

A Critical Perspective

Ties that Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom

In her scholarly history, *Ties that Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom*, Tiya Miles brings us the compelling story of Shoe Boots, a Cherokee warrior, and Doll, his long-term companion and lover, set in the dawn of the 19th century. What is of particular historical interest is that Doll, an African slave of uncertain origin, was owned by Shoe Boots (Miles, 2005, p.27). This unusual relationship provides a new perspective on issues of slavery and race in America's early years and brings into the forefront a more complex reality than is often acknowledged. Indeed, Native American slaveholding has been historically difficult for many to admit and understand (Miles, 2005, p.113). Through Miles' imaginatively reconstructed history of Shoe Boots, Doll, and the children they had together, we see how they negotiated a fine balance in their community, challenging many of the social norms of their time. Their story allows us to understand spaces of resistance within a society where slavery and racism had a strong hold.

Among the strengths of Miles' work is her ability to succinctly frame the significance of the central relationship between Shoe Boots and Doll with respect to the historical period. Before turning this paper to Miles' account of Shoe Boots and Doll's personal histories, it is worth setting the historical context first. Miles gives a

nanced characterization of the Cherokee Nation's view of slavery during the 1700s and 1800s, years during which slavery thrived in American colonies and States:

“Cherokees adopted slavery in part to demonstrate their level of ‘civilization’ in the hopes of forestalling further encroachment by white America. Thereafter the Cherokee Nation legalized slavery and black exclusion to maintain economic growth and independence and to demonstrate a social distance from the subjugated African race.” (Miles, 2005, p. 4)

Miles notes that this practice of slavery gave rise to many contradictions and conflicts. She provides the example of the Treaty of Dover of 1730, when it was acknowledged and written into English law by King George and a Cherokee delegation, that Cherokee would catch and return runaway slaves to their masters. (Miles, 2005, p.31) Miles also provides evidence that some Cherokee systematically helped runaway slaves and harbored them within their communities. Of course, the practice of helping runaway slaves existed in other communities as well.

It is suggested that as Cherokees adopted the practice of keeping slaves for themselves, they changed the practice of slave-owning in significant ways. (Miles, 2005, p.32) To some extent, Miles seeks to differentiate Cherokee from traditional American slavery in qualitative, moral terms. Under this interpretation, it is notable that Cherokee slaves often worked alongside their masters and that slaves' English skills were highly valued, as many of them served as interpreters and teachers to their masters. Miles makes the claim that it was generally thought that slavery under Cherokee masters was not as cruel or brutal to slavery under whites (Miles, 2005, p.34). Although the whole notion of comparatively evaluating different slaveries is in some ways a perverse one, Miles makes a convincing case that, at least

initially, the Cherokee saw slavery as operating primarily over class distinctions, rather than on the basis of race.

This would formally change with the development of the Cherokee Constitution under Chief John Ross in 1827. Like the U.S. Constitution, the Cherokee Constitution provided the basis for representative government and would see various revisions over time. However, the Cherokee Constitution was unlike the U.S. Constitution in one significant way: the Cherokee Constitution clearly and specifically mentioned and provided legal basis for slavery. Furthermore, Miles writes that, "The exclusion of almost all African-descended people from citizenship and suffrage in the Cherokee Constitution set the stage for the systematic subordination of blacks, since they had no legitimacy or legal standing that the Cherokee Nation was bound to respect." (Miles, 2005, p.111) The legality of the Cherokee Constitution would be challenged by the state of Georgia following the discovery of gold in Cherokee land, although U.S. courts ultimately struck down these attempts. (Miles, 2005, p.133)

Against the background of these larger social and political conflicts, Miles sketches the outlines of Shoe Boots' and Doll's stories. There is much uncertainty here. Doll was either captured or purchased by Shoe Boots in the late 1700s. (Miles, 2005, p.28) It is believed that between 1802-1805 Doll became Shoe Boots' companion. Shoe Boots had earlier made a Euro-American woman named Clarinda his wife; however she would leave and never return to live with Shoe Boots. His companionship with Doll also proved to be complex. Within Cherokee society there was an understanding that clanship provided a member with protection and this

“social protection” was not extended to include slaves. (Miles, 2005, p.51) Miles writes that, “Clan membership shaped and determined interpersonal relations and obligations as well as ceremonial practices.” (Miles, 2005, p.50) It was clear that Doll was an outsider in this community. “Doll’s presence and simultaneous absence in Cherokee life placed her in a strange purgatorial realm” writes Miles. (p. 57) At first Doll was not accepted into the tribe, yet was an intimate outsider living in the Cherokee community as Shoe Boots’ companion.

There seems to have been an important and complicated shift when Doll began to have children with Shoe Boots. The personal episodes that Miles chooses to highlight are very much based on the struggles Shoe Boots undertook to have his children acknowledged by the Cherokee tribe, regardless of the fact that the mother of his children was a slave. In 1824, writes Miles, Captain Shoe Boots “submitted a petition to the Cherokee national government on behalf of his enslaved children, his action represented a radical challenge to the emerging Cherokee systems of black exclusion and legalized slavery.” (Miles, 2005, p. 114) He asked for the council to formally acknowledge his children with Doll, Elizabeth, John, and Polly, as free Cherokee citizens. It is interesting to note that he does not ask for the freedom of Doll. It is thought that Shoe Boots had the help of a white missionary who was involved with an abolitionists missionary community, William Thompson, in the process of writing the petition to the council. (Miles, 2005, p. 116) The National Council grants the freedom of Shoe Boots’ children, but is clear to state that he is not to have any more children with Doll. The rights of people shifted dramatically with such decisions, often according to the immediate political atmosphere.

The story of Doll and Shoe Boots' children occupies a substantial place in Miles' narrative. It is a difficult, often tragic tale. Shoe Boots lived through the early years of the 19th century, dying in 1829. These were years during which the Native Americans of the southeastern United States faced repeated challenges to their legal claim to their land and sovereignty. Upon Shoe Boots' death two of his five children were legally free while Doll and three other children were slaves of Shoe Boots' Cherokee friends (Miles, 2005, p. 130). Shoe Boots' sisters, Peggy and Takesteskee, along with Doll, battled these friends for their freedom and for that of the three enslaved children. These efforts broke down before the Cherokee National Committee which sided with the slave owners in accordance with the Cherokee laws and Constitution. (Miles, 2005, p. 131)

How can we explain the relationship between Shoe Boots and Doll? According to Miles (2005), in the 1800s Cherokees did not "view that racial difference rendered African people subhuman, nor did Cherokees share in the Anglo-American practice of controlling behavior through an extensive body of laws during this period." (p. 50) Miles suggests that the family was a space where Shoe Boots and Doll were able to be with one another, regardless of societal norms during their time. The domestic setting of a home is naturally much more intimate and personal than the public realm and this allowed Shoe Boots and Doll to re-define their roles as they did. However, it is ultimately impossible to know if Shoe Boots and Doll were in a fully consensual relationship at all. This instance of over-interpretation is one of the most substantial assumptions made by the author, and one that is most difficult to accept.

The lack of historical documentation is a drawback of Miles' narrative, which contains several highly speculative and imaginative elements of Shoe Boots' and Dolls' story. Although these form a compelling story, we cannot be at all sure of what their relationship was like in some fundamental respects. For example, we do not know if Doll would have chosen to stay with Shoe Boots or if she did indeed have a choice as to whether to do so. In another example, Doll would formally take Shoe Boots' last name, although it is entirely unclear if this was imposed on her as a slave or taken by her as a wife. In this and other critical respects, the story of their lives seems significantly incomplete. Miles takes the authorial liberty to make some assumptions about the daily reality of the lives of Shoe Boots and Dolly that are sometimes uncomfortably broad. Usually these assumptions are structured around a discussion of some other, occasionally distantly related, historical parallels that are more familiar or better documented. However, Miles is a brilliant and insightful writer and a MacArthur award winner on the basis of this and other works; it is a pleasure to follow her sometimes scantily documented reconstruction of these compelling lives.

The story of Doll and Shoe Boots provides another perspective on race and race relations during the pre-civil war era. It is too easy to see these complex issues and events in "black and white." The figures of Shoe Boots, Doll, and their family are a welcome disruption to more familiar modes of thought.

It is also interesting to discuss the rights under law of Cherokees and other Americans at the time. This could be an engaging and enriching activity for my 5th

grade students. This book certainly provides a great opportunity to think about how different perspectives on race evolve even to this day.

Such an activity could be complemented by a discussion of the recent incidents involving Cherokee descendants of slaves. A 2011 Cherokee Supreme Court case centering around similar issues of systematic racism and exclusion of the descendants of slaves continues this centuries-old debate to this day (Miles, 2011). In short, the Cherokee Supreme Court ruled that many descendants of slaves, called Freedmen, should be expelled from the Cherokee Nation.

In a response to these events that captures the scope and clarity of her vision Miles (2011) writes, “The Cherokee people and the progeny of those once enslaved in their territory share a story. It is a story of colonialism, slavery, removal, Civil War, injustice, survival and resilience, yet and still, one that their ancestors shaped together. I appeal to the enfranchised members of the Cherokee Nation to be the Real People that they are – human, humane and true to the promises of the past.” This quality is great strength of *Ties that Bind* — Miles holds true to the promises of the past.

Works Cited

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