribal governments have been able to place under their regulation. The ability to administer the federal identification process has given tribal governments more power over Indian identity as it is understood by the federal government. Subsequently, some tribal governments have used and reshaped concepts like blood quantum that were previously imposed by the BIA, to justify and advance their own political goals. I offer this general critique of blood quantum to show that the Cherokee Nation is able to create and recreate the unequal relationships of power between them and the Delaware through their ability to

manipulate the meaning of blood quantum and justify their authority over the Delaware Tribe.

For my second argument, I suggest that it is important to understand that the federal Indian identification process is most appropriately understood as an administrative fiction that does not represent social reality. Thomas Biolsi (1992, 1995) describes how federal policies resulting from the Indian Reorganization Act created a new identity for Lakota people, one informed by previous uses of race in federal Indian legislation. Drawing on the ideas of Michel Foucault, he concludes that Lakota political leaders and Lakota people more broadly accepted an externally imposed racial identity in exchange for marginal economic security in the form of federal aid programs like housing and job training. Similarly, Joe Sawchuk (2001) shows how Metis identity today must accommodate to imposed definitions of aboriginality in order for Metis people to receive federal services.

This general view is strengthened by the case of the Eastern Delaware whose structural reality is both similar and different from that which exists for the Lakota and the Metis. The Delaware Tribe is a federally recognized tribal government, which means that they must also deal

with the same issues that face the Lakota and the Metis.<sup>ii</sup> But for the Delaware, it is the Cherokee Nation that administers the identification process and who imposes their own definitions of national identity on Delaware people who have no choice but to accept if they are in need of federal services. The Lakota and the Metis, on the other hand, deal only with the unequal relationships that exist between their tribal government and the federal government when it comes to issues of federal identification. Thus, the imposition of fictional identities in different American Indian communities is often perpetuated through economic coercion and unequal hierarchical relationships are maintained through their connection with economic structures regardless of whether a tribal government or the United States government has control over the process.

The Cherokee Nation has created rules for identification that impose a new identity as Cherokee citizen if the Delaware wish (or need) to access critical services, such as health care, that were previously provided by the BIA in Muskogee. If the Delaware want to identify as Indian or gain access to federal services, then they must identify as Cherokee, and in doing so, they reinforce the existing structural hierarchy. If

they don't participate as Cherokee, the processes and procedures of identification in the Cherokee Nation are constructed in such a way that their non-participation will unfavorably impact their political identity and they will also not be able to access federal services.

The catch 22 quality of the Cherokee Nation's identification policy is a good example of Foucault's understanding of power. Foucault (1983:220-222) states that the exercise of power consists in guiding the actions of free subjects. The key to maintaining a power relationship is making it appear as though those in the subordinate position have freedom when in reality those in power are able to guide individual choice to the advantage of maintaining existing structural inequalities.

I see the relationship of power between the Delaware Tribe and the Cherokee Nation as created and recreated in the way that Foucault describes. The Cherokee Nation makes it appear that the Delaware are free to choose their own subordinate status and remain enrolled in the Cherokee Nation. Because the Delaware applicant for a CDIB must initiate this identity transformation, the Cherokee Nation claims that the Delaware thereby consent to the authority of the Cherokee Nation. The reality is

that the choices presented to the Delaware are limited and structured by the Cherokee Nation through economic and political coercion. As I demonstrate below, in order to be recognized as Indian and receive federal services, the Delaware have to identify according to the procedures set forth by the Cherokee Nation; a process which transforms the Delaware into Cherokee citizens.

#### Delaware Indian into Cherokee Citizen

After the Delaware settled in Indian Territory, the Cherokee Nation identified what they considered to be different groups of Delaware in order to facilitate the incorporation of the Delaware. The Cherokee Census of 1880 and 1898 recorded any Delaware born in the Cherokee Nation as "Cherokee by Blood" distinguishing them from those who were born prior to 1867 on the Delaware Reserve as "Cherokee by Adoption." The distinction between blood and adoption seemed to mark little difference other than age as the Cherokee Nation considered both groups Cherokee citizens that could participate in Cherokee government. The distinction did, however, separate one Delaware group (Cherokee by Adoption) with a finite and dwindling membership, from the other Delaware group

(Cherokee by Blood) that would grow in size with each generation. This distinction allowed the Cherokee by Blood population to increase while the Cherokee by Adoption population inevitably ceased to exist.

The Dawes Commission appropriated the distinction between "Cherokee by Blood" and "Cherokee by Adoption" during the enrollment of Cherokee citizens from 1899-1906 and would later use this distinction to distribute allotments. Those listed as Cherokee by Blood were recorded on the Dawes Roll as Cherokee and given 80 acre allotments. The Delaware who had been previously listed as "Cherokee by Adoption" were recorded as the 197 "Registered Delaware" and were given 160 acre allotments. The 1867 agreement between the Delaware and the Cherokee Nation stipulated that the Delaware purchased 160 acres per individual removed from Kansas. To fulfill this treaty obligation, all of those Delaware who were born prior to the removal to Indian Territory were entitled to a 160 acre land allotment.

The distinction imposed by the Cherokee Nation and adopted by the Dawes Commission has created confusion at the Bureau of Indian Affairs and the Cherokee Nation who consider and put into policy that there were only 197 Delaware living in the Cherokee Nation when Oklahoma

became a state. This official misinterpretation of the Dawes Roll reflected the original distinctions made by the Cherokee Nation. This confusion over official Delaware identities is what allowed the Cherokee Nation to claim the entire Delaware population as "Cherokee by Blood." Since all of the Registered Delaware (previously "Cherokee by Adoption") were deceased by 1979, the Delaware had all been born after 1867 and were thus included as Cherokee by Blood during the Self-Determination Era.

In reality, the Bureau of Indian Affairs and the Delaware Business Committee recorded 1,100 Delaware living in Indian Territory on the Per Capita Roll of 1906, which was compiled prior to the allotment of Indian Territory. Cherokee tribal affiliation was not mentioned on the Delaware Per Capita Roll nor was there any mention of the Delaware being citizens of the Cherokee Nation. The Per Capita Roll identified the 1,100 people listed as Delaware even though it is certain that some of those listed did indeed have Cherokee ancestry and most were claimed by the Cherokee Nation as "Cherokee by blood."<sup>iii</sup>

Since the Delaware Per Capita Roll was compiled to identify those eligible for payments pending in court cases, the Dawes Roll was used to distribute land



allotments to the Delaware people. The result was that those Delaware parents who were born in Kansas received 160 acres and were labeled "Registered Delaware" while their children, who were born after 1867 were recorded on the Dawes Roll as "Cherokee" and received 80 acre allotments. In contrast, both the children and the parents were recorded as Delaware on the Delaware Per Capita Roll.

The Certificate Degree of Indian Blood (CBIB) was first introduced to the Delaware by the Dawes Commission when the United States terminated the Cherokee Nation's political organization and distributed the land the Cherokee Nation previously owned in common. The Dawes Commission assigned each Indian person living within Delaware Country a blood quantum originally intended to serve as an indicator of one's competency and designate who would control the land allotment as discussed in the previous chapter (Bays 1998:11, Sturm 2002:79).<sup>iv</sup> To apply for a land allotment, an individual had to obtain a "certificate showing that he or she is an Indian ... and (it) must contain information as to the applicant's identity ... (and) must be attached to the allotment application".<sup>v</sup> To prove Indian identity and receive an allotment, each Delaware had to demonstrate that they were

listed on the roll compiled for the Cherokee Nation by the Dawes Commission. Land rights over these allotments were enforced dependent upon one's blood quantum. This required that the fraction recorded by the Dawes Commission had to be included on the certificate.

If an allotment was sold, then the land title became insignificant and was transferred to the new owner. When the price of land and the sale of allotments increased in the twentieth century, the CDIB quickly became the only federally administered document that one could use to access federal Indian services and programs like health care and education. The descendants of those who were given allotments had to obtain a CDIB or use their Dawes enrollee ancestor's certificate to apply for the same services. Thus, in the years preceding the Cherokee administration of the CDIB card, most Delaware either used their allotment certificates or obtained a certificate from the BIA office in Muskogee to demonstrate their eligibility for federal services. The certificates listed the blood quantum derived from each tribe from which the individual had descendants. For example, a Delaware person with a full-blood Delaware father and a  $\frac{1}{2}$  blood Osage mother would be listed as  $\frac{3}{4}$  Delaware/Osage on a CDIB issued by the BIA in Muskogee.

The Indian Claims Commission Act of 1946 and the Indian Self-determination and Educational Assistance Act of 1975 provided the foundation for the struggle between the Delaware and the Cherokee Nation to resurface. The Indian Claims Commission established under the Indian Claims Act was formed with the intent of allowing the federal government to settle all grievances and unmet treaty responsibilities with tribal governments. For the Cherokee, the legislation was particularly difficult to act upon as Congress had legally terminated the Cherokee Nation in 1907 (Sturm 2002:173).<sup>vi</sup> The Delaware Tribe did not face the same problem since the Delaware Business Committee was a functioning entity throughout the twentieth century. Officially organized in 1895, the Delaware Business Committee recognized the Indian Claims legislation as an opportunity to finally receive just compensation for the large amounts of land and unpaid military service provided to the United States.

The Indian Claims Commission required that criteria be met for a tribal body to pursue land claims with the federal government. Perhaps the most important requirement for the current political struggle between the Cherokee and the Delaware was that the governing body had to codify its' constituency as those eligible to

share in the awarded funds. The Delaware Tribe identified their membership as those listed on the Delaware Secretarial Roll of 1906 and their descendants.

In 1948, the federal government appointed W.W. Keeler as Principal Chief of the Cherokee Nation and selected an executive committee to serve as the Cherokee Nation's government for the purpose of settling land claims with the federal government. Chief Keeler's efforts were rewarded when the Cherokee Nation received nearly 15 million dollars in the early sixties. The money was distributed to all those listed on the Cherokee Dawes Roll as "Cherokee by Blood" and their descendants. The Delaware were included in this per capita payment as all of the Registered Delaware had passed on by this time and all Delaware born after 1867 were considered "Cherokee by Blood." The overlapping membership initially pleased the Delaware Business Committee as this meant that the Delaware were able to share in the land claims awards issued to the Cherokee Nation as well as the land claims awarded to the Delaware. The Delaware had paid for the right to citizenship in the Cherokee Nation and were therefore entitled to any award given to Cherokee citizens. With the payments complete, nearly 2 million remained giving the Cherokee Nation working

capital and they began implementing various programs (ex. Cherokee Newspaper, Cherokee Nation Historical Museum) to instill a sense of unity among those who had received the payments (Sturm 2002:90-94).

In 1971, the Cherokee Nation held their first popular election since their termination in 1907. As the Cherokee Nation included all "Cherokee by Blood" as voting members and had no blood quantum requirement, the largest and most powerful constituency consisted of those Cherokee with less than  $\frac{1}{4}$  blood quantum. Consequently, those elected were predominately from Cherokee families long considered both biologically and culturally white traditional Cherokee communities. The support for the Cherokee leadership came predominately from lesser-blooded and culturally assimilated Cherokee. The racial classifications used by the BIA also identified the appointed Cherokee leaders and their supporters as "mixed bloods" who were not eligible for federal services since they had less than  $\frac{1}{2}$  blood quantum.

After the passage of the Self-Determination Act, the Cherokee Nation quickly took over the administration of a number of federal services previously offered through the BIA and began lobbying for change in order to meet the health needs of their political supporters. The white-

Cherokee leadership under their new Chief Ross Swimmer (1975-1985) successfully challenged the  $\frac{1}{4}$  blood quantum requirement that the BIA had used to determine eligibility for services. The Cherokee Nation's successful challenge not only opened services for those in support of the white-Cherokee leadership; it also legitimized their role as representatives of the Cherokee Nation. Thus, the white-Cherokee political elite did away with blood degree previously used by the BIA in order to justify their powerful position, generate the need for more federal services and provide for those who had elected them to office (Warhaftig 1975: 62-67, Sturm 2002:93-94).

When the Cherokee Nation took over the administration of the Certificate Degree of Indian Blood it also significantly altered the application and approval protocol so as to legitimize its authority over non-Cherokee Indian people whom had previously shared in the per capita payments. In all cases that I am aware of, the Cherokee Nation will only issue CDIB cards to those listed on the Cherokee Dawes Roll and their descendants. They will also only calculate and include the blood quantum listed on the Cherokee Dawes Roll. Instead of listing all of the federally recognized tribes

in which the applicant is a member or descendent, some form of Cherokee tribal identification is now attributed to the applicant's blood quantum regardless of their ancestral affiliations. The tribal labels associated with their respective tribal identities issued from Tahlequah are listed in the table below.

Figure 17: The different tribal identities enumerated on the Dawes Roll and their official tribal affiliation listed on their CDIB card by the Cherokee Nation	
Official tribal labels issued from the Tahlequah Agency in the Cherokee Nation.	Tribal identity
Cherokee	Cherokee, Keetoowah, Natchez, Creek, Delaware, Shawnee and Intermarried Whites
Cherokee (A.D.)	Eastern Delaware
Cherokee (A.S.)	Loyal Shawnee
Cherokee Freedmen	Cherokee Freedmen
Cherokee (A.D./A.S.)	Shawnee - Delaware

The Cherokee (A.D.) label stands for "Cherokee/Adopted Delaware, the Cherokee (A.S.) stands for Cherokee/Adopted Shawnee and the Cherokee (A.D/A.S.) stands for Cherokee/Adopted Delaware/Adopted Shawnee.<sup>vii</sup> How one is labeled hinges on which ancestor one lists on his or her CDIB application and the situational disposition of the enrollment officer handling the application. For instance, in almost every case, if a Delaware person of Cherokee, Delaware and Shawnee descent

lists their Cherokee ancestor they will in turn be identified as Cherokee. But if they list their Delaware ancestor they will be listed as Cherokee A.D and if they list their Shawnee ancestor they will be listed as Cherokee A.S. Since all Delaware people born after the removal from Kansas were labeled on the Dawes Roll as "Cherokee," if a Delaware person with no Cherokee ancestry lists such an ancestor, the Delaware applicant will be listed as Cherokee on the CDIB. Returning to the example given above, if the applicant whose CDIB was issued for the purpose of allotment identified him or her as 3/4 Delaware/Osage (full-blood Delaware father, 1/2 Osage mother), that individual would find themselves with a new identification; 1/2 Cherokee. Thus, the Cherokee Nation transformed the "Indian" blood quantum issued by the BIA to a "Cherokee" blood quantum, which conflated Cherokee citizenship with the imposed racial identities already in place.

Challenging the 1/4 degree restriction justified the white-Cherokee elite's ability to serve in office, but they also had to justify their leadership in the minds of non-Cherokee people as well. By changing the meaning of blood quantum from an indicator of strictly racial identity to an identifier of national identity, the



Cherokee Nation transformed the Delaware federal identity so as to include the Delaware listed on the Cherokee Dawes Roll as Cherokee citizens. Thus, the meaning of blood was shifted from "Indian" to "Cherokee" in order to legitimize the Cherokee's claim to leadership over non-Cherokee Indian people now encompassed by the Cherokee Nation. Although the Cherokee Nation does not have a minimum blood quantum requirement for membership, blood quantum now functions to construct a concept of Cherokee genealogy and advance a sense of Cherokee nationalism among those it now claims jurisdiction over as citizens of the Cherokee Nation.

I have also been told that the Cherokee protocol I describe is more of a general rule rather than an official protocol. I was indeed unable to find any written guideline that the Cherokee Nation Registration Department uses to determine an applicant's tribal affiliation (Cherokee Nation Registration Department, personal communication, 2002; Bureau of Indian Affairs, personal communication, 2002). More than a few Delaware have told me about the inconsistent manner in which they are identified on their CDIB cards. One woman explained how both she and her brother registered at the same time and with the same genealogy, yet she was identified as

Cherokee and her brother was identified as Cherokee A.D. With no written regulations in place, I conclude that tribal identification is often a decision made by the person handling the application though a general structure is understood by those processing the applications.

The lack of uniformity in calculating and assigning blood quantum amounts is the result of the variables used to compute the fraction, not the applicant's actual genealogy. As many Delaware people have more than one ancestor listed on the Dawes Roll, blood quantum may differ between siblings of the same parents dependent upon whom and how many Dawes Roll ancestors they list on their CDIB application. For example, if a grandfather and grandmother were both listed as full-blood Delaware on the Dawes Roll, this would indicate that their daughter, who was born after the roll was compiled, should mathematically be full-blood as well. Later, if this daughter married a non-Indian and raised a family, then her children should theoretically be half-blood Indian. But in practice, if the daughter and her children only list the grandfather as their Indian ancestor when they apply for their CDIB cards, then the daughter will be identified as  $\frac{1}{2}$  Cherokee and the

children would be listed as ¼ Cherokee. Thus, the Delaware are identified through a process in which blood quantum is identified as Cherokee on their CDIB, making the act of identification a practice that confers a "Cherokee only" identity, thereby advancing Cherokee nationalism.<sup>viii</sup>

The success of the Cherokee strategy rests on the Cherokee Nation's ability to control the identification process. Controlling the CDIB process allows the Cherokee Nation to determine the identities through which those listed on the Cherokee Dawes Roll and their descendants can identify as Indian with the Bureau of Indian Affairs. By labeling Delaware and other non-Cherokee Indians as "Cherokee by Blood," the Cherokee Nation can demonstrate to the BIA that they have a larger population to whom they administer services. In order to maintain what is today one of the largest tribal populations, the Cherokee Nation has developed a structure for accessing federal services that makes it appear as though the Delaware actually consent to the Cherokee Nation's authority when the reality is actually quite different. I will describe these rules for identification in the next section.

The structural possibilities of Eastern Delaware federal identification

The Cherokee Nation created and continues to implement rules for participation in federal Indian programs in such a way that makes it impossible for the Delaware to access federal services without also claiming a Cherokee identity. The Cherokee Nation actively maintains their dominant structural position through coercive strategies that rely on the economic needs of their constituents in order to give the appearance that the Delaware consent to the Cherokee leadership.

Although the Delaware Tribe does not have a contract to issue CDIB cards, the Delaware do have their own tribal membership cards that they issue from their tribal headquarters. The United Keetoowah Band of Cherokee and the Shawnee Tribe, both federally recognized tribes whose members also obtain their CDIBs from Tahlequah, have done the same. These tribal membership cards are different than the Cherokee CDIB because they are not subject to any jurisdictional boundaries or BIA contract. Also, each tribe establishes the eligibility requirements for citizenship. Since these cards are intended to certify political membership and rights, the Delaware cards did

not originally include racial information like blood quantum. Below is a list of tribal membership cards that are issued within the boundaries of the old Cherokee Nation.

Figure 18: Federally recognized tribes that issue tribal membership to cards to their members whom are considered dually enrolled in the Cherokee Nation.		
Tribal Membership	Tribal Headquarters	Tribal Identity
Cherokee Nation of Oklahoma	Tahlequah, OK	Cherokee, Natchez, Creek, Eastern Delaware, Loyal Shawnee, Keetoowah and Cherokee Freedmen
Delaware Tribe of Indians	Bartlesville, OK	Eastern Delaware
Shawnee Tribe	Miami, OK	Loyal Shawnee
United Keetoowah Band of Cherokee Indians	Tahlequah, OK	Cherokee

To be a member of the Delaware Tribe of Indians one must complete and submit a membership application to the Tribal Enrollment office in Bartlesville, OK. The application must include documents showing the individual's genealogical connection to an individual listed on the 1906 Delaware Secretarial roll including Delaware late-comers adopted into the tribe by General Council July 14, 1951. If completed successfully, the individual would receive a blue card certifying their membership in the Delaware Tribe and their right to vote in tribal elections. The Delaware Tribe is relatively unique in that it allows dual enrollment; making it

possible for an individual to have tribal membership cards from both the Delaware Tribe and any other tribe of which he or she is a member. Since the Cherokee Nation is challenging the Delaware Tribe's federal recognition, the Cherokee do not officially recognize the Delaware as an independent tribe. Thus, the Cherokee Nation also allows dual enrollment but only with the other tribes enumerated on the Dawes Roll.

In light of the Delaware and the Cherokee Nation's enrollment policies, the Delaware are able to apply for tribal membership from three federally recognized tribes (Cherokee, Delaware, Shawnee) if they also have ancestors from these tribes but they can only get their CDIB through the Cherokee Nation. The CDIB and the Cherokee Nation Tribal Membership card are both issued from the Cherokee Nation Registration Department in Tahlequah, Oklahoma. The Delaware Tribal Membership Card is issued by the Delaware Enrollment Office in the Delaware Tribal Headquarters in Bartlesville, Oklahoma. The Shawnee Tribe received federal recognition in 2000 and they issue tribal membership cards from their Tribal Headquarters in Miami, Oklahoma.<sup>ix</sup> I did not learn of any Delaware who are also members of the United Keetoowah Band and as I am not familiar enough with the relationship between them

and the Cherokee Nation I do not include them in my present discussion.

A number of Delaware people have tribal membership cards from both the Cherokee Nation and the Delaware Tribe of Indians and a few are also enrolled as members of the Shawnee Tribe. Having access to three tribal membership cards means that it is logically possible that if a Delaware person also had Shawnee ancestry, they could choose from seven possible combinations for tribal membership. The Cherokee Nation, however, has been able to limit the seven choices for those who also want (or need) to apply for a CDIB card and identify as "Indian" with the BIA.

The Cherokee Nation has established a set of rules to regulate the choices of those participating in the federal identification process. For the purpose of simplifying my explanation of Delaware identification options, I will no longer include the option of Shawnee tribal membership as it is only available to a portion of Delaware and the rules for Delaware identification are identical to Shawnee identification.

The Delaware report that when the Cherokee Nation first took over the administration of the CDIB, the Cherokee Nation automatically enrolled the CDIB applicant

in the Cherokee Nation. Automatic tribal enrollment has recently been changed and now there are two separate but linked application procedures. Currently it is possible to apply for and receive a CDIB through the Cherokee Nation and never enroll as a Cherokee tribal member. To be a member, however, the Cherokee Nation requires the Delaware and all other applicants to apply for and receive a CDIB through the Cherokee Registration Department. The Delaware Tribe does not require a CDIB for membership in the Delaware Tribe. One only has to show a link to a Delaware ancestor listed on the 1906 Delaware Per Capita Roll to claim membership in the Delaware Tribe.

The shifting rules for identification are unclear to some and, as a result, there are a number of Delaware people who apply for a CDIB and as such believe that they are also enrolled members of the Cherokee Nation. Others who recognize the different meanings of these cards choose to not apply for a Cherokee tribal membership card as an expression of political resistance. Regardless, the result of both of these situations is that Delaware people with Cherokee CDIBs but without a Cherokee tribal membership card have little or no political voice in the Cherokee Nation, which nonetheless claims the right to



administer services to them. The bureaucracy at the Bureau of Indian Affairs considers these Delaware to be Cherokee and since they did not apply for tribal membership in the Cherokee Nation, the Cherokee election board does not consider them Cherokee tribal members. The confusion that is allowed to occur between these two bureaucratic identities ("Cherokee by Blood" vs. Cherokee tribal member) allows the Cherokee Nation to count a larger constituency when applying for programs through the BIA while silencing the electoral voice of potential political dissidents within their service area.

As the table below indicates, requiring Delaware people to have a Cherokee CDIB has made it impossible for Delaware people to be Cherokee tribal members without also having a Cherokee CDIB card that marks them as "Cherokee by Blood." Even though the Delaware paid for the right to citizenship in the Cherokee Nation in the agreement of 1867, they can not be only Cherokee citizens, nor can they be citizens in the Cherokee Nation and the Delaware Tribe without also obtaining a Cherokee CDIB card. If the Delaware apply for a CDIB card, they will automatically be identified as "Cherokee by blood". The CDIB requirement for tribal membership narrows the Delaware choices from seven to five possibilities because

they cannot be a Cherokee tribal member (or Cherokee and Delaware tribal member) without also having a Cherokee CDIB card. Thus, there is no option, the Delaware must obtain Cherokee CDIB cards to identify as Indian with the BIA.

Figure 19: Federal Identification Options

Option	Cher. CDIB Card	Cher. Tribal Card	Del. Tribal Card	Federal Identity
1	Yes	Yes	Yes	Cherokee by blood/Cherokee tribal member/Delaware tribal member
2	Yes	Yes	No	Cherokee by blood /Cherokee tribal member
3	No	No	Yes	Delaware tribal member
4	Yes	No	No	Cherokee by blood
5	Yes	No	Yes	Cherokee by blood /Delaware tribal member
6	No	Yes	Yes	Impossible
7	No	Yes	No	Impossible

A few more possibilities are available for Delaware tribal members with ancestors from tribes not listed on the Dawes Roll. Since the Delaware Tribe allows its' members to be dually enrolled with other tribes, the combinations through which Delaware people can identify on a federal level are larger than those of other tribes that enforce a single enrollment policy. The Cherokee

Nation only allows dual enrollment with those tribes listed on the Dawes Roll, meaning that you cannot be a voting member of the Cherokee Nation and another tribe outside of their influence.

Figure 20: Federal Identification Options (cont.)					
Option	Other Tribal CDIB Card	Cher. CDIB Card	Cher. Tribal Card	Del. Tribal Card	Federal Identity
8	Yes	No	No	No	Other Tribe
9	Yes	No	No	Yes	Other Tribe

As indicated in Figures 19 and 20, it is possible for the Delaware to identify as Delaware a tribal member but to be able to do so exclusively as a Delaware, one cannot apply for a CDOB. Delaware tribal membership cards, unlike CDIB cards, were not accepted by many of the federal service agencies until very recently. As such, many Delaware people who would rather opt to identify as Delaware are forced by the need for marginal economic security to choose the options that identify them as Cherokee or as citizens of another tribe outside the Cherokee Nation's influence to receive services.

For those Delaware with less economic flexibility who live within the Cherokee Nation's service area, they are obliged to apply for a Cherokee CDIB card as well as membership in the Cherokee Nation. To encourage Cherokee

tribal membership and guide the Delaware's "choice" in the application process, Cherokee tribal preference is given for the distribution of contract services administered by the Cherokee Nation. Thus, Delaware in need of fundamental services such as health care and housing are in many ways forced to apply for a Cherokee CDIB card as well as a Cherokee tribal membership card to care for their basic needs.

Figure 21: Federal Identification Options					
Option	Other CDIB Card	Cher. CDIB Card	Cher. Tribal Card	Del. Tribal Card	Federal Identity
1	No	Yes	Yes	Yes	Cherokee
2	No	Yes	No	Yes	Cherokee
3	No	No	No	Yes	Delaware
4	No	Yes	No	No	Cherokee
5	No	Yes	Yes	No	Cherokee
6	Yes	No	No	No	Other Tribe
7	Yes	No	No	Yes	Other Tribe

The third option, to identify as Delaware, is the most obvious way for Delaware people to resist the power of the Cherokee Nation, yet it was not a recognized choice until 1996 when the Department of the Interior restored Delaware federal recognition. As the social services provided through the Cherokee Nation are well established and have been functioning since the 1970's, the Delaware government has difficulty competing with the

number of services already offered by the Cherokee Nation. It is precisely for this reason that most Delaware living in the Cherokee Nation's jurisdictional area remain dually enrolled in both the Delaware Tribe and the Cherokee Nation. The Delaware do not consent to the authority of the Cherokee Nation; they apply for Cherokee membership and the Cherokee CDIB card only because they must in order to receive certain critical services administered by the Cherokee Nation. The Delaware Tribe recognizes this economic reality and has begun efforts to offer services but, because they have been denied the ability to contract for services for the past 17 years, it is difficult to compete with the established infrastructure of the Cherokee Nation and their influence in the BIA and the U.S. Congress.

Some may wonder what difference it makes if a Delaware person has the word "Cherokee" on their CDIB card. If social science has told us anything about such issues it is that identity expression is very much an internal and subjective experience. In fact, on more than one occasion, Delaware people told me that the cards, "don't really mean anything." I agree with them that the identity listed in federal registers may have little impact on one's own perception of self. I also

contend and wish to heighten awareness of the reality that federal Indian identification processes controlled by the federal government and the Cherokee Nation have been used as an economically coercive strategy to create and recreate the unequal socio-political relationships characteristic of Delaware Country. Even though the Delaware critically engage and challenge the meanings of the identity imposed through the CDIB, using and obtaining a Cherokee CDIB further legitimizes the authority of the Cherokee Nation. The fact that the card indicates a "Cherokee" identity, whether meaningless or not, is what makes the card so dangerous and destructive to the Delaware Tribe's ability to develop their own governmental structures in the Self-Determination Era.

#### Conclusion: claiming a voice

The Delaware case represents a complex governmental and economic process that acts to misplace political struggle and retard coalition building in Delaware interest. Since it is difficult for a Delaware person to identify as Delaware on a federal level, without also simultaneously reinforcing Cherokee political and economic dominance, Delaware people blame the Cherokee

Nation as the source of the unequal and unfair political relationships. The Cherokee Nation, however, has no real authority without BIA approval, which is often granted since the Bureau of Indian Affairs in Muskogee is largely staffed by Cherokee people who may be influenced by past and present elected Cherokee leaders. Cognizant of this reality, the Delaware feel they are struggling for recognition against two entities; both of which are controlled by the Cherokee Nation. The Cherokee Nation continues to appeal Delaware recognition in the federal courts and the Bureau of Indian Affairs, which terminated Delaware recognition in 1979, has the power to grant the Delaware full recognition. The murkiness of power then effectively keeps Delaware aggression focused on the Cherokee Nation rather than the real locus of colonial oppression: the federally orchestrated and administered system of conferring Indian Identity that serves as the tool for maintaining the Delaware Tribe's doubly subordinate position.

Like most power relationships, those subordinated do not approve of their treatment nor do they accept their status. Frustrated with efforts to work with the Cherokee Nation, the Delaware Tribe has begun an aggressive effort to pursue complete separation from the

Cherokee Nation. During the course of my fieldwork (2001-2003), I witnessed a transformation in the Delaware Tribal Membership cards in an effort to mobilize resistance to the Cherokee Nation. As a counter measure, the tribal lawyer in conjunction with a Delaware tribal member began doing research to add blood quantum amounts to the Delaware Secretarial Roll. The Delaware Tribal enrollment office now includes blood quantum in their base roll, which was compiled almost 100 years ago, and calculates blood quantum in their current identification process.

The Delaware also changed the Delaware Tribal Identification cards in apparent preparation for issuing them as CDIB cards. The new cards are white rather than blue, have a picture ID and the most recent ones include blood quantum on the card, making them almost identical to the Cherokee CDIB card. The difference, however, is that the new Delaware card has a picture of the tribal member on the card. This acts to personalize the card and more clearly identify the cardholder. Although the older blue cards are still valid, the Delaware Tribe actively advertises the availability of the new white cards in every issue of the tribal newspaper. The popularity of the new card has grown since the Claremore



Indian Hospital began accepting the Delaware card in place of the Cherokee CDIB card. As a result a transition is taking place as more and more Delaware people are choosing to identify with the federal government through their Delaware tribal membership card. It was also during this time that the BIA in Muskogee agreed to start accepting the Delaware Tribal Membership cards in lieu of the Cherokee CDIB cards. The Delaware Tribe was also given a "reservation number" to identify their tribal constituency and service area as distinct from that of Cherokee Nation.

Although the Cherokee Nation has been variously successful in positioning itself above the Delaware Tribe through its ability to manipulate the meaning of the CDIB card, Delaware leaders are incrementally countering the legitimacy of the Cherokee card in hopes of contesting and supplanting the existing power of the Cherokee Nation. In the process, Delaware leaders are themselves adopting federally induced understandings of Indian identity, such as blood quantum and reservation numbers into their existing tribal governmental processes to support their overall resistance to the Cherokee Nation.

<sup>i</sup> The critique of blood ideology was first articulated by feminist scholars interested in the cultural reproduction of colonial power in Latin America. See Stoler (1989, 1995), Stolcke (1991), Alonso (1994, 1995) and Smith (1997) for further discussion.

<sup>ii</sup> The Delaware Tribe is one of many federally recognized tribes that are federally recognized but their tribal members are identified as members of another federally recognized group. Other federally recognized tribes included as members of the Cherokee Nation are the Shawnee Tribe and the United Keetoowah Band of Cherokee. A similar situation exists for other non-federally recognized groups like the Yuchi and the three organized Creek towns who are identified as members of the Creek Nation.

<sup>iii</sup> A copy of the Delaware Per Capita Roll can be found in the MSWC-OHS and the TEF-DTL.

<sup>iv</sup> The allotment of Indian Territory did not proceed the same everywhere but was implemented in specific ways and at different times dependent upon the particular tribal government and their negotiations with members of the Dawes Commission. For a discussion of this in the Cherokee Nation see Sturm (2002:79). For more on how this took place outside the Cherokee Nation see Louis Burns (1994) article on Osage allotments and Kent Carter's (1997) discussion of allotment in the Creek Nation. Michael McLaughlin (1996) provides an annotated bibliography on the topic of allotment and its impact on different Indian tribes. For a discussion of this general phenomena in which Federal Indian policy makers made a spurious connection between blood quantum and an individual's ability to understand capitalism and land ownership and how these played for Indian people see Prucha (1984,1990). Paula Wagoner (2002:73-75) shows how the concept of blood quantum and its associated meanings were imposed on the Lakota of Bennett County, South Dakota and then incorporated, changed and understood in the local community. For a similar analysis of this in the Cherokee Nation see Sturm (2002).

<sup>v</sup> Quoted text taken from Section 2531.1(b), Subpart 2531, Part 2530 of the Title 43, Volume 2 Code of Federal Regulations (hereafter 43CFR).

<sup>vi</sup> The Indian Reorganization Act of 1934 did not apply to Oklahoma tribes. In 1940, the Oklahoma Indian Welfare Act was passed in order to allow for the establishment of similar tribal governments although their status as political entities were slightly different. For more on the important Indian legislation in the twentieth century see Prucha (1984).

<sup>vii</sup> Although this contradicts the impassioned response in the vignette in Chapter 5, this is not to say that the Delaware man's findings are unsubstantiated. The Delaware were a sovereign government when they signed the agreement with the Cherokee Nation and continued to exist on a government-to-government relationship with the federal government from 1867 until the bureaucratic termination by the BIA in 1979. Despite this and perhaps due to my own limitations, I was unable to find any documented proof that A.D. stood for admitted Delaware rather than adopted Delaware. It is ironic though that the Delaware people have been labeled as adopted by the Cherokee Nation since the 1880 Cherokee census because the Cherokee Nation does not recognize adopted siblings and requires a biological connection for proof of Indian identity.

<sup>viii</sup> Today, Certificate Degree of Indian Blood cards as well as tribal enrollment cards are distributed differently from tribe to tribe.

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See Matthew Snipp's (1989) work for more on the variation that exists in tribal enrollment policies.

<sup>ix</sup> In order to negotiate a smoother recognition process, the Loyal Shawnee leaders consented in an agreement with the Cherokee Nation that they would not seek to put land in trust within the Cherokee Nation's 14 county service area. In return, the Cherokee Nation agreed to support the Loyal Shawnee's bid for recognition. In 2002, the Loyal Shawnee were granted federal recognition but as a result of their agreement with the Cherokee Nation, the Loyal Shawnee, now called the Shawnee Tribe, was obliged to officially establish a tribal headquarters in Miami, OK, which is outside of the Cherokee Nation's service area. Although most consider the tribal office near White Oak, OK to be the Shawnee Tribe's headquarters, it is officially considered only field office since it is located within the Cherokee Nation service area. In most respects, though, it operates functionally as the center for tribal activity. Visit the Shawnee Tribe's website [www.shawnee-tribe.org](http://www.shawnee-tribe.org) for contact information and contemporary tribal events, programs and administrative locations.

## Chapter Six

### Delaware Nationalism

All the men in attendance at the first annual I.N.D.I.A.N C.H.A.M.P.S Tecumseh Celebration were asked to sit at the metal picnic table underneath the shelter. One Delaware woman asked half-jokingly, "even the white men?" The lady running the event responded, "yes, all the men be seated at the table; the girls have decided that they want to serve the men in the traditional way." So I, along with the others, which included Shawnee, Delaware and whites, took a seat at the picnic table. The girls served a small portion of water to everyone, then a Lenape man, invigorated with news of his first grandchild, prayed over the water and we all drank. The food was served consisting of potatoes, grape dumplings, vegetables and two types of meat. As we began to eat the conversation turned to different discussions about the greatness of Tecumseh and how his spirit had inspired both the Shawnee and Delaware people alike. During the meal I remained relatively quiet, content with enjoying the food and conversation.

Afterwards, as people began to mingle, I asked the new grandfather about his CDIB. He responded that it meant very little to him and that it was primarily used to receive health services. He said, "really, it's just a white man's card." Our conversation quickly caught the attention of others who were listening close by and I asked what their cards said under tribal affiliation to which they responded, "Adopted Delaware." To my surprise, this response enraged the man whom had just recently told me how meaningless the cards were. He countered that it, in fact, did not say Adopted Delaware and the card only has "A.D" after Cherokee. He continued, "A.D. stands for ADMITTED DELAWARE, not ADOPTED. We were admitted into the Cherokee Nation as equals, as a sovereign government. We are not children. They can't adopt us! We were ADMITTED!" The few men gathered around fell silent. It was as if they had always known this in the back of their minds and now, faced with a concrete reminder of the paternalism in the Cherokee Nation, they were speechless.

Although brief, the exchange described above expresses the tension that surrounds Delaware sentiment about the CDIB in particular and the Cherokee Nation in general. At base there exists a critical awareness of

the card and its' function as a form of identification issued by the federal government. Delaware people recognize that having a CDIB card provides access to certain federal Indian services (i.e. health care at Claremore Indian Hospital) but they challenge the significance that the card has on their own personal identity. Layered on top of this critique is a debate among Delaware tribal members about whether or not the Cherokee Nation should have the right to control the distribution of these cards and the administration of the federal Indian services within Delaware Country. On this level, the issue is more about Delaware tribal sovereignty vis-à-vis the Cherokee Nation. In the debate, Delaware critical awareness about the CDIB is upstaged by an impassioned dialogue over Delaware identity as it appears (or should appear) on their identification cards and how this small detail impacts the Delaware tribal government's ability to operate as a federally recognized entity.

As explained in the previous chapter, the power that the Cherokee Nation has over Delaware people is ultimately secured through their federally sanctioned ability to transform Delaware people into Cherokee citizens through the imposition of a constructed racial

and national heritage. For this to continue, the Delaware must be convinced that obtaining a CDIB is an integral part of their everyday lives. My experience with the Delaware has led me to conclude that the Delaware do not, in general, take the efficacy of the CDIB for granted. Thus, I turn my discussion from identification on a federal level in the Cherokee Nation to an analysis of the discourses and practices enacted by those who are immediately effected by it's implementation.

It is instructive to consider the pivotal role that bureaucratic structures play in creating knowledge of Indian identity, yet it is equally important to understand that power also exists in individuals impacted by such structures.<sup>1</sup> Sturm (2002:20-25) has developed a theoretical framework to understand the intricacies of power in the Cherokee Nation and her approach can help to untangle these two embedded layers. She defines ideology as the said, spoken, conscious discourse that is interested in maintaining dominant ideas while hegemony is the habitual, unconscious and taken for granted assumptions that both support dominant ideologies and legitimize social structures. With this theoretical perspective in mind, I consider Cherokee nationalism to

be an ideology that is interested in expanding the structural power of the Cherokee Nation. Such Cherokee efforts are variously supported and rejected by Delaware people; who to a large extent are mobilizing their own resistance. Delaware nationalism, which is explored in this chapter, is also an ideology in that it is similarly interested in advancing the authority and interests of the Delaware Tribe, which is federally recognized as a separate tribal government and in competition with the expansive claims of the Cherokee Nation.<sup>ii</sup>

Supporting the ideologies of both the Delaware Tribe and Cherokee Nation is the hegemony of Indian identity as a racial identity.<sup>iii</sup> Blood quantum is a dubious measurement imposed by the federal government that is intended to indicate the number of "Indian" ancestor's an individual can document. Since the federal government contends that degrees of Indian blood quantum exist in the Delaware people, the Delaware are therefore eligible to receive certain federal services. Elected leaders from both the Cherokee Nation and the Delaware Tribe both claim to have jurisdictional authority over the administration of these services to the Delaware people. Blood quantum, then, not only legitimizes Cherokee



nationalism, it is also used by the Delaware to strengthen and support their jurisdictional claims.

Recognizing that power is embedded in external definitions of identity does not mean that these identities are less authentic, as all identities are socially constructed and shaped by external relationships (Sawchuk 2001:73). Sturm's (2002:86-89,98-99) work, for example, describes how externally imposed identities are internalized and employed by Cherokee people in expressions of locally significant identities. She outlines the complex ways in which blood quantum has become an integral, and at times contested, part of identification in the Cherokee Nation. E. Jane Dickson-Gilmore (1999) explains how the notion of imposition itself, even when a "historical fact," is understood and interpreted in different ways to meet the demands of local political situations in the Kahnawake Mohawk Nation. Paula Wagoner's work (2002:73-75) shows how the concept of blood quantum, and its associated meanings, were imposed on the Lakota and then incorporated, changed and understood in the local community. Thus, as Gayatri Spivak (1988) warns us, any social analysis must leave space for the ways in which external power is negotiated by subjugated peoples whose resistance may go

unrecognized as such by scholars who are themselves influenced by the ideas of colonialism.

The history of federal Indian identification is complex and like other social realities it unfolded under conditions of inequality. The identification process can both limit and produce individually chosen identity expressions. In the process of engaging the racialized meanings of blood quantum, the Delaware have changed the concept of blood quantum to fit their own definitions of ancestry and national heritage. More appropriately conceptualized in terms of ancestry, the Delaware understand themselves to share a common racial and cultural heritage that would be difficult to measure by "degree". Indian as a racial identity is generally accepted but it is also locally specific and carefully separated from the externally imposed blood quantum label listed on the CDIB. As discussed previously, locally understood identities manifest in family affiliation and location on the Delaware cultural landscape are significantly different from the racial identity implied by blood quantum or Cherokee citizenship. Thus, the Delaware do see their identities in terms of a shared genealogical connection, which could be interpreted to mean that Indian as a racial identity is hegemonic. On

the other hand, Delaware identity is not meaningfully expressed in the idiom of blood quantum or of Cherokee nationalism. Delaware as blood quantum and Delaware as Cherokee are best characterized as ideologies interested in maintaining the structural power of the Bureau of Indian Affairs and the Cherokee Nation.

The distinction I am making here reflects Delaware sentiment in that although blood quantum itself is seen and regarded as a useful political and economic tool, but it is not uncritically accepted as a part of Delaware identity. Delaware critical awareness of blood quantum and its usage is not uniform but complex in that Delaware tribal members variously translate and transform the way blood quantum is employed in Delaware Country. In the pages that follow, I focus on the complexity of Delaware identity and unpack the many ways in which the Delaware come to terms with the powerful meanings embedded in the Certificate Degree of Indian Blood and the Cherokee Nation's control over it.

#### Applying for the Cherokee CDIB

Delaware experiences with federal identification through the Cherokee Nation indicate to me that it is

conceptualized in terms of economic security and benefit rather than an indicator of tribal or Indian identity. When applying for a CDIB, the Delaware are asking to be recognized as a member of a descent group defined by the Final Rolls of Citizens and Freedmen of the Five Civilized Tribes, Cherokee Nation; a document more commonly known as the Cherokee Dawes roll. First, he or she must compile genealogical evidence that links the applicant to one or more biological ancestors on the Dawes roll. In some cases, this is a tedious process that involves research in local libraries and bureaucratic requests for documents such as birth and death records. For others, a family member who has already gathered this information owns the required documents and shares their documentation with the rest of the family, making this step less difficult. For example, one woman explained her mother's experience in obtaining CDIB cards for her family,

My mother took care of that for me when I was a little girl. I was probably eight when we got our CDIB cards. She had to collect a lot of paperwork. Like we had to trace back to our relative that was on the original Dawes roll. Then she had to get those certificates to show how those people were related to us, and then she sent off to Tahlequah and it took a long time for us to get them or to get mine ... it was a lengthy process.

This experience is like many others in which a recognized family genealogist, who is usually but not exclusively a matriarchal figure, conducts most of the preliminary work required. Also indicated here is that there is another component to the CDIB process in that in many cases an adult relative performs the task for the children in the family. For example, when I asked a Delaware man how he obtained his CDIB card, he replied, "I can't do that, my mother got it for me when I was going to school." Given that this kind of response was fairly typical among Delaware people, and in particular those from the younger cohorts (40 and under), a large amount of Delaware tribal members have never actually applied for their own CDIBs.

After the research is completed, the applicant either delivers in person or mails the completed application to the Cherokee Nation's Registration Department in Tahlequah. Mailing the application is the most popular option. This increases the number of Delaware people who have never been to Tahlequah or the Cherokee Nation's' Registration Department. Some explain that they do this because they feel a strong animosity toward the Cherokee Nation and the CDIB process. Consider one Delaware woman's habitual avoidance of the city of Tahlequah, the location of the Cherokee Nation

Headquarters, because she considered the city as taboo and refused to enter the city limits. Others choose to apply by mail as a matter of convenience since Tahlequah is a two-hour or more drive from most locations in Delaware County. As a result, not only is it the case that most Delaware have not applied for their CDIB but that a number of Delaware people have never even been to the Registration Department specifically or the Cherokee Nation Headquarters more generally.

Simply self-identifying as Delaware does not automatically mean that one is eligible to receive a CDIB. If the applicant cannot produce the documents required (birth certificates, death records, etc.) to demonstrate lineal descent from a person listed on the Dawes Roll, their application will be denied regardless of locally understood markers (i.e. phenotype, family name, cultural participation, etc.) that may indicate an Indian identity. As one Delaware woman proclaimed, "It's so hard, because you have to jump through so many hoops to get your CDIB card, there is plenty of people that can't actually make that hoop with a document. So they don't, they are unable to claim their CDIB card." Explicitly stated here is the critical importance that documentation plays in being able to get a CDIB. If

there is not a paper trail, then the Cherokee registration office will not issue a CDIB. Also, if there is some question about the "Indian-ness" of the applicant, the applicant will be denied and must re-apply with more persuasive documents. For example, a Delaware woman relates the tribulations she had to endure when applying for a CDIB,

About my Indian Card? ... Well we tried to do everything through the mail, because it was a great big hassle. ... We took off and we went over to Tahlequah, my mom was with me and I didn't take my birth certificate or anything I just didn't because mom had everybody's stuff already done. ... So we went over there and they gave my brothers theirs. Apparently mom had sent in some stuff ... and she just went to pick them up and they wouldn't give me mine cause they said that's not your daughter. They accused mom of me being adopted, and I said, "no, that's my mom ... and that's my brothers." We had to go all the way home, we had to get a death certificate and birth certificates and go through a lot more than what everybody else had to because I'm blonde. ... But see it's really weird because my brothers didn't have to go through all that, because ... if you put me with them of course you are going to question it cause I don't look anything, I don't even have the same color eyes they do.

This woman's experience demonstrates that beyond the bureaucratic fetish for documentation, the pervasiveness of race can even interrupt the application process. Her phenotype indicated a non-Indian to the clerk behind the counter at the registration department, initially causing

her application to be denied while the rest of her family, whom the clerk felt showed enough phenotypical markings of Indian-ness, were approved. The clerk at the registration department required overwhelming documentation before he/she would issue the Delaware woman a CDIB.

To receive a CDIB, the application must be completed successfully and then each applicant is asked to wait for four to eight weeks before they can expect to get their

CDIB. The card is usually sent by mail to the applicant's home and only after the applicant obtains the card are they able to participate in

federal Indian

programs. Looking

closely at the CDIB

issued by the Cherokee

Nation, it is evident that the card gives an individual a new racial and national identity. The card itself is white and is about the size of a driver's license. Next

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
TALLEQUAH AGENCY  
Certificate of Degree of Indian Blood

This is to certify that \_\_\_\_\_  
born \_\_\_\_\_ is \_\_\_\_\_ degree Indian blood  
of the \_\_\_\_\_ Tribe  
of the \_\_\_\_\_  
09/25/1995 \_\_\_\_\_  
Date Issuing Officer

**Figure 22: Certificate Degree of Indian Blood (CDIB card)**

Department of the Interior  
Bureau of Indian Affairs

The degree of Indian blood shown on the face of this card is computed from the final rolls of the Five Civilized Tribes closed March 4, 1907, by the Act of April 26, 1906 (34 Stat. 137).

Any alteration or fraudulent use of this Certificate renders it null and void.



to the seal of the Department of the Interior, it states:

"United States, Department of the Interior, Bureau of Indian Affairs, Tahlequah Agency, Certificate Degree of Indian Blood. This is to certify that (Individual's name) born (Individual's birthdate) is (Cherokee blood quantum) degree of Indian blood of the Cherokee (AD,AS,AD/AS or Freedmen) Tribe." At the bottom, the card is dated and signed by the issuing officer in Tahlequah. On the back of the card it reads.

"Department of the Interior, Bureau of Indian Affairs, The degree of Indian Blood shown on the face of this card is computed from the final rolls of the Five Civilized Tribes closed March 4, 1907, by the act of April 26, 1906 (34 Stat. 137). Any alteration or fraudulent use of this Certificate renders it null and void."

As described in the previous chapter, applying for a CDIB actually transforms Delaware identity into Cherokee identity and in the process legitimizes the Cherokee Nation's leadership and the territorial integrity of their service area. Since Delaware tribal identity is not explicitly recognized in the Cherokee's labels, applying for a CDIB makes it appear as though the Delaware consent to their new identity as a Cherokee citizen, which feeds the economic and political power

base of the Cherokee Nation. The more "Cherokee" tribal members, the larger the federal contracts will be which gives more power to the Cherokee Nation in negotiations with the federal government.

For the Delaware, this strategy has resulted in a tremendous number of Delaware people without any Cherokee ancestry or claims to Cherokee political rights being identified on their CDIB as Cherokee. In fact, many Delaware who are listed as Cherokee remain ambivalent toward the Cherokee Nation because, as one woman explained, "I just don't know who they are." Not knowing the Cherokee is indicative of a sense of marginalization among Delaware people who have yet to accept the tenants of Cherokee nationalism. In other words, they have yet to believe that a connection exists between them and the Cherokee despite the efforts of Cherokee elected leaders.

Since the Cherokee CDIB is the historical descendant of the Certificate Degree of Indian Blood issued by the BIA in Muskogee, until very recently it was required in order for Delaware people to have access to most federal services and per capita payments from land claims awards. As noted above, it used to be the case that applying for a CDIB through the Cherokee Nation automatically made the applicant a member of Cherokee Nation as well. As one

Delaware man explained, "Back then they was enrolling you when they gave you a CDIB card, they enrolled you in the Cherokee Nation too." This protocol for simultaneous enrollment as Cherokee Indian and Cherokee tribal member occurred on a massive scale and was not separated until the mid 1990's. During this period, the Cherokee Nation sent enrollment representatives to important administrative spots such as the Claremore Indian Hospital, to enroll Delaware as Cherokee tribal members. As one Delaware woman relates,

I registered at Claremore, at the Indian hospital. In my work, I mean they set up the table down there and everybody was registered. I don't know what for or why I had to even get it. I think it was to be able to doctor down there maybe. Because when I hired in, I didn't have a CDIB, but when they came around registering us well then I jumped in there and registered.

As this experience indicates, everybody was registering but very little information was given as to why it was so important. The Delaware understood that they were to register with the BIA to receive federal services and the Cherokee leaders used the existing status quo to rapidly increase their tribal enrollment.

A large number of Delaware applied for their CDIB card in order to receive the Delaware per capita

payments, again indicating the role that marginal economic security plays in federal Indian identification. In 1981, the Delaware were again awarded further land claims money which now had to be administered through the BIA as a result of the bureaucratic termination of the Delaware Tribe in 1979. To be included on this per capita payment, eligible Delaware tribal members had to apply for their CDIB through the Cherokee Nation, which automatically made the applicant a Cherokee, rather than Delaware. As one man related to me, "In fact, the reason I received my first card was when I turned 18 and I received Delaware funds. I had to have a card at that point, to get it." Also, since some of the people enrolled were still children when the funds were distributed, a separate fund was set-aside for them and the money was held in trust by the Cherokee Nation. Some have eventually claimed this money but the Cherokee Nation still holds a large amount of unclaimed money from this payment.

Engaging the economic and racial aspects of the  
Certificate Degree of Indian Blood

Delaware sentiment about the CDIB is simultaneously separate from yet interconnected to the taken for granted notions of Indian identity (i.e. Indian as race) and the political battle between the Cherokee Nation and the Delaware Tribe (i.e. Delaware as Nation vs. Cherokee as Nation). This sentiment polarizes around an "us vs them" dichotomy that can be imagined to exist on two nested levels. On one level, the Delaware challenge the meaning of blood quantum in the CDIB imposed by the BIA. On the other level, the Delaware also challenge the racial and national meanings imposed by the Cherokee Nation. These levels are not mutually exclusive so that a slippage occurs between them and meanings that were once critiqued on one level are re-integrated to support points made in the other. The Delaware often resist the identities imposed by the BIA and the Cherokee Nation, by referring back to local indicators of Delaware identity to subvert the meanings and significance of the CDIB. This separation between local sentiment and imposed classification was typical and expressed rather eloquently by a young Delaware man who stated:

"Indian isn't a blood quantum, although a lot of people try to associate blood quantum with it, however, I think it is cultural. As long as you have an understanding of your culture and the history of your culture and your traditions associated with that and you know about it. You've been raised that way and you've been taught things like that and you can trace your ancestors, then, yeah you're Indian! It's not up to the government to decide who's Indian, just because I'm registered Cherokee, even though I don't have any Cherokee in me, that doesn't make me not Delaware or not Shawnee."

As this passage demonstrates, discussions about the irrelevance of the CDIB on local identity can also exist hand in hand with ideological attacks against the meaningfulness of the Cherokee Nation's imposed labels as well as the federal government's ability to convey Indian identity. Yet, the pervasiveness of Indian identity as a racial category that exists "in" someone as well as the importance attributed to being able to trace an Indian ancestry demonstrates two key points. First, racialized notions of Indian identity are at least partially accepted in the Delaware world-view. Second, although race may be a point of contention between the Delaware and the federal government, racial meanings may be re-integrated and employed to challenge the legitimacy of the Cherokee Nation. The acceptance of Delaware identity as a racial or national identity remains partial in that

other aspects such as family affiliation and cultural participation are given more weight in local notions of Indian identity. Thus, even though cultural aptitude remains inconsequential to Indian identity at the bureaucratic level, its' salience continues as an indicator of tribal identity.

The majority of Delaware people continue to obtain their CDIB from the Cherokee Nation and most justify their involvement as motivated by sheer economic considerations. My research among the Delaware indicates that the vast majority apply for a CDIB in order to access federal services that are largely provided by the federal government and administered by the Cherokee Nation. For instance, one Delaware woman stated that the CDIB card is only so "the government can have a list of names," and she only has a card so she, "can use services and have the proof that the government wants." This response was typical and suggests an understanding that equates obtaining a CDIB card to a transaction in which genealogies are exchanged and false identities are tolerated for economic security.

Of the services most frequently sought after, health care, housing and educational scholarships are the most common and until recently these were offered only through

the Cherokee Nation. Most importantly, having access to the health services provided through the Cherokee run Claremore Indian Hospital plays a pivotal role in convincing Delaware people to participate in the federal identification process. As one Delaware man explained,

I was wanting to go to the Indian hospital, I think I got it from the hospital, through Tahlequah. One day a month they send their enrollment people. All I wanted was a card so I could get in the hospital.

As indicated above, the Delaware bluntly see obtaining a CDIB as a step they have to take in order to have access to critical services such as health care. The CDIB is considered primarily an economic tool used to access services. In effect, this argument acts to distance their bureaucratic identity from what is considered the essential qualities of Delaware identity, like family membership and cultural participation. Also, the Cherokee Nation, as the administrator of these programs, is equated with the federal government and more akin to a bureaucratic clearinghouse than a tribal governing body. For the moment, then, one can protect their genealogy and local beliefs and practices from imposed labels by understanding their participation as purely materially motivated.



Some Delaware people who have Cherokee CDIB deflect the relationships of power involved by marking them as overtly political rather than economic but it is still considered something that is disconnected from their sense of self. Discourses similar to these are common:

Yeah, I've got a card somewhere, but I don't know where it is."

Obermeyer: Do you know what tribe it says?

Cherokee I think, but I'm not Cherokee.

Obermeyer: Why is that?

It's some political thing with the Cherokees.  
It's a bunch of bologna but I don't get involved, I try to stay independent."

This exchange is similar to rationalizing participation as purely economic in that it identifies the CDIB process as a "political thing" and characterizing something as "political" is somewhat distasteful to Delaware people as demonstrated in Chapter 3. Having a CDIB, but claiming a neutral stance in the Cherokee-Delaware struggle, distances them from what they consider the manipulation of Delaware identity by tribal leaders into a tool for political gain. As Delaware identity is considered an ascribed status based on localized family genealogies, one cannot choose to be Delaware, one is simply born Delaware. Claiming that the CDIB is only political keeps

one's local identity separate from the more volatile or artificial realms of tribal politics and the conflict between competing Delaware and Cherokee nationalist ideologies.

A century of using the CDIB for economic security and objectifying its meanings through political debates has instilled a variously held conviction about the benefits of having a card that in some cases go beyond material concerns. As one man's experience suggests, the CDIB card is not only considered something to access services with but also lends a sense of security to one's social status,

"And as a matter of fact that's the reason I got my daughter a card. Like I said, I never really had to carry a card as a child or as a teenager even but when my daughter was born for her to receive services from Claremore we all of a sudden had to have a card. So that is why I got hers, it is a good idea to have one anyway, but as a must that's the reason why I did that."

In this narrative, the Delaware man is articulating that although the card is ultimately about being able to access otherwise expensive services such as health care, it also has a tangential function as another form of identification, similar to a driver's license or social security card. The CDIB's role as a tool for economic

services has made owning a card a "good idea," even for those who critically engage the card's racial and national meanings.

As alluded to earlier, many Delaware actively critique the notions of race and nation embodied in the CDIB. In particular, the Delaware often highlight the inaccuracies in the blood quantum fraction to resist the imposition of this specific racial label. For example, one Delaware man offered that the CDIB was in fact irrelevant to his Delaware identity stating that, "On my card it says I am  $\frac{1}{4}$  Cherokee but my brother's is  $\frac{1}{2}$  Cherokee, but we have the same parents! They really don't know what they're doing down there." Discourses such as this are common and point out the constructed and therefore non-essential meanings associated with the CDIB process and the blood quantum number. The inconsistency here serves a dual purpose as it is employed as an argument against the legitimacy of the Cherokee Nation as a mediator of Delaware identity and the relevance of blood quantum as an identity marker. In local discourse, then, racist notions of Indian identity and by extension the nationalist intent of the Cherokee Nation are discredited through discussions that focus on the inaccuracy of the blood quantum fraction. Since federal

services are not distributed on a blood quantum basis in the Cherokee Nation, Delaware people remain somewhat ambivalent about the blood quantum inconsistencies.

Delaware people also challenge the significance of the "Cherokee" label that appears on their CDIB. Many Delaware report that although their card may say Cherokee, they are not Cherokee, they are Delaware. Others remember tearing up their CDIB cards after they received them in the mail because they had Cherokee listed under tribal affiliation. Those who are able, sometimes chose to obtain CDIBs in both the Cherokee Nation and from other tribes in which they are eligible as another way to undermine the Cherokee label. Although under federal law recognized tribes must demonstrate that their membership is composed of tribal members who are not also members of another federally recognized tribe, there are Delaware people who have CDIB and membership cards from other tribes outside the Cherokee Nation. Economic motivations combine with a desire to signify one's multiple tribal identities beyond those limits imposed by the Cherokee Nation. For example, one Delaware woman's mother was full-blood Delaware and Shawnee and her father was full-blood Osage, so she applied for two CDIBs. Her card from the Cherokee Nation

listed her as ½ Cherokee (even though she has no Cherokee ancestry) and her CDIB card from the Osage listed her as ½ Osage. When asked why she chose this form of identification she responded, "I can't change who I am, so I'm enrolled in all of my tribes and I'll keep it that way until they catch me." Maintaining tribal membership in different tribes keeps an individual eligible for tribally specific programs and payments. It also is a material reminder on paper of one's tribal heritage to pass on to future generations and for one's own sense of self and it is also more akin to the identification process as it existed prior to the Self-Determination Era.<sup>iv</sup> Those who choose this strategy do so with a desire to argue, through practice, that neither the federal nor tribal governments should have the right to undermine multi-tribal identities. This strategy is somewhat problematic though since it also adds to the Cherokee's enrollment numbers while simultaneously subverting the legality of the process.

It bears repeating that, at the moment, the Cherokee Nation benefits when the Delaware get "Cherokee" CDIBs regardless of individual motivation because Cherokee leaders can then demonstrate to the BIA that the Delaware are "choosing" to get CDIBs and using them for Cherokee

administered services. In turn, the BIA interprets this as Delaware consent to being part of the Cherokee Nation and recognizes Delaware people as Cherokee citizens, which supports the Cherokee Nation's jurisdictional claim over Delaware Country.<sup>v</sup> The more Delaware people who apply for Cherokee CDIBs, the more money the BIA will allocate for programs administered by the Cherokee Nation and the less they will allocate for the Delaware Tribe.

#### Engaging the Cherokee Nation: Dual vs. Single enrollment

As long as the Cherokee Nation controls the contract to administer the CDIB, it will remain in its current position of power in Northeastern Oklahoma. But if the Delaware Tribe were to also obtain their own contract, then its 10,000 plus constituents would no longer have to rely on the Cherokee Nation for services and for their CDIB cards. Hence, the current ideological struggle in Delaware Country is fundamentally about Delaware identity and who has the federally sanctioned right to administer both the CDIB process and other contract services. Even though the vast majority of Delaware people support the Delaware Tribe's efforts to gain federal recognition as a tribal government, they do not all agree on the

importance of enforcing a single enrollment clause that is required for the Delaware Tribe to take the final step. Rather, beliefs and behaviors concerning federal identification exist on a political spectrum with some Delaware (who may or may not have Cherokee ancestry) on one end supporting dual enrollment with the Cherokee Nation. On the other end there are Delaware who favor single enrollment for Delaware tribal members, which has encouraged and is supported by a sense of Delaware nationalism.

I distinguish political sentiments in this manner in order to approximate the distinctions used by the Delaware on the issue of dual vs. single enrollment. Those Delaware who support dual enrollment participate in the Cherokee CDIB process as well as Cherokee tribal politics. As a result, they are accustomed to the Cherokee Nation's labeling and interpret it as a signifier for Delaware identity, which speaks to the partial success of the Cherokee Nation's strategy. This group frequently points to the agreement of 1867 in which the Delaware Tribe paid the Cherokee Nation for the right to citizenship as justification for their political stance. Delaware citizenship in the Cherokee Nation was later confirmed by the U.S. Supreme Court whose judges

ruled that the Delaware people would share in any per capita payments granted to the Cherokee Nation (Weslager 1972:447-449).<sup>vi</sup> Although the agreement guaranteed citizenship in the Cherokee Nation, there was no provision that provided for the Delaware Tribal government to dissolve. The court decision allowed Delaware people, regardless of their tribal heritage, the right to be voting members of both the Cherokee Nation and the Delaware Tribe. The dually enrolled Delaware argue that it is their special right, based on the treaty agreement with the Cherokee Nation and the federal government, to participate economically, politically and culturally as both Delaware and Cherokee tribal members. As one Delaware man explained to me, "When you look back in history, why should we give up our rights with the Cherokees when our ancestors bought and paid for it?" This position, although grounded in historical and legal precedent, unfortunately does not fit the current BIA requirements, which stipulate that a federally recognized tribe cannot have dually enrolled members if they are to receive certain federal contracts. Most importantly, the Delaware Tribe can not contract to distribute CDIBs as long as they are serviced as Cherokee tribal members.



Because the CDIB is often mistakenly equated with a Cherokee tribal membership card, it is regarded by some as a token of Cherokee identity. Due to intermarriage between Delaware and Cherokee people, there are a number of truly Cherokee-Delaware families, that is, individuals with both Cherokee and Delaware ancestry. The families with both Cherokee and Delaware ancestry generally support those who want to maintain dual enrollment with the Cherokee Nation. Family specific identities of mixed cultural heritage, however, are fundamentally different from the "so-called," Cherokee-Delaware identity that is so often misused when scholars and bureaucrats label the Eastern Delaware as a group (cf. Weslager 1972, BIA letters reprinted in Carrigan and Chambers 1994:A61-A80). Yet, since there are people of Cherokee and Delaware descent, many of them take great pride in being able to be members of both tribes.

For Delaware people with no Cherokee genealogy, this position also seems logical and is difficult for them to challenge. As one man explained,

"I have a sister who is also Cherokee, she's my half sister, she was raised Delaware and I wouldn't ask her to feel any less towards the Cherokee side either ... I understand the politics behind all of this, but it's a God given right to be who you are."

Indicated here is that the ability to proclaim a dual heritage is important to sense of self, both culturally and politically and this often revolves around the understandings of Indian identity that sees it as a racial status ascribed to an individual as a birthright. This makes things difficult for the Delaware who sympathize with establishing single enrollment. If those pushing for single enrollment feel it is appropriate to unite and struggle through a sense of shared genealogical and cultural heritage, then it carries forward that they should not also restrict others in their midst or else they would be just as self-serving as the Cherokee Nation. The sympathy, then, for people of Cherokee-Delaware ancestry is ideologically consistent with the general push for Delaware single enrollment. But it also serves to undermine the ultimate goal of Delaware tribal leaders, which is to counter the Cherokee Nation by instituting their own a Delaware government that can offer services on the same level as the Cherokee Nation.

Since Delaware people who vote and participate in the Cherokee Nation are also eligible to vote and influence policy in the Delaware Tribe, the Cherokee Nation can directly influence the outcomes of Delaware elections through its influence on those Delaware who

participate in Cherokee politics. Cherokee political candidates often cater to the dually enrolled Delaware during an election and then distance themselves from Delaware Country once elected in order to keep the Delaware people in their subordinate position. This strategy has worked to the benefit of Cherokee politicians in the past, but it has also reinforced an increasing sense of political isolation and economic neglect among dually enrolled Delaware tribal members and has caused many to break rank and join those calling for single enrollment.<sup>vii</sup> A sense of betrayal was pointed out by one woman, in particular, who recalled a town meeting hosted by Wilma Mankiller in which the Delaware woman stood up and asked,

Why do I have to go to Claremore to go to the Indian Health Service, why do I have to go to Pawhuska, why isn't there a center in Bartlesville, why isn't there Child Care in Bartlesville and this was back in the 90's so a lot of changes have been made but I said, you know, you treat us like a step child and you say you want us to be with you but I can't get a scholarship from you, I can't get a response from the scholarship committee.' She didn't really have an answer ... and I said, 'I guess you can pat my hand and say its OK but you haven't answered my question,' and I sat down.

Again, the Cherokee Nation is seen primarily as an administrator of specific services. Also telling in this

passage is the frustration voiced toward Cherokee political leaders who never live up to their promises. The Cherokee Nation may want the Delaware to be with them during an election year, but the Delaware are treated like unwanted children after the votes have been tallied.

An increasing number of Delaware tribal members, like the woman quoted above, are rallying around a sense of Delaware nationalism and shifting to the other side of the Delaware political spectrum. They are outraged by the Cherokee Nation's efforts to extend its political control and they have intensified their own 100+ year resistance. This group actively resists the Cherokee Nation by either obtaining CDIB cards through alternative tribal governments or simply not applying for one at all. They will often register under a different tribe when possible, either because they do not want to be registered as Cherokee or prefer to remain distant from the current political struggle. Although they may be enrolled in other tribes such as the Osage Nation, Cheyenne-Arapaho Tribe, Comanche Nation and the Muscogee (Creek) Nation, they continue to participate socially, economically and legally in the Delaware social network. Since the Cherokee Nation generally provides their contract services to all Indians regardless of tribe,

this move allows Delaware of mixed tribal heritage to receive services without having to be labeled Cherokee, which as I have sought to demonstrate, undermines the Cherokee leaders coercive use of the CDIB. In one case in particular, a full-blood Delaware woman registered all of her children and her grandchildren with her husband's tribe so they could all receive services administered through the Cherokee Nation and not have to register as Cherokee.

Other Delaware who support single enrollment but do not have an Indian heritage beyond those listed on the Cherokee Dawes Roll have relinquished their membership in the Cherokee Nation after becoming aware of its transformative effect. To do this, they had to fill out a formal application to have their Cherokee identity removed. In most cases, they either retained or subsequently applied for a Delaware tribal membership card. As alluded to in the previous chapter, this mode of identification is becoming increasingly popular as the new Delaware Tribal membership cards are now accepted by the Claremore Indian hospital where the Delaware are no longer recognized as Cherokee. As one woman relayed to me,

We have our own numbers now, we're not running off the Cherokee numbers. ... I have a piece of paper stating that I am Delaware and it has a code on that piece of paper and they go in and change the Cherokee code to the Delaware code and that's put into the system. We have this little piece of paper that says please change, we are a member of the Delaware Tribe.

As indicated here, there is a sense of pride among Delaware people that use the Delaware numbers as well as a critical awareness about the function of Indian identification cards. The Delaware no longer have to rely completely on the Cherokee to get health service and so using the Delaware number is a way for Delaware people to actively indicate their resistance to the Cherokee Nation in ways considered meaningful by the BIA. At the Claremore Indian Hospital, at least, the Delaware now truly have the *option* to be either Cherokee or Delaware and most are *choosing* Delaware.

There are also a small number of Delaware people who simply never applied for a CDIB and only applied for the Delaware tribal membership card. Cognizant of the consequences of performing the task, they are never marked as Cherokee, only Delaware. As a descendent of Richard Adams explained to me,<sup>viii</sup>

"I never had a certificate of blood quantum ... I don't know what would be the benefit, I am personally opposed to the enrollment and I

think if for no other reason than to honor my deceased relatives who fought long and hard, most of the time a failing battle, for independent recognition from the Cherokee Nation. I have no desire to be a member of the Cherokee Tribe or to have a piece of paper in my wallet that says I am a member of the Cherokee Tribe. And I have no animosity toward the Cherokee, its not that, its just that I am not Cherokee, I'm Delaware."

Even when refusing to participate in the CDIB process, the card itself is minimalized and insignificant compared to the long history of political struggle between the Cherokee Nation and the Delaware Tribe. Among those opposed to dual enrollment, they emphasize that they are Delaware, not Cherokee and again individual concepts of self revolve around a fundamental logic of group membership that resonates with locally understood indicators of Delaware identity.

The refusal to submit a personal identity to the CDIB process suggests a consciousness that transcends the foundations of federal identification. There is also a complicity and slippage between Cherokee nationalism and hegemonic notions of Indian identity. In the man's statement above, the CDIB card and its' racial meanings are equated with Cherokee nationalism rather than federal Indian identification in general. What is being articulated in this man's discourse is that the CDIB is

not important because it mislabels his Indian identity as Cherokee. His statement makes clear that the commitment to Delaware single enrollment does not necessarily challenge the CDIB process, but rather the Cherokee Nation's manipulation of it.

### Conclusion

In light of the political spectrum I have presented, I want to stress that each side represents a particular form of Delaware nationalism in that neither side would call for the termination of the Delaware tribal government. Resistance and individual agency can be productive of new power structures when the meanings embedded in external ideas are incorporated and significantly changed in the process. In the Delaware resistance to identities imposed by the federal government and the Cherokee Nation, Delaware people are generally critical about the legitimacy of the racialized identity listed on their Certificate Degree of Indian Blood card. They understate the importance of federally imposed racist labels as artificial and only salient to economic and political viability. Embedded in this critique is also a nationalist debate between Delaware



tribal members over which tribal government (Cherokee Nation or Delaware Tribe) should distribute the CDIB card to Delaware people. The Delaware who support single enrollment do not consider the Cherokee Nation as an appropriate body to address their political and economic concerns and thus strongly oppose the continuation of a Cherokee administered CDIB card. Captain Sarcoxie, a nineteenth century Delaware leader, penned the goal of the Delaware single enrollment platform when he wrote in 1867 that, "the Delaware will never give up their nationality and become mixed in the Cherokee Nation (Cranor n.d: 193)."<sup>ix</sup> This opposition, voiced almost 150 ago, continues to resonate as Delaware political leaders challenge and resist the nuances and powerful meanings now localized in the Cherokee CDIB card.

On the other hand there are those who adhere to a different sentiment and see a political and economic benefit to remaining dually enrolled. Although Delaware participation in the Cherokee Nation lends legitimacy to the Cherokee tribal government, this is not intentional nor should it be read as support for Cherokee nationalism. In most cases, Delaware participation and apparent support of the Cherokee Nation is accidental and the result of the practical economic realities and the

powerful political structures within which the Delaware live. In this sense, then, both the Delaware who support single enrollment as well as those who support dual enrollment may actively support the Delaware Tribe's complete separation from the Cherokee Nation. At the same time, those who remain dually enrolled are aware that having a Cherokee CDIB and voting in the Cherokee elections may in fact hinder this ultimate goal, but are necessary facts of everyday life.

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<sup>i</sup> For similar approaches to state power in Native American ethnography see Biolsi (1992,1995), on the Lakota, Perry (1993) on the San Carlos Apache and Fowler (2002) on the Cheyenne-Arapaho in Oklahoma.

<sup>ii</sup> In Marxist theory, there is a discussion of counter-hegemonic resistance that attempts to replace the existing hegemonic condition in general through radical resistance that often goes unrecognized (cf. Spivak 1988). In the Delaware situation, a possible counter hegemonic strategy would be similar to Ward Churchill (1993) and Annette Jaimes' (1992) critical approach to the CDIB process. Regarding it as essentially useless, the complete disregard for participating in the CDIB challenges the legitimacy in an effort to do away with it completely as a marker of Indian identity and perhaps replace it with a fundamentally new way for marking Indian identity. Although I know of no Delaware who choose this strategy, I would not be surprised if there are those who do.

<sup>iii</sup> There are many different ways in which race is perceived both today and in the past. For more on racial ideology in the United States see Omi & Winant (1994) and Stocking (1968). Stepan (1982) gives a history of the differential uses of race in science. The particular form of racism I discuss here, that is race as blood quantum, was first popularized in the United States during the eugenics movement at the dawn of the twentieth century. Proponents of eugenics touted it as a science akin to Darwin's theory of evolution. They contended that biologically distinct "pure" races populated the world and the superior races developed superior cultures. As such, mixture diluted both the racial and cultural integrity of a race, the amount of which could be calculated with reference to an individual's or group's genealogy (Omi & Winant 1994:64).

<sup>iv</sup> This is slightly risky in that if one is caught they are forced to relinquish membership but fortunately for those who choose this strategy, enforcement is largely left to each individual tribal government.

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<sup>v</sup> In discussing the federal identification policy, Annette Jaimes (1992:136) considered it an extremely successful system of colonialism and I echo her sentiment. The fact that the Cherokee have control over the distribution of Certificate Degree of Indian Blood cards to Delaware people is a perfect example of the way in which the colonizer creates a divisive issue that pits the colonized against each other in an effort to displace resistance (Jaimes 1992:130).

<sup>vi</sup> The Cherokee Nation and the United States, Appellants vs. Charles Journeyake, Principal Chief of the Delaware Indians, Appellee, 1894.

<sup>vii</sup> The Yuchi also experience similar political strategy from Creek politicians and have responded in much the same way as the Delaware (Jason Jackson, personal communication, 2003)

<sup>viii</sup> Richard Adams was a Delaware lawyer and scholar who fought for the Tribe's political and economic rights in the Supreme Court at the turn of the 19<sup>th</sup> century. I refer the reader to Adams (1904,1997) for those interested in his work.

<sup>ix</sup> Protest made by Capt. Sarcoxie and others on behalf of the Delaware Tribe of Indians, June 13, 1867 (Reprinted in Cranor n.d.:193)

**Conclusion:**

**Integration of Internal and External Forces**

## Conclusion

"In a good way":

### Local Sentiment and Federal Policy in the Self-Determination Era

On a particularly humid afternoon, I turned my truck off of County Road 006 onto the dirt driveway that led to the camps at the Delaware Powwow Grounds. As I passed the brick home to the right, I noted the small structure to the north that I had been told was the old Falleaf family home, which now served as a storage shed. The small clearing near it, where the first dances were held, was vacant. The former dance ground now serves as the field for Indian football, a game that pits the men on one side against the women on the other. In it the two teams try to advance a stuffed leather ball through their respective goals located on each end of the rectangular field.<sup>i</sup> As I looked at the ground, I began to contemplate the amount of effort it must have taken to get the Delaware Powwow started and developed to the magnitude that it is today.

My mental focus quickly returned, however, after my left tire splashed through an unseen pothole. This was

my first time to the Delaware Powwow and I had been invited to stay at the camp of one of the tribe's elected leaders. Although I figured I would never find my destination in the maze of small drives and courts that led to the various family camps, the directions I had been given were exact and I pulled right up to the correct spot. After some conversation, my host showed me where I could set up my tent for the weekend. At this most crowded of Delaware events, space was a valuable commodity at the family campsites, as friends and relatives from all over the country were reuniting and setting up camps of their own. I was honored to be invited, let alone asked to stay the night.

With my tent set up, I returned to the camp's main shelter and took a place at one of the picnic tables and was soon engaged in conversation. I would later find out that this was family night and a time for people to visit, socializing from camp to camp. As each visitor arrived, they were deluged with food to the point that many often left with covered paper plates full of frybread, meat and cookies. Sometimes people arrived with food from other camps but were summarily reminded that they had to eat something before they left. The atmosphere of hospitality and camaraderie was comforting

and although I was still a stranger to most, I could understand why so many people looked forward to this annual event.

That night, after the sun went down, I accompanied my host to the large open circle that now serves as the dance arena. On the way we passed other family camps as they were concluding their own meals and cleaning up for the night. The glow of 60 watt bulbs filled the cool night air. Laughter and stories echoed from each camp. Trying not to disrupt anything, I took a seat on the folding chairs that were set out by the members of the camp at which I was staying. In the twilight, a handful of men, including the chief, my host and other elected and community leaders converged on the middle of the arena with shavings, firewood and flint to set the fire for the upcoming social dances. Soon, families gathered in their own folding chairs that had been set earlier around the arena just outside the wooden benches. The chief then gave an invocation in Lenape, which he translated into English for those assembled. After the prayer, the man seated next to me turned and offered in a hushed tone, "That's neat, to have a chief that can speak the language, it's not often that you see that these days, most chief's can't speak their own language."

Although the relevance of this statement fell on deaf ears at the time, it is particularly representative of the commonly held assumptions about the shift in tribal leadership that took place following the termination of Delaware federal recognition. Prior to this, members of the Delaware Business Committee were well-educated lawyers descended from Christian Delaware families and as such a feeling of disconnection existed, at times, between the recognized leadership and the constituency raised with Lenape as a first language. Following the Self Determination Act and the reformation of the Delaware tribal government, Cherokee paternalism intensified and, in response, pride in Delaware identity was galvanized. The revitalization in Delaware culture over the past twenty years has been characterized by more participation at local events such as the Delaware Powwow, a renewed interest in learning the native language and the reaffirmation of culturally unique practices such as dance, dress and ceremonies.

Tribal leadership increasingly became an issue of representation rather than litigation and as such cultural aptitude gave symbolic capital to prospective leaders. Termination did more than just codify existing cultural sentiments, it also brought a new economic



dimension to bear on tribal politics. In this changing context, the local ethos for keeping culture out of politics and the family based social structure discussed in the first two chapters remained. Delaware culture and specifically the ability to demonstrate difference vis-à-vis the Cherokee Nation became critical to tribal politics at the same time that community sentiment about the use of culture in politics was considered potentially dangerous. My concluding chapter brings the discussion full circle as I explore the ways in which the sense of kwulakan, combined with the family-based structure of local politics, has acted to guide and check the actions of elected Delaware leaders in their efforts to establish a viable tribal government in the Self-Determination Era. In this discussion, I bring the points outlined in the preceding chapters together and illustrate my overall conclusions as indicated in the introduction.

#### Ethnography of contemporary Delaware leadership

My research indicates that Delaware leaders accommodate the local etiquette of kwulakan and appear reserved and considerate in their bids for office, their conduct of extra-tribal business and their implementation

of policy. There is an ethnographic precedent for my conclusion about the ideal for reservation in tribal leadership that I argue is connected to the Delaware belief in kwulakan, which is a particular example of the more general harmony esthetic practiced by woodland peoples. Howard (1981:105) described the ideal form of chiefly behavior that he suggests is shared between the Delaware and the Shawnee. Chiefs are expected to conduct themselves differently and are expected to have a stable and agreeable temperament and never show anger or impatience. To expand on Howard's observation, I turn now to an ethnographic analysis of leadership in the Delaware Tribe to demonstrate how elected leaders must navigate the locally held ideals about leadership in order to win elections and implement programs and policies, such as single enrollment, as required by the BIA.<sup>ii</sup>

One story told only by the Delaware relays the favoritism held in Delaware folklore for a particular style of leadership (Bierhorst 1995:8). In "The Big Fish and the Sun," the narrator tells of an initial problem, illustrated by a young girl who gave birth to a fish.<sup>iii</sup> Perplexed by this but not wanting to cause a stir, the girl's mother found a small puddle where she left her

grandchild fish. Over time, the fish continued to swim in an expanding circle and soon the puddle and the fish grew to an enormous size. The problematic fish continued to get larger and soon it started eating people when they came near. The chiefs held a council and, after deciding that they could not kill the fish, they offered a reward for whoever said that they could kill the fish. A very poor old woman heard this and after telling her two grandchildren about the reward, one of them assured her that he could kill the fish. The old lady took her grandchildren to the place where the chiefs were gathered and, upon hearing the boys' proclamation, the chiefs agreed to follow their plan. That night the boys returned home and after waiting for their grandmother to go to sleep, one boy suggested that they enlist the help of their friend the sun. They agreed and one boy turned himself into a raven and the other into a pigeon. Since the pigeon could not fly to the home of the sun, the raven had to periodically help him on their journey. Once at the home of the sun, they were given a pile of the sun's ashes to battle the fish. With the ashes, they returned to the lake and continued counseling together and tried different options. After seeing how the fish ignored the butterfly, one boy turned himself into a

butterfly and flew to the middle of the lake while the other boy dove to the bottom. The butterfly sprinkled his ashes over the middle of the lake and the boy at the bottom of the lake released his ashes at the same time. After this, they returned home and fell asleep in front of the fireplace. When the old lady awoke she chastised the boys for their laziness but when they showed her the parched fish in the middle of a dry lake she went and told the rest of the tribe. The boys were rewarded and they later became great men in the tribe.

Apparent in this story is that even the smallest of problems can escalate and become very dangerous. Also, the best way to deal with a problem that will not go away is by carefully considering all options, before moving forward. Especially interesting is the sense of companionship between the two brothers and their coordinated efforts in both planning, getting to the sun and in vanquishing the fish. The willingness to learn from others is also apparent and exemplified in the chiefs listening to the boys, the boys seeking help from the sun and then watching the butterfly for clues. This story, told by Charlie Elkhair, the last Delaware Big House leader from northern Washington County, not only provides insight into the ideal way to take care of

unresolved problems but also a culturally appropriate model for leadership.

In light of my interpretation of this story I wish to present my observations about contemporary leadership to support my conclusion that Delaware cultural beliefs help to shape the decisions of elected Delaware leaders. The etiquette for resolving conflict through careful consideration and innovation continues to inform contemporary leadership in the Delaware community. The most respected individuals are those who are able to solve conflict either through thoughtful deliberation and working together or by finding innovative ways to fit the demands of all relevant parties.

The formation of the Delaware Trust Board, some 80 years after this story was recorded, is strikingly similar to the ways in which the boys were able to vanquish the problem of the big fish. In the early 1990's, the Delaware Tribal Council was faced with the reality that the BIA would not release the remaining programming funds from Dockets 72 & 298 unless the Delaware defined their membership in relationship to the Cherokee Nation. Knowing that a portion of their constituents would actively resist such a re-definition of tribal membership, they simply moved to another

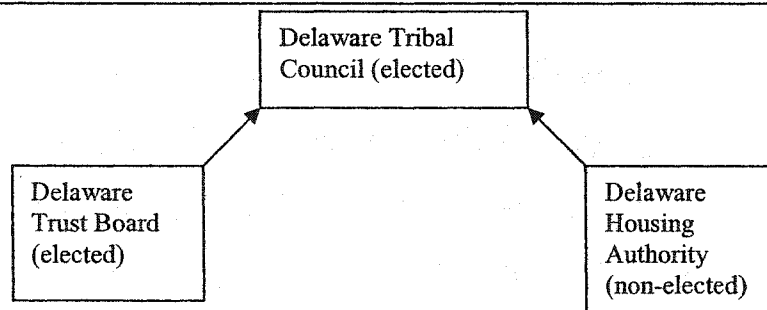
option. Instead of pursuing the question further, they dropped the potentially dangerous possibility of changing their 1982 constitution, which established the Tribal Council, and created an entirely new governing body that would meet the requirements set forth by the Bureau of Indian Affairs. The Delaware Trust Document, as it would later be called, established the Delaware Trust Board, independent of the Tribal Council, for the purpose of administering the programming funds, which in 1991 totaled approximately 3.5 million dollars. In the Trust Document, the Delaware defined their membership in the same way as in the 1982 constitution but added an extra line stating, "and who are also members of (or eligible for membership with) the Cherokee Nation of Oklahoma through the Cherokee Dawes Commission Rolls." Thus, the Delaware maintained their 1982 tribal government and were able to access the money, while the Bureau of Indian Affairs was given the membership language it required.

Creating a new governing body to administer the funds protected the status quo while also giving the tribe access to millions of dollars. Without having to modify the original constitution, the Trust Document was deemed adequate by the Bureau of Indian Affairs, who then released the trust money and the newly formed and

acknowledged Delaware Trust Board soon allocated funds for tribal programs. In reality, however, the Trust Board was not much different than the Tribal Council. Members of the Tribal Council often sat on the Trust Board as well as the Delaware Housing Authority, making the three structures different more in name rather than substance. The Trust Board and Tribal Council are so similar in representation that tribal members today often speak of them as the same entity.

In a similarly astute administrative move, after the Tribal Council was recognized in 1996, the Delaware Trust Board and the Delaware Housing Authority adopted language stating that their actions would be consistent with the legislation passed by the Tribal Council. Not only did this serve to further centralize Tribal government, but the elected leaders, most of whom served on more than one of these three bodies, effectively walked the tightrope between local sentiment and the requirements imposed by the Bureau of Indian Affairs.

Figure 23: Delaware Tribe of Indians' governmental structure (2003)



Internal political negotiations also adhered to the cultural esthetic for offering new solutions to resolve seemingly irreconcilable differences. For example, in one Trust Board meeting the issue of who would chair and serve on its various committees arose. The *modus operandi* was for the Chairman of the Trust Board, who was also the Chief of the Tribal Council, to appoint a different board member to head each of the different committees and numerically each board member chairs two committees. The committees range from well-funded, high priority bodies like Economic Development and Tribal Operations to the more modestly funded Land Management and Cultural Preservation committees. It is therefore possible for the sitting chair to hold a tremendous amount of power in the placement of the committee leaders. To check this, each committee chair was to appoint roughly five to seven volunteers for each committee. The customary practice was for board members to not serve on committees to which they were not appointed. But participation on the committees was voluntary and all meetings were open to the public and there existed no real enforcement of the informal policy.



After the appointments were named in 2001, board members who felt that they had been slighted in the selection asked if they could be allowed to join the committees that they did not chair. The Trust Board Chairman initially turned this down, citing the existing protocol as his reason. After some debate the point about precedence became moot and both sides were at an impasse. Rather than letting the issue escalate, the chairman agreed to allow anyone to sit on any committee, but stated that he too would be at all of the meetings as well.

Maintaining reservation among present-day leadership also translated into a rather forgiving posture toward Cherokee political leaders on public occasions. For example, at a Wild Onion Dinner hosted by the Bartlesville Indian Women's Club in 2002, Wilma Mankiller, former Cherokee Chief, the current Cherokee Chief, Chad Smith and the then Delaware Chief, Dee Ketchum were all invited to speak. These leaders had a history of confronting one another in the federal courts these cases were particularly frustrating to the Delaware Chief. As a supporter of single Delaware enrollment, he was furious over Cherokee legal appeals aimed at stonewalling the court's decisions in favor of Delaware

recognition. Chief Ketchum spoke first, but his speech was much more diplomatic than I had expected. He made no mention of the Cherokee Nation or the pending court cases. Then Chief Smith rose, offering his words to those assembled. He did mention the Delaware Tribe and as a token of friendship he offered Chief Ketchum a blanket. Dee accepted the gift with a gracious smile, but the tension on the stage was felt throughout the room. Then former Chief Mankiller, the keynote speaker turned the audience's attention to the event at hand. She spoke of the great pride she had in being Indian, being Cherokee and most importantly in being a woman. She offered these words in order to inspire and congratulate the women of the Bartlesville Indian Women's club. The speeches were concluded and the meal was served.

I discovered later that it was typical for Delaware leaders to avoid direct confrontation with elected representatives of the Cherokee Nation. But in private and among their constituency, they were somewhat less diplomatic. For instance, the Delaware Chief was indifferent toward the gift from Chief Smith, which matched the sentiment shared by the majority of Delaware people. Many Delaware have commented on how they loathe

the paternalist attitude of the Cherokee Nation. Chief Ketchum went on to explain, that the Cherokees always have to, "make things political" and what stuck in his mind the most about Mankiller's speech was not the part about women but about her suggesting that the Delaware and the Cherokee were working together. To his knowledge, she never worked with the Delaware Tribe, always against them. He admitted that he too wanted to, "play politics" but his wife, also Delaware, warned him against it. So instead of opening his speech with, "Welcome to Delaware Country!" he refrained, but in retrospect he wished that he had.

Although this type of forgiving public leadership precludes direct confrontation, it is emblematic of the Delaware ideal and there are other individuals renowned for this kind of diplomacy in the Delaware community. These local leaders may or may not serve in tribal office yet political candidates actively seek their support during election year. The genuine character that they embody is recognized and their success is part and parcel with their ability to exemplify the Delaware leadership ideal. These mediators wield a tremendous amount of power in the community, because of their ability to negotiate in meaningful ways with different groups.

Leaders such as this are perceived by the community as very level-headed, careful leaders and hence, their opinions are often highlighted, respected and headed by the community-at-large.

It is important for respected community leaders to move slowly and always with humility. The impression is that if asked these individuals would have no idea of their political importance nor would they ever admit to it if they did. One man, who exemplifies informal community leadership, introduced himself to me as "Jim Carl Black, Chief of the Delawares." Although this was in jest, it is typical of his good-humored personality. He is the kind of man always ready with a firm handshake, a funny story and a sincere lecture. He loves his mom, his family, his tribe and his country (I would assume in that order) and participates in every Delaware event his work schedule will allow. On more than one occasion, he has single handedly brought consensus in tribal meetings, simply by choosing one side or attempting to find a middle ground on which all can agree. Beyond the political arena, he is similarly recognized, and at family events he is always asked to speak. His is a power inspired and guided by the community he serves. He was elected to the Tribal Council but as a result of

family and work obligations he was forced to resign his position in 2003. On the Delaware Tribal Council, a resignation can only take place with a formal motion. After submitting the motion per the request of his friend, the chief asked for a second so the motion could go to a vote. None of the council members would accept his resignation and second the motion. After a long and uncomfortable silence one of the members begrudgingly seconded the motion but indicated in his second that the Tribal Council should send the man a note of appreciation and thanks. This is the kind of leadership actively supported in the Delaware community. It works to cement inter-familial alliances and resolve conflicts but his leadership would never be recognized by a federal agency nor would he be allowed to sit at the table in inter-tribal negotiations or dealings unless he remained in an elected tribal office.

#### Delaware Nationalism and Elected Leaders

Elected leaders are expected to have these qualities, but the new requirements of office bring a fresh dimension to leadership and effect their ability to realize these ideals. The stipulations set forth in the

self-determination legislation have ushered in a new period in tribal politics that favors leaders with a strong nationalist platform. The recent explosion in tribal enrollment has intensified the role that financial capability plays in tribal elections in general and for the position of chief in particular. Below is a table of past and present Tribal chairmen and chiefs and their occupations since the adoption of the Business Committee in 1895. In this table, there is an obvious ebb and flow between eras in which different families monopolized tribal politics. The Journeycake-Conner families steered the direction of tribal politics until shortly after World War II. Throughout the first half of the twentieth century they maintained support by activating the family alliances that formed during the schism over the tribe's removal from Kansas. During the termination era, one of the concerns of the Delaware Business Committee was to oversee the implementation of treaty agreements and to pursue litigation when there was federal or Cherokee non-compliance.

With the adoption of the Tribal Council structure, however, positions became more specialized and the tribe hired non-Delaware lawyers to pursue similar litigation. It is also interesting to note that tribal business

meetings initially took place in Dewey but were later moved to Bartlesville during the transition to a Tribal Council form of government. After the tribe adopted the Council, leadership became increasingly centralized in Bartlesville and those who were able to successfully win the election were no longer lawyers but independent entrepreneurs.

Figure 24: Delaware Business Chairman/Tribal Chiefs (1895-2003)		
Business Chairman	Occupation/location/family	Tenure in office
George Bullette	?/Dewey/Conner-Bullette	1895-1921
John Young	Preacher?/Forks of the Caney/ Young	1921
Joseph Bartles	Landowner/ Dewey/Journeycake	1922-1951
Horace McCracken	Lawyer, Phillips 66 /Watova/Conner	1951-1970
Bruce Townsend	Lawyer, Tulsa/Mormon Creek/Miller	1971-1978
Henry Secondine	?/California Creek/Secondine	1979-1982
Tribal Chief	Occupation	Tenure in office
Henry Secondine	?/California Creek/Secondine	1982-1983
Lewis Ketchum	Red Man Pipe and Supply, Owner/Bartlesville/ Ketchum	1983-1994
Curtis Zunigha	Actor-Writer/ Dewey/ Wilson	1994-1998
Dee Ketchum	Teacher - Red Man Pipe and Supply stockholder/ Bartlesville/ Ketchum	1998-2002
Joe Brooks	Oponahlung Smoke Shop, Owner/Silverlake/ Whiteturkey-Sarcoxie	2002-present

The funds from the Indian Claims Commission secured by the Delaware Business Committee, ironically, helped bring about a new era in tribal politics characterized by

a more nationalist sentiment and a larger tribal membership; placing new demands on those serving in tribal office. This shift to a sense of exclusivity in tribal membership began in 1972, when the Delaware General Council met at the Dewey Fairgrounds to pass a plan of action for the distribution of the Judgement Funds. At the time, the amount of the fund was estimated to total more than 12 million dollars (Carrigan and Chambers 1994: Weslager 1972:462). Essentially, two opinions existed in the tribe on how this money should be spent. Some favored distributing all of the money to tribal members through per capita payments while others recognized the necessity in saving 10 percent for the operation of tribal government. The 10 percent plan passed and congress divided the money accordingly in their appropriation. In the meantime, those opposed to the 10 percent plan were left with no recourse with the BIA, so they turned to the Cherokee Nation. In 1977, the BIA distributed the remaining 90 percent of Dockets 72 and 298 to the Delaware and kept the remaining 10 percent in trust for the Delaware Business Committee. That same year, a Delaware tribal member employed by the Cherokee Nation appealed the plan that withheld 10 percent from the per capita payment for Delaware tribal operations and



challenged the adequacy of the Delaware Business Committee to protect the tribe's interests. Influenced by appeals such as this from tribal members and facing the mounting pressure from Cherokee Chief Ross Swimmer, the BIA terminated the Delaware Tribe's government-to-government relationship in 1979 (Carrigan and Chambers 1994:40-41).<sup>iv</sup>

Since most Delaware continued to support efforts to regain access to the tribal funds without compromising federal recognition, the existing leadership prior to termination was re-elected to a tribal government that remained unrecognized by the BIA. In order to compete with the Cherokee Nation, these leaders adopted strategies to meet the BIA requirements for a recognized tribal government, yet they were ever cognizant of appearing too confrontational. On the other hand, those Delaware who had called for termination in the 1970's, participated less frequently in the political actions of the new tribal body that they did not support. As a result, the elected leadership and their supporters favored (and could adopt) a more rigid position on the need for federal recognition.

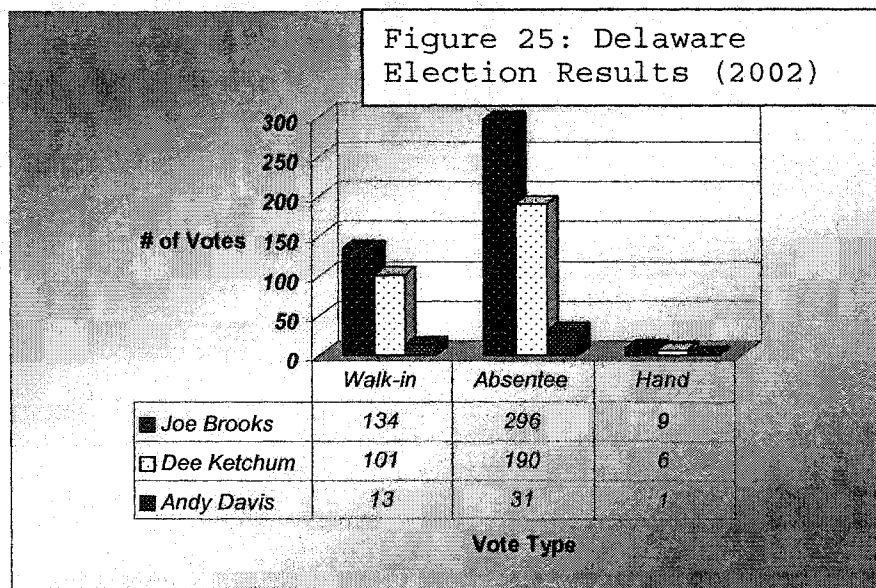
During the same period, the official membership skyrocketed as a result of the per capita payments, which

because of termination, were distributed by the BIA. With a larger tribal population, mobilizing kin-based support in the Delaware Tribe required an increasing expenditure of wealth. The most common method was to advertise one's bid for candidacy by distributing profile fliers that often included the candidate's picture. Other candidates chose to purchase campaign advertisements in the Delaware Indian News. The cost for a one-page advertisement in the Tribal newspaper was \$300.00 in 2003. After tribal enrollment increased following the per capita payment, those vying for Delaware chief had to have access to larger amounts of capital to run a successful campaign. The office of chief also became a full-time job, and it was only in the last few years that the chief received any salary at all. Even though the most recent chiefs, Chief Ketchum and Chief Brooks have earned a salary, the amount they were paid paled in comparison to the responsibilities of office. Thus, economic flexibility became an assumed requirement for tribal leaders, who have reportedly spent large sums of their own money to either get tribal programs going or to keep them in operation after federally appropriated funds were spent. The need for financial wealth meant that the contemporary tribal

chiefs had to either be in a higher economic bracket or their supporters had to be similarly wealthy in order to take on the financial burden of office. This is evident in that three of the last four Delaware Chief's are, or were, self-employed.

The fundamental political structure remains, although transformed in ways that combine past precedence with contemporary realities. Mobilizing support from kin groups is still fundamental to political action, but today these networks exist trans-locally as a result of partial migration out of Delaware Country during the twentieth century. Reaching the larger and dispersed voting population adds to the expense of election campaigns. Although dislocated geographically, members of extended families vote, for the most part, in common blocks and are heavily influenced by those family members who remain and participate locally. It is important to get local family support as it translates into a much larger constituency network that votes on the recommendation of their local family leaders. Securing the absentee vote by gaining the support of a few, well-connected local leaders, has emerged as the crucial factor in recent elections. As one Delaware Trust Board member explained, "I don't have any support in

Bartlesville, all of my votes come from absentee voters, most of which are family or friends of the family." Each year more and more absentee ballots are cast and, in the most recent election of 2002, there were far more absentee ballots than walk-in votes as is indicated in the table below.<sup>v</sup>



The campaign and voting turnout of the 2002 election illustrates quite well that the new reality of tribal politics revolves around a combination of staunch nationalism and gaining local family support in order to secure a large absentee power base. The Delaware Chief's one page ad in the Tribal newspaper listed three families that supported his re-election, all of which were the families of a former Chief or Business Chairman of the Delaware Tribe. The need for backing from family and

community leaders is generally accepted in the community and as such is taken for granted by tribal leaders and constituents.

Family alliances also serve as strong socio-political forces. At the General Council, extended families sit together in small blocks thereby recreating in miniature the Delaware social structure. On one side sat the supporters of the sitting chief and on the other were the families opposed to his administration. Family alliances were so salient that the chief's wife sat with her family even though a member of her family was currently running for her husband's position. Thus, an important first step is to secure a strong base among local families active in Delaware politics.

To win the 2002 election, the current chief defeated the previous administration by not only organizing family alliances locally but also securing the absentee electorate attached to them. He also challenged the commitment to tribal nationalism held by the previous administration. During his campaign, the challenger ran on promises to employ more tribal members and distribute gaming profits on a per capita basis. The first platform in particular, resonated with a number of Delaware; especially those with less economic resources who felt

disempowered by some of the recent hires and the support that the previous administration had given to non-Delaware employees. Although the previous chief was able to implement building projects, economic development activities and cultural preservation efforts, his support for non-Delaware employees undermined his oft-stated goal of a completely self-sufficient Delaware Tribe. Because of the way his actions were perceived in the local community, the previous chief was unable to secure a large enough base of pivotal family leaders necessary to insure a significant amount of absentee votes. When the votes were tallied, the new chief won by a significant number, but telling is that according to the walk-in votes, the victor was only elected by a small margin, but the absentee votes went largely to the challenger. Thus, the new chief was able to negotiate the structure of Delaware political sentiment in such a way as to mobilize overwhelming absentee support and enable him to advance his own platform.

Therefore gaining the support of a few local leaders with large, non-local extended families has recently developed as the key to winning an elected position. Although local sentiment increasingly favored those politicians with a stronger position on Delaware

nationalism, this commitment had to also be checked by a temperament of reservation. It is clear that Delaware leaders recognize this, yet they also recognize the new requirements placed on tribal governments by the federal government. For example, consider the mood of the Chief's message following a failed attempt to amend the 1982 constitution in order to make it more consistent with BIA policies on federal recognition,

We must follow the BIA's requirement. However, this is an individual matter of conscience for each Delaware to decide. We are not telling you to enroll or dis-enroll. We are not the enrollment police. The reason we are coming back to you *so quickly* for a re-vote on the constitution is that the revised Delaware Constitution is a high priority for the tribe to have in place so we can apply and receive servicing funds. This constitution also gives more power to the General Council and less power to the Tribal Council. We will follow your directives (*italics added*).<sup>vi</sup>

Consistent here is the insistence on the need to have the proper wording to achieve recognition but this nationalist call to action is also qualified with explanations that forefront the humility of the Tribal Council in relaying why this is being done so "quickly". This is a message not only to the Delaware constituency generally but is also directed specifically toward the key local leaders who tend to support candidates that are

able to combine an exclusionary rhetoric with a personality of reservation toward conflict. Leadership performed in such a way is suggestive of the unique culture of modern Delaware politics through which elected leaders must navigate. Public service in the Delaware community has undergone alterations over the years but certain guiding principles remain constant. Supported by kin networks and cognizant of the harm that can result from confrontation, Delaware leaders today face challenges in securing political support that stem from the unique way in which the fluid demands of the federal government have mapped onto the existing Delaware cultural sentiment and socio-political structure.

#### "Let them be Cherokees!": Debating Dual Enrollment

The Delaware must also contend with the challenges from the Cherokee Nation. Cherokee leaders understand the structure of Delaware politics and know how to influence the Delaware constituency. With the federal recognition of the Delaware Tribe restored in 1996, the Cherokee Nation was quick to challenge the decision in both the federal court and the local landscape. The Cherokee Nation introduced their own health care



facilities to the region for the first time in 1996 by building a temporary health clinic in Nowata, OK. A mobile unit from this facility serves Bartlesville, Collinsville, Vinita and South Coffeetown one day per week. Before 1996, the clinic administered by the Osage Nation in Pawhuska and the Indian Health Service Hospital run by the Cherokee Nation in Claremore were the closest federally sponsored health services to Delaware County. The Cherokee Nation has recently planted green signs on the major highways in Northeastern Oklahoma, stating in white letters. "Entering the Cherokee Nation." The signs indicate to me and to the Delaware people that the Cherokee Nation will continue to contest the ownership of this space as long as Delaware County remains within the Cherokee TJS.

In the competition over local geography, a centripetal focus on Bartlesville has appeared in Delaware-Cherokee politics. The Cherokee Nation announced plans in 2002 to refurbish the deteriorating Keeler Housing Addition in Bartlesville, which is the only Cherokee sponsored housing project in Delaware County. The Cherokee Nation completed the construction of a new Cherokee Health Clinic in Bartlesville in 2003. This move is particularly illustrative in that, in 1996,

the Cherokee Nation had promised to build this same clinic at the site of their mobile clinic in Nowata, which would have been a much more central location to service the area. As one Delaware leader explained:

With the lawsuit going on between the Cherokees and the Delawares, the Cherokees are moving in to Washington County to let the Delawares know that they're there and they are going to service the people.

As this man explains, the Delaware critically understand the motivations for the recent introduction of Cherokee services in Delaware Country. Although the Delaware are in need of services and make use of Cherokee services like the new clinic in Bartlesville, the Delaware do not regard the Cherokee Nation's presence as the norm. The Cherokee presence is interpreted as the result of the recent success that the Delaware Tribal Council has had in defending their federal recognition against the appeal from the Cherokee Nation.

The Cherokee Health Clinic in Bartlesville is unique in that Cherokee funds rather than federal funds were used and the clinic offers services to only Cherokee tribal members. This forces Delaware people to use their Cherokee CDIB or Cherokee membership cards in order to obtain health service, an act that undermines Delaware

identity and territorial claim. The plans to build this new facility were made public in the local newspaper, the Bartlesville Examiner, during Memorial Day weekend. This is the same weekend that many Delaware families converge for the annual Delaware Powwow at the Falleaf Dance Ground. The Cherokee advertisement gave the new clinic a maximum amount of publicity and "buzz" among the Delaware electorate.

Another strategy that the Cherokee use is implemented so frequently that it is worth discussing further. Prospective Cherokee leaders will actively campaign in Delaware Country and raise support among the Delaware by promising to work with the Delaware government toward their goal of complete separation from the Cherokee Nation. Prior to being sworn into office in August of 1999, Cherokee Chief Smith met with Delaware Chief Ketchum to discuss the current lawsuit the previous Cherokee Chief had brought against the Delaware Tribe. During this meeting, Chief Smith promised the Delaware Chief that once sworn in he would repeal the lawsuit and suggested establishing a committee comprised of three members from each tribe and a seventh chosen by the same committee for the purpose of hammering out the details. Pleased with this show of support, Chief Ketchum proudly

announced this development at the 1999 Delaware General Council and a full-page story of this meeting ran on the front page of the Delaware Indian News. Almost as a way to honor the Cherokee Nation, the editor even wrapped the text around the Cherokee Tribal Seal located in the center of the article. A little over a year later, Chief Smith had yet to finalize the paperwork necessary to remove the lawsuit and instead informed Chief Ketchum that the Cherokee Nation would not seek to dismiss the case but would continue to pursue the termination of the Delaware Tribe. Disappointed, Chief Ketchum returned to the 2000 General Council and informed the tribe of the Cherokee's decision but urged his fellow members to "stand shoulder to shoulder."<sup>vii</sup>

The next issue of the Delaware Indian News again reported this story on the front page, but this time without the Cherokee Tribal Seal and only half a page of text. When reached for comment on Chief Smith's decision, Chief Ketchum responded with the mood of a man betrayed. He stated,

"I don't know why Chief Smith has made this decision, I am extremely disappointed because I took him at his word. Chief Smith suggests he doesn't know what his tribal council wants him to do. But he could drop this lawsuit on his own just as Chief Byrd filed it on his own. With this decision, Chief Smith has made it

clear he is trying to terminate the Delaware Tribe. We have tried to work things out, but Chief Smith has waged war on the Delaware People by saying we are not Delaware, we are Cherokee. We must stand up and be counted as the grandfather tribe that we are. My prayer is that my grandchildren will know that the Delaware Nation is still here and functioning. They will have heard their language spoken and their songs sung."<sup>viii</sup>

In both the example above and the enrollment vote, Delaware tribal leaders have generally adopted a message that stresses humility and reservation to encourage Delaware tribal members to resist the Cherokee Nation's strategy to encompass the region and enforce its authority over Delaware people. The Delaware people though have only partially accepted this message and don't believe they should have to alter their locally understood identity just so they can fit the BIA requirements or to challenge the Cherokee Nation. The Delaware know they are Delaware despite the label the Cherokee Nation uses and they do not feel it necessary to prove their identity to the BIA whom they only deal with if an economic need arises.

Illustrative of my overall conclusion about power in the Cherokee Nation, is that the closer the tribal lawyers are in reaching federal recognition, the more adamant the Cherokee Nation becomes in its' efforts to

mobilize their dominance through political subversion of the Delaware cause. The Cherokee are able to influence the Delaware people through those tribal members who either depend on or benefit from public and primarily health-related services contracted through the Cherokee Nation. The Cherokee Nation can also effect the outcome of Delaware elections and referendum votes through their influence on the Delaware who are voting members of both tribes.

At the 2001 General Council, the extent to which the Cherokee leadership is able to use the promise of marginal economic security to influence the sentiments of Delaware voters was shockingly apparent. The Delaware General Council has convened (voting members of the Delaware Tribe) periodically since 1867 to discuss issues with significant impact such as removal to Indian Territory, Oklahoma statehood and land claims. In its modern form, the General Council was first initiated by the Delaware Business Committee in 1979 and has been held annually ever since. The Delaware General Council is the most prominent political gathering of the Delaware Tribe, drawing tribal members from both the immediate areas as well as the neighboring states and beyond.<sup>ix</sup> The meeting now takes place at the Delaware Community Center and is

set to begin at one o'clock in the afternoon and is scheduled to last into the evening. General Council is held in a large room with a stage on the east wall and chairs arranged in front facing the platform. The General Council is seated in the chairs on the floor, while the leadership is seated on the stage. A podium is wheeled in and situated in the central aisle between the rows of folding chairs for tribal members to use when addressing the elected leadership. A quorum of 100 tribal members must be present to begin the meeting and although quorum has been attained in recent years there is a general concern about the initial turnout.

On the same day, private ballot elections are held in an adjacent room from nine o'clock in the morning until five o'clock in the afternoon to fill vacated positions on the Tribal Council and the Trust Board. On these ballots, the General Council is also asked to vote on tribal resolutions. In 2001, the Delaware Tribal Council proposed a referendum vote on an amendment to the membership article (II) in the Delaware Constitution. Citing the need to clarify their tribal membership, the Tribal Council wanted to add a clause that explicitly prohibited dual enrollment, but they required a two-thirds majority from the General Council to pass this

legislation. Attendance at Delaware events and political meetings in the past suggested that this amendment would pass uncontested.

The tribal leaders thought it imperative to pass this resolution in order to apply for federal contract services under Public Law 93-638.<sup>x</sup> A resolution to adopt single enrollment would meet the BIA requirements and be consistent with the vast majority of other tribal governments. The Department of the Interior initially suggested single enrollment to the Delaware Business Committee in 1974.<sup>xi</sup> Most tribes prohibit dual enrollment and this would be required for the Delaware tribe if they no longer wanted to be considered dually enrolled in the Cherokee Nation.

The resolution to amend the constitution was introduced to the community as an innovative way for tribal leaders to agree to disagree, thus the referendum was consistent with the local etiquette for avoiding conflict. There are a number of tribal members who would like to remain dually enrolled, while others have been protesting the authority of the Cherokee Nation since the Swimmer administration in the 1970's, or viewed in deeper historical terms, since the U.S. Supreme Court cases of the late nineteenth century. Faced with the prospect of



escalating the tension between these two groups, tribal leaders elected to settle the issue of dual enrollment once and for all. The prevailing sentiment of the tribal administration was that, "if they want to be Cherokees, then let them be Cherokees." Passing a single enrollment clause was not only an issue of administrative compliance but a culturally appropriate way to resolve mounting tension in the Delaware electorate by allowing those opposing groups to go their separate ways.

Although the Tribal Council had unanimously agreed to put the resolution that would prohibit dual enrollment to a vote, their constituents were somehow convinced otherwise. After the votes were tallied, tribal opinion was split down the middle with 163 votes cast in favor of the amendment and 160 opposed. Since a 2/3 majority was required to amend the constitution, the resolution did not pass. Although the results give the appearance of consent to Cherokee leadership, this is a flawed interpretation because it does not reflect the realities of local sentiment and the social structures that brought this result about. A multitude of reasons, primarily Cherokee political and economic maneuvering combined with the local ethic of avoiding conflict subverted the intent of the resolution and resulted in its failure.

It is precisely the embedded aspects of Delaware politics explained in the previous chapters that operate and inform political action, and thus it is important to clarify the actual motivations behind tribal political processes. First, the legitimacy of the Delaware leadership, now focused in Bartlesville, is interpreted differently by community members. As the location of both the Delaware headquarters and the regional economy in which Delaware people reside, some associate Bartlesville with purely economic pursuits. As one man explained to me,

Washington County is power and greed, they think they are the upper crust of the Delaware Tribe. If you're not from Washington County, you're not a true Delaware, ... Anything outside of Washington County, in my opinion, is taken for granted, not recognized, not a part of, not important.

The sentiment offered here reflects distinctions understood to exist among the Delaware that reflects both the history of Delaware settlement discussed earlier as well as the economic development of Delaware Country in the twentieth century. Washington County currently is almost five times larger in population than neighboring Nowata County and this contrast is even more apparent considering that Nowata County is over 100 square miles larger in area. Also, from 1959-1989, Washington County

recorded the highest per capita income in the state of Oklahoma, surpassing the metropolitan areas of Tulsa and Oklahoma City, while Nowata, Craig and Rogers county have remained almost consistently below the state income average for the same 30 year period (U.S. Census Bureau n.d.).<sup>xii</sup> The concentration of wealth in Washington County is most likely the result of the profits generated by Phillips Petroleum Corporation, which has been headquartered in Bartlesville, Oklahoma since its organization in the early twentieth century.<sup>xiii</sup> Many Delaware have either worked for and/or leased their oil rights to Phillips Petroleum enabling them to draw comfortable middle class incomes while others were unable to secure such employment or oil leases and sustained themselves on lower incomes. Local discourse generalizes the economic realities of Delaware Country and juxtaposes Washington County symbolically as the economic center with Nowata, Craig and Rogers counties as the tribe's neglected rural hinterland.

Cherokee leaders recognize these geographic/economic differences and rely on these spatialized sentiments in their own efforts to undermine the Delaware bid for federal recognition. When the Delaware Tribal Council announced that they would hold a resolution to adopt a

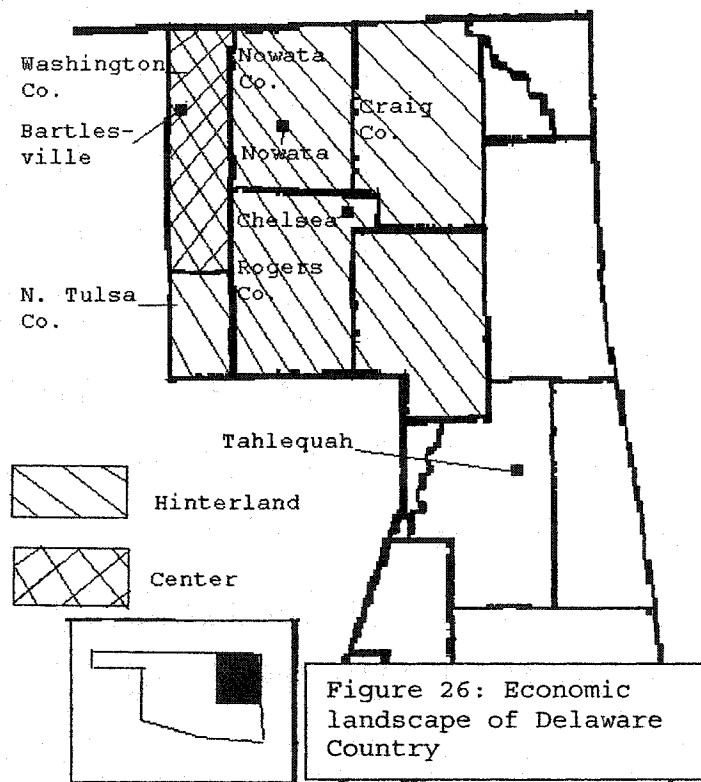
single enrollment clause, the Cherokee Nation began focusing on representatives from Nowata and Chelsea to target those who felt somewhat neglected by the "Bartlesville scene." The Delaware leaders from Chelsea and Nowata were likely to represent a higher percentage of lower socio-economic constituents who would be in more need of Cherokee sponsored services. Recognizing the potential problem that a single enrollment clause would pose for the Cherokee Nation, Cherokee political representatives embarked on their own strategy intended to undermine the referendum vote. The Cherokee leadership sent political fliers throughout the Delaware community. By mail and by word of mouth, news spread that if the single enrollment amendment passed the Cherokee Nation would institute its own policy that would restrict those who relinquish membership in the Cherokee Nation from ever re-applying. This was of considerable concern for those enrolled in both the Cherokee and the Delaware tribes. Since the Cherokee Nation was challenging the Delaware's federal recognition, it was uncertain if the Delaware Tribe would remain a recognized government. The dually enrolled constituency feared that if they were forced to relinquish membership in the Cherokee Nation in order to stay enrolled in the Delaware

Tribe they would forever lose their status as "Indian," eligible for federal Indian services. If the Cherokee were to win their appeal against Delaware federal recognition, then their membership in the Delaware Tribe would no longer be recognized as "Indian" and their eligibility for federal services would be lost. As one man explained, "If we resign as Cherokees and we lose our case, then we're not Delawares, then what are we?!" The concern voiced here fit the sentiment of many Delaware who felt that if they gave up their imposed Cherokee identity, then they would run the risk of being both financially destitute because they would be denied access to critical services.

The Cherokee also tapped into the family structure of Delaware politics to secure an opposition base for the referendum. "News" was circulated that elected leaders understood to represent families from Nowata and Rogers/Craig county were convinced by the Cherokee rhetoric and not prepared to risk the possibility of having to give up their access to services through the Cherokee Nation. To ensure that the amendment failed, they activated their own political machinery. For those who were concerned the slightest bit about the financial and political impact of single enrollment, the Cherokee

message served as a viable scare tactic and kept many on the side of maintaining dual enrollment. Economic fears provoked by the Cherokee Nation, who targeted lower socio-economic constituencies, circulated through the Delaware kin-based socio-political structure and this played a central role in the discourse that opposed the single enrollment resolution.

The socio-economic landscape of Delaware Country also helped shape the efforts of those in favor of single enrollment. Those who favored single enrollment employed concepts of national unity and territorial integrity in order to mobilize votes. The Delaware understand the economic realities discussed above



in more nationalist terms marking Bartlesville as the Tribal Headquarters, often in direct opposition to the Cherokee headquarters in Tahlequah. The cities

themselves are often used interchangeably during informal discussions about the actual tribal governments. For example, it is understood that *Tahlequah* is the reason that the Delaware are having difficulty getting federal recognition and *Bartlesville* is actively trying to separate from the Cherokee Nation.

While the Cherokee Nation pursued these and other subversive tactics, the Delaware Tribal Council immediately moved to allocate \$2,500 to a mass mailing campaign designed to publicize the vote as well as to educate their constituency concerning its motivations. Town meetings were held to answer questions and to inform people on the importance that the amendment had for the Tribe's ability to compete for federal contracts. These meetings were held with the intent to show the thoughtful consideration that went into this resolution and its importance for the cultural integrity of the tribe. Delaware leaders spoke at length in both tribal meetings and in the tribal newspaper about the need to show unity on the enrollment vote. Consider the call to action from Delaware Chief Ketchum in his state of the tribe address during the resolution vote. As recorded in the minutes from the 2001 General Council, Chief Ketchum urged, "all Delawares to be proud of who they are ... to have strength

to right the wrongs that have been done to the Delaware people. He finished by asking four elders, ... to come and pray for the tribe and for the nation."<sup>xiv</sup> Although flyers in support of the amendment were sent out and officially endorsed by the Tribal Council, members of the same governing body distributed their own message attacking the endorsement. Also the opposition either ignored the meetings or later undermined their effectiveness. In my experience during the events that led up to the single enrollment amendment, it was evident that dual themes, national/cultural integrity and economic security, existed simultaneously in Delaware political sentiment and were used to both mobilize and undermine the political actions that led to the vote.

After the vote was counted, I found that a subtle sense among Delaware people that the proposed amendment was not to settle the issue, but to aggressively attain a resolution for political and economic gain. My general interpretation fits with the logic of kwulakan in which a forced decision is equated with a rash decision and thus one that can be potentially harmful to the community. It turns out that rather than err on the side of haste, a good number of Delaware who initially supported single enrollment were persuaded to choose caution and voted



against the resolution. Careful consideration is highly valued among Delaware people, and actions or decisions that appear too hasty are highly circumspect. For example, one woman explained:

It hasn't been that long before we got all this anyway. Now it's just a battle trying to get everything and they are trying to ... They are trying to move too fast and push the people too fast. You know, they're turning around and they are wanting too much overnight, you know. ... the Cherokees, took a while for them to get started but the Delawares, the way the tribal council is doing, they're trying push everything too fast and they're trying to push it on the people too fast.

The temper of reservation explained by this woman is a pervasive sentiment among Delaware people that reverberates with the sense of kwulakan. A number of factors undermined the Tribal Council's efforts to meet the BIA requirements. The primary factor, however, was that a large enough portion of the community was not convinced that single enrollment was necessary nor carefully considered and tribal leaders were unable to implement single enrollment as required by the BIA despite their calls to action.

### Conclusion

In light of my concluding example, I suggest that the structure of Delaware politics is embedded within a unique cultural ethic. Combining the local sentiment and family structure with the subversive efforts of the Cherokee Nation explains the context for why it is particularly difficult for Delaware leaders to secure an equal position relative to the Cherokee Nation and transform the Delaware tribal government into a functioning bureaucratic extension of the BIA. Although the Delaware Tribe's failure to dissolve dual enrollment is interpreted by the BIA as an indication that Delaware people wish to remain Cherokee, it is actually quite the opposite. The lack of support for the referendum was an active expression of that unique quality of the Delaware community that has not accepted the language of tribal identity required by the BIA. As one man explained to me, "It's not in these buildings or in those cards, the Delaware tribe is something different, something unique and I want to bring that back, be a part of it."

It is in this sense then that although the votes were split down the middle and a number of Delaware people actively utilize services through the Cherokee Nation, nobody wants to be Cherokee nor do they want to give up being Delaware. Everyone knows and is proud of

their shared Delaware heritage, and some are equally proud of their Cherokee ancestry. The reality is that those more politically active in the community echo the wish of the majority in the tribe who want to solidify the more nationalist Delaware sentiment. Other Delaware, however, do not recognize its immediacy nor the need to accept this fundamentally new form of Delaware identity. These individuals regard single enrollment as a risky financial strategy instead of a way to promote Delaware nationalism. The dual enrollment vote illustrates that tribal nationalism, in the modern sense of the nation-state, is bound to economic concerns and may be enacted strategically but not necessarily supported, nor uncritically accepted, by the Delaware community at large.

I have tried to show throughout the course of this ethnography that the Delaware's struggle against their subordinate position in the Cherokee Nation can also provide anthropologists with a perspective on why it may appear that subjugated groups actively participate in their own exploitation. Although it appears that the Delaware consent to their subordinate position in the Cherokee Nation, as I have shown, the reality is quite the opposite. Throughout the twentieth century, the

Delaware people came to terms with new definitions for their identity that were imposed by the federal government. It was only in the Self-Determination Era that the identification process was recreated in such a way as to enable the Cherokee Nation to undermine the Delaware Tribe's government-to-government relationship with the United States. I conclude that inter-group hierarchies, like the one between the Delaware and the Cherokee, are created and maintained not because one group agrees to be less powerful, but because subordinated groups are obliged to participate according to rules that makes it appear as though they consent to their own domination. Those in positions of power understand and use their familiarity with local sentiments to manipulate and guide political action to their advantage.

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<sup>i</sup> See Rementer (1994) for more description of the Delaware football game, Howard (1981:263-267) for the Shawnee game and Jackson (2003a) on the Yuchi form.

<sup>ii</sup> An aspect of Delaware leadership witnessed but not addressed due to lack of ethnohistoric data is the extent to which the redistribution of wealth plays in activating and maintaining alliance. In the past, Sachems were observed to parcel out wealth and goods similar to that observed in the classic Big Man societies of New Guinea (Weslager 1972:63). Today, when recounting achievements of tribal leaders, mention is often made of their ability to secure and increase contracted federal services. Although substantially different, the redistributive structure and

symbolism is similar and provides a topic for ethnohistoric research into the economy of Delaware leadership.

<sup>iii</sup> Originally recorded by Truman Michelson when working with the Northern Washington County Delaware in the early twentieth century, I have paraphrased this story for sake of brevity but a complete version of this story can be found in Bierhorst (1995:47-56).

<sup>iv</sup> Two documents indicate the termination of federal recognition for the Delaware Tribe: 1) the Delaware Tribe of Indians was not included on the list of federally recognized tribes issued by the Bureau of Indian Affairs in 1979 (see Federal Register, February 6, 1979: 7235-7237) and 2) upon realizing that they were not included, the Delaware queried the Muskogee Area Director who responded, also in 1979, that the Delaware Tribe was indeed not a federally recognized tribe and, "must look to the Cherokee Nation of which they are an integral part (letter from Acting Deputy Commissioner La Fallette Butler, Washington, D.C. to Henry Secondine, Delaware Business Committee Chairman; reprinted in Carrigan and Chambers 1994:A75-A76)."

<sup>v</sup> Sturm reports that the increase in absentee ballots parallels a similar trend in the Cherokee Nation (Circe Sturm, personal communication, 2003).

<sup>vi</sup> See Delaware Indian News 1999(22)1:2. Delaware Indian News File at the Delaware Tribal Library (hereafter DIN-DTL).

<sup>vii</sup> See Delaware Indian News 1999 22(4):1. DIN-DTL.

<sup>viii</sup> See Delaware Indian News 2001 24(1):1). DIN-DTL.

<sup>ix</sup> It was common to have in attendance families from Kansas, Texas, Arkansas and Missouri and in one case I visited with a man who had brought his family from Wyoming to be a part of the council.

<sup>x</sup> When Delaware leaders first attempted to implement single enrollment in the 1982 constitution, the BIA would not accept the wording since it did not mention the Cherokee Nation. The BIA interprets the membership clause that it originally denied because it excluded the possibility of Cherokee membership as including the possibility of dual enrollment in the Cherokee Nation since it does not specifically state otherwise. Since the Delaware tribe has dually enrolled members in the Cherokee Nation, they are considered to have overlapping membership. The Delaware Tribe cannot contract for 638 services unless their membership excludes those enrolled in the Cherokee Nation, an action that would have been rejected if included in the original constitution or the Trust Document. This contradiction in the interpretation of federal policy points out the flexibility of the existing framework.

<sup>xi</sup> Thomas Ellison, Muskogee Area Director to Bruce Townsend, Chairman, Delaware Business Committee, Oct. 1974; Business Committee Correspondence file at the Delaware Tribal Library (hereafter BCC-DTL).

<sup>xii</sup> The only exception is in 1989, when Rogers County did raise in its Per Capita income and go over the state average probably as a result of people moving outward from Tulsa County.

<sup>xiii</sup> Phillips Petroleum Company combined their operations with Conoco in 2003 and moved their headquarters out of Bartlesville and relocated to Houston, TX. It is too soon to comment on the economic impact this move will have for the economy in Delaware County, but initial indications show that Phillips departure may be beneficial as smaller companies can enter and compete in the local market.

<sup>xiv</sup> See: General Council 2002: Minutes. GCMF-DTL.

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General Council Minutes (GCMF)  
Tribal Enrollment File (TEF)  
Tribal Resolutions File (TRF)

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