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The *Cherokee Phoenix* and the Nation It Represents:
An Analysis of the Role of Minority Press

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"Nunna daul Tsyny," which translates into "The Trail Where They Cried," remains one of the most well known events in Native American history. Schoolchildren study pictures of downtrodden men and women plodding along a path and are taught to pity them and their sad fate. This kind of conventional American history is readily available, yet it tends to be one-sided in its interpretations.¹ Little is said about what happened to the Cherokees before that momentous event because the victors wrote the history books, and in this case, the victors were Euramericans. Bernard DeVoto argued that "there is some inherent tendency to write American history as if it were a function of white culture only."² In reading most American history books, a student gains only an uni-dimensional view of the controversial events that took place, to the point of lacking the ability to even recognize a controversy. Without the other side of the story, the account cannot be truly accurate.

The most strikingly lopsided picture painted in history books was that of the Cherokees leaving Georgia, pitiful and weak. They lost their lands, but had they fought well or were they simply victims of circumstance? American history, with its fetish for power, chose to paint them as vanquished.³ Yet the story of the Cherokee people lay elsewhere, not in history books, but in their own interpretation of the events which led to that fateful day found in the pages of their newspaper, the Cherokee Phoenix.

From its first issue in February 1828 until the Georgia Guard illegally seized the printing press in early 1835, the Phoenix told the Cherokees' version of events in their own words. Unlike other groups and individuals in the United States who have their

² qtd. in Jacobs
rights guaranteed by the Constitution, the Cherokees found that as a separate sovereign nation, their rights were not protected. Because they were not American citizens, the Bill of Rights did not apply to them. Instead, they depended upon proper interpretation of treaty provisions for their guarantees of rights. When the United States decided not to honor its treaties, the Cherokees were alone. Not realizing the odds against them, Cherokee leaders formed plans of protest against these injustices. In his editorial column of the Cherokee Phoenix, Elias Boudinot sought to influence the thoughts and actions of both his Cherokee brothers and the surrounding Euramerican society to bring about the restoration of the Cherokees’ rights. This research provides a detailed examination of the rhetoric of Boudinot’s column and the role that rhetoric played during 1831. This year was particularly pivotal in Cherokee removal. The previous December, the Georgia legislature had passed a law requiring all white men living within the Cherokee Nation to swear loyalty to the state of Georgia or face four years hard labor in the penitentiary. The law went into effect March 1, 1831 and the consequences of it appeared in Boudinot’s column week after week. It eventually resulted in a final Supreme Court case, which tested and denied the Constitutionality of the Georgia law. Because of the implications they carried, these events played an important role in Cherokee life and Boudinot’s coverage of them was crucial.

Existing Research on Native American Rhetoric

In order to avoid duplicating contemporary research in this study, a general survey of the existing research on Native American rhetoric was performed. This survey

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not only aided in shaping this study of the Cherokee Phoenix, but also in establishing the current research base of Native American rhetoric. The vast majority of modern research focuses on the Red Power rhetoric of the past three decades and its role as the voice of the current Native American social movement. As Lake points out in an article about the role of time vocabulary and the challenges it poses for Native Americans, at its most basic level, Red Power rhetoric does not differ from that of any other social movement, in that they all “articulate a self-justificatory narrative that interweaves past, present and future.” Red Power is the rhetoric of a social minority attempting to give voice to its identity. One strategy of the activists has been to draw historical parallels between their current struggles and those that their ancestors faced. In the case of Red Power, the ancestors they cite are those who lived during the publication of the Phoenix and the decades that followed, those who fought for but still lost their right to exist as a legitimate culture.

Morris and Wander, who analyzed modern Native American protest rhetoric in comparison with the Ghost Dance movement of the late nineteenth century, emphasized the Native American’s struggle against the dominant culture, saying “the degree to which the dominant society has displaced the tribal identities...has at times been so severe that Native Americans have become unrecognizable.” They claim that this has created serious rhetorical problems for Native Americans who are struggling to voice their beliefs, yet these beliefs are no longer legitimate. Native Americans have been relegated to artifacts of the past – once lost, impossible to recover. Most of the current research

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6 ibid 139
makes this point, although some authors place more emphasis on it than others do. The general consensus is that because Native Americans were effectively written out of history, they now face the challenge of creating an identity and a future for themselves.

One idea from Red Power rhetoric that applies to studying the *Cherokee Phoenix* is the “common assumption that militant [Native American] rhetoric attempts to change white attitudes.” This can be seen in the *Cherokee Phoenix* as Boudinot attempted to convince Euramerican society that the Cherokees were civilized and deserved their lands and their rights. After relating this perception, Lake goes on to argue that it is wrong, that instead Native American rhetoric should be “viewed from a perspective that examines its significance for [Native Americans] themselves.” This new perspective is supported through the *Phoenix*’s reason for existence – the betterment of the Cherokees, yet both Holland’s and Gabriel’s research offer substantial proof that Boudinot wrote toward both audiences.

Surprisingly little has been written about what is arguably the Cherokee nation’s greatest achievement: their written language and the nearly universal adult literacy rate that accompanied it within half a decade. In the portion of his 1956 dissertation that pertained to the *Cherokee Phoenix*, Cullen Joe Holland focused mainly on the *Phoenix* as a voice of the Cherokees to attempt to dispel the myths circulating in Euramerican society about their culture. He viewed the *Phoenix* mostly through its expression of Cherokee

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8 ibid 166 and Lake “Enacting...” 127
10 ibid 132
11 Holland 54 and Gabriel 71
society and its attempt to change prevailing white attitudes about the Cherokees.\textsuperscript{12} Although he substantially discussed the historical context of the newspaper, Holland did not focus on the language used in the newspaper.

This research attempts to complement the existing research on Native American rhetoric of the early nineteenth century. The events discussed in the \textit{Cherokee Phoenix} play an important role in modern Native American rhetoric, yet the rhetoric surrounding these events has received little attention because for centuries, historians effectively wrote Native Americans out of history. Even nineteenth century Euramericans dismissed them, believing that the "inexorable destiny" of the Native Americans was to recede before civilization's advance.\textsuperscript{13} The contents of the \textit{Cherokee Phoenix} challenge this assumption and fill the void Euramericans created by writing American history purely from their own perspective.

\textbf{A Brief History of Cherokee-Euramerican Interactions}

In order to understand the rhetoric of the \textit{Cherokee Phoenix} and the subtle nuances of Boudinot's arguments, one must first understand how and why Cherokee-white relations evolved to the point they were at in the 1820's and 30's. When they first made contact with one another, both groups had preconceived notions about the other, which influenced how they interacted. This historical summary is designed to briefly trace the chain of interactions that led to the state of Cherokee-white relations when the \textit{Cherokee Phoenix} was published.

\begin{itemize}
  \item \textsuperscript{12} Holland, Cullen Joe. \textit{The Cherokee Indian Newspapers, 1828-1906: The Tribal Voice of a People In Transition}. Diss. University of Minnesota, 1956. Minneapolis:
\end{itemize}
The origin of the Cherokees is a mystery even to themselves. Although they have a story about how they came to their current lands, there is no single, specific story of how some humans first became Cherokees. They refer to themselves as *Tsala**gi*, a name which, depending on the ethnologist, means either “Ancient Tobacco People,” “the Original People,” “Red Fire Men” or “Children of the Sun.”\(^{14}\) The Cherokees say that they migrated to their homeland -- the area encompassing the Appalachian valleys and plateaus -- from a land far away. Some archaeologists believe they came across the Bering Strait from Asia.\(^{15}\)

Regardless of how or when they got there, the Cherokees were living in southeastern North America when explorer Hernando de Soto arrived in 1540. Although de Soto’s historians differed in their descriptions of the encounter, two things became apparent from their writings. First, this was not the first time the Cherokees had encountered white Europeans. Second, the Cherokees were already a highly advanced people, although in a different manner from the civilized nation they later became.\(^{16}\)

The traditional Euramerican interpretation of the Cherokees’ lifestyle originated in part from their knowledge of other Native American tribes. Traditionally, Americans have viewed the Cherokees, like other tribes the whites had encountered, as nomadic hunters. Although they did hunt to obtain meat, one of the staples of their diet, they had a settled culture based on agriculture by the early sixteenth century.\(^{17}\) When British settlers came to the southern portion of the New World, it was the Cherokees who taught them which crops to cultivate.

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In the seventeenth and early eighteenth centuries, colonial policy toward the Cherokees was one of cooperation, assimilation and nonviolence. The colonists’ intention was to trade with the Cherokees and learn more about America. Early colonial leaders realized that, in comparison to the great Cherokee warriors, they possessed very little military power. Their views were encapsulated in a 1703 order from the Lords Proprietors of Carolina to Governor Johnson to “take Great Care that the [Cherokee] be not abused and that all means may be used to Civilize them and that you Endeavor your utmost to create a firme friendship with them.”\(^{18}\) As this order illustrates, because they could not conquer them, the colonists attempted to develop a working relationship with the Cherokees.\(^{19}\)

The mid-eighteenth century was a time of tragedy for the Cherokee people as Cherokee-white relations went steadily downhill. First, a smallpox epidemic decimated nearly one-third of their population in 1750.\(^{20}\) Then, shortly thereafter, the American Revolution began. The Revolutionary War had disastrous results for Native Americans across the nation and the Cherokees in particular. Although they attempted to remain neutral in the “white man’s” war, they were eventually drawn into the conflict by the grim consequences of the presence of troops on their lands. Entire Cherokee towns -- totaling several thousand Cherokee homes -- were burned by both Patriots and Tories and nearly one million bushels of corn, the tribe’s staple food, went up in flames.\(^{21}\)

\(^{19}\) Dippie 40
\(^{20}\) The Columbia Encyclopedia
After the war ended, the Cherokees had a new government with which to make treaties, the United States. Under George Washington, this government adopted a policy of assimilation toward the Cherokees and other tribes living east of the Mississippi River.\textsuperscript{22} Their goal was to make the Cherokees into law-abiding citizens of the United States by Christianizing and "civilizing" them.

The Cherokees negotiated their first treaty with the United States government on November 28, 1785 at Hopewell.\textsuperscript{23} Old Tassel, the Cherokees' chief negotiator, was disgusted by the settlers' lust for Cherokee lands, and as part of the treaty, he outlined the boarders of the nation as the Cherokees believed them to be. The commissioners appointed to make the treaty approved these lines, insisting that Congress wanted none of the Cherokees' lands, nor anything else that belonged to them.\textsuperscript{24}

As the Cherokees soon learned, however, Congress was unable to control the American citizens on the western frontier. Treaties meant little to the pioneers and although they were ordered to leave Cherokee territory or forfeit the protection of the United States, the pioneers remained where they were, encroaching on Cherokee lands and inviting attacks from Cherokee renegade Dragging Canoe and his faction, the Chickamaugans.\textsuperscript{25} An equally radical American, John Sevier, led the whites in retaliation for Dragging Canoe's actions against all Cherokees, causing a bloody war that would last nearly a decade.\textsuperscript{26}

\textsuperscript{23} Woodward 105
\textsuperscript{24} ibid
\textsuperscript{25} Pearce 55
\textsuperscript{26} McLoughlin 557
In 1791, because of the increasing conflicts, Washington summoned the Cherokee chiefs to White’s Fort on the Holston River to negotiate a treaty to end the conflicts. The treaty gave the United States the exclusive right to regulate trade with the Cherokees, defined the boundaries of the Cherokee nation (taking away over 4,000 square miles of Cherokee land forever) and prohibited United States citizens from crossing the boundaries onto Cherokee land without a passport. Most importantly for the Cherokees, Americans committing crimes against them were to be tried and punished by Cherokee laws.\textsuperscript{27}

Article XIV of the treaty also had powerful consequences for the Cherokees, since it paved the way for the cultural developments of the next few decades:

\textit{“That the Cherokee Nation may be led to a greater degree of civilization... the United States will from time to time furnish gratuitously the said nation with useful implements of husbandry. And further to assist the said nation in so desirable a pursuit, and at the same time to establish a certain mode of communication, the United States will send such...persons....who shall qualify themselves to act as interpreters.”}\textsuperscript{28}

Spurred by the treaty, citizens and leaders, who were weary of losing their lands, realized that to protect their interests, they must have a single governing body to negotiate with the United States. In 1794, the Cherokee nation, which had been administratively divided for its entire history, united under a national council with a primary and second principal chief.\textsuperscript{29} This council quickly created a national court system and a mounted police force.\textsuperscript{30}

Although they had no influence upon its contents, the Act of 1802, passed by the United States Congress, would become a great threat to the Cherokees. In this act,

\textsuperscript{27} Woodward 112
\textsuperscript{28} qtd in Woodward 113
\textsuperscript{30} ibid
Georgia ceded her western lands, which now comprise Alabama and Mississippi, to the federal government in exchange for a promise that the government would extinguish all Native American titles to lands within Georgia’s chartered boundaries as soon as it was peaceably able to do so. The act also guaranteed the Cherokees that the federal government would remove any intruders until they chose to leave their homelands.

In what historians refer to as the first removal crisis, a small group of Cherokees emigrated to Arkansas in 1809. But once they left, emigration halted; the rest of the Cherokee nation simply refused to be moved. The Cherokee council concluded, for the survival of their nation, that those who had emigrated had forfeited the right to call themselves Cherokees. Henceforth, to be a Cherokee meant to dwell in the land of the Cherokee forefathers. To leave was to betray one’s national heritage. They insisted that they be permitted to develop a fully civilized way of life in what remained of their ancient domain.

**Development of the Cherokee Phoenix**

The Cherokees developed more rapidly than anyone had dreamed possible. In the two decades between the end of the first removal crisis and the beginning of Georgia’s final encroachments upon their rights, the Cherokees achieved more than any other Native American tribe in North America — in sum, they took their well-developed Cherokee culture and turned it into one that was suitable to Euramerican society. They were already a culture of farmers, growing cotton and tobacco in addition to the typical

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subsistence foods, so they began to use the white man’s inventions. They were also a
culture of traders; many a Cherokee became wealthy acting as a middleman between his
brothers and Americans merchants. They built blacksmith shops, saw mills and general
stores. Nearly everyone had a trade, a fact that contradicted the stereotype of Native
Americans as lazy. Schools and churches were built in the nation’s towns to educate the
Cherokee people, not only in math, English and scripture, but in the American way of life
as well.

One of the Cherokee nation’s most amazing achievements, a written language,
was the work of a common man -- Sequoyah. During the midst of the first removal
crisis, Sequoyah realized the advantage that a written language gave white Americans.
He rationalized that “if the white man could make marks on “leaves” (paper), and then
make the marks “talk” back to him, why couldn’t the Indian do the same thing?”

In 1821, after twelve years of work, of collecting, altering and discarding
symbols, Sequoyah perfected his dream: eighty-six syllables in the Cherokee language,
each with its own corresponding symbol. Sequoyah presented his syllabary to a group
of young chiefs. After seven days, they could read and write Cherokee. These chiefs
proudly presented him to the Council, where he was given great honor and his invention
proclaimed the national Cherokee language syllabary. Copies of the syllabary spread
rapidly; within just a few months, thousands of Cherokees had learned to use it. By
1830, missionaries estimated that the adult literacy rate of the Cherokee people was

33 Pearce 64
34 Fite, Gilbert C. “Development of the Cotton Industry by the Five Civilized Tribes in Indian Territory.”
35 Malone 156.
36 Malone 186
37 ibid
nearly one hundred percent.\textsuperscript{38} Albert Gallatin, secretary of the treasury under Jefferson, realized the unique advantages conferred by Sequoyah’s syllabary.

“When the first imperfect copy of the alphabet syllabary was received at the War Department, it appeared incredible that a language known to be so copious should have but 85 syllables...It would have taken but one step more for Se-quo-yah to have reduced the whole number of consonants to sixteen, and to have had an alphabet similar to ours – by giving each consonant a distinct character. In practice, however, the superiority of Sc-quo-yah’s alphabet is manifest, and has been fully proven by experience. You must learn and remember eighty-five letters instead of twenty-five. But this once accomplished the education of the pupil is completed; he can read, he is perfect in his orthography without making it the subject of distinct study. The boy learns in a few weeks that which occupied two years of the time of our boys.”\textsuperscript{39}

The written language sparked hopes of increased cultural growth -- plans were made for a national library and museum, a national academy and public school system. Another important achievement was the Cherokee Constitution, which created a democratic government in 1827. Although the President formally supported this action, it infuriated the people of Georgia because it put the Cherokees’ claims of independence on paper.\textsuperscript{40} The Cherokees felt they were a free nation, possessing sovereign power within their territory, which encompassed parts of Georgia, North Carolina, Tennessee and Alabama. Georgians disagreed.

One portion of the document that drew extra attention was the Cherokee Constitution’s creation of a national court system and basic laws for land use, crimes and economic action, as well as punishments for violating these laws.\textsuperscript{41} It is essential to realize, however, that aside from the structural specifics, the Cherokees basically put their existing governmental system onto paper. The Council created by the Constitution was

\textsuperscript{38} ibid
\textsuperscript{39} qtd in Gabriel 105
\textsuperscript{40} Dippie 59
\textsuperscript{41} Young, Mary E. “The Cherokee Nation: Mirror of the Republic.” \textit{American Quarterly} 33 (1981): 503-524. Henceforth referred to as Young II
an elective body created by enacted law. It nonetheless had evolved from less formal
Councils that had been called on an as-needed basis since the early eighteenth century. 42

One of the first actions of the National Council was to authorize the establishment
of a weekly newspaper, published in the Capitol City of New Echota, to be entitled the
Cherokee Phoenix. Elias Boudinot, a well-educated Cherokee of mixed blood, was
named the first editor. A special building was constructed in New Echota to house the
printing press and Samuel Worcester, one of the missionaries, went to Boston to have
the Cherokee characters set into type. The paper was to be printed in parallel columns,
one in Cherokee and one in English. 43 The purpose of this dual printing was two-fold. 44
Not only would it assist those Cherokees who wished to learn English in accomplishing
this goal, but it would also give Euramericans access to accurate news of the Cherokee
nation. The Cherokees had many friends and supporters in the northern states who
subscribed to the newspaper, and many Georgians read each issue as well. 45

To deny the American influence on the Cherokee press is as impossible as
denying their influence on any other facet of Cherokee culture in 1831. It penetrated
deeply to the very roots of the paper and found its expression in the very existence of the
Phoenix itself as an independent press. Many Cherokee leaders subscribed to American
newspapers and thus they recognized the value of having a vehicle to express the views
of their people. 46 At the same time, Boudinot was quick to assert that the Phoenix was
not a charity supported by whites but rather the property of the Cherokee nation. He also
emphasized the nature of the paper: “As the liberty of the press is so essential to the

42 ibid
43 Malone 157
44 Holland 44
45 ibid
improvement of the mind, we shall consider our paper a free paper....the columns of this paper shall always be open to free and temperate discussions on matters of politics, religion, &c.”

The first issue of the Cherokee Phoenix was printed on February 28, 1828. Because Boudinot was anxious that the purpose of the paper be known to all of his readers, he printed a “Prospectus” in his first issue. This article outlined an ambitious editorial policy for “the benefit of the Cherokees” and reminded the readers that this newspaper belonged to the Cherokee nation and consequently should be devoted to the betterment of the Cherokees and the expression of their views. The concluding paragraph explained the origin of the newspaper’s title:

“We would now commit our feeble efforts to the good will and indulgence of the public, praying that God will attend them with his blessings, and hoping for that happy period, when all the Indian tribes of America shall rise, Phoenix-like, from their ashes and when the terms “Indian depredations,” “war whoop,” “scalping knife,” and the like, shall become obsolete and forever be buried deep under ground.”

The leaders of the Cherokee nation recognized the need for a voice that would be heard throughout the United States. Having frequently traveled outside the Cherokee nation, Boudinot agreed. His fundraising trips had made him aware of the many false statements made regarding the Cherokees. “Our views, as a people, on many subjects, have been most sadly misrepresented. These views we do not wish to conceal, but are willing that the American public should know what we think of these policies, which, in our opinion, if carried into effect, will prove pernicious to us.”

46 ibid
47 qtd in Holland 53
48 Malone 158
49 The Cherokee Phoenix 2/28/1828 Henceforth referred to as CP
50 Holland 54, see also the CP 1/22/1831 in which Boudinot addresses whites directly “Ye Christians of Georgia, Ye Republicans of America.”
The Cherokees modeled the structure of their newspaper after American newspapers of the time. The *Phoenix* was subdivided into a variety of columns containing articles on different subjects. Some sections contained stories of a religious nature, others concerned Cherokee culture, and still others carried brief synopses of American and European events. One column, entitled "New Echota," was written by Boudinot and resembled the format of a letter from the editor, although it frequently contained current news from within different areas of the Cherokee nation. Because of its unchanging authorship, editorial content and consistent publication, this column served as the basis for the following research analysis.

The contents of New Echota varied from week to week, focusing on whatever issue Boudinot considered most important to the rest of the nation. The Cherokee Council chose wisely when they selected Boudinot to edit their newspaper, his honesty and intelligence were well known throughout the Cherokee nation.\(^{51}\) The same integrity that made him a logical choice for editor made his columns an excellent subject of study. Even at his most indignant, Boudinot’s sense of fairness is evident\(^{52}\) and can be illustrated by his willingness to print Georgians’ responses to various issues. For example, in the September 17, 1831 issue of the *Cherokee Phoenix*, Boudinot printed a letter from Col. Nelson of the Georgia Guard, who felt that Boudinot had misrepresented him in a recent article. At the beginning of the column, Boudinot wrote, “I most readily publish the communication of Col. Nelson because...I consider the course he has now


\(^{52}\) Holland 56
taken the most correct and honorable way to obtain satisfaction for an alleged wrong committed in a newspaper."

Obstacles Boudinot Faced In Reaching His Cherokee Audience

Boudinot’s primary audience was the people of the Cherokee Nation. In and of itself, the Cherokee audience was diverse, as members of the tribe ranged from full-blooded Cherokees to full-blooded Euramericans who had married into the tribe. Their lifestyles also varied as some continued to practice the traditional religion and customs while others completely adopted American ways of life.

Boudinot faced the challenge of addressing this diverse audience without offending one segment of the population or another. Boudinot also recognized that the Cherokees were in a time of transition, when the old ways and customs were being combined with the new ones as they strove to create a Cherokee society that could exist on equal footing with the dominant white society. There was often a sense of helplessness among the many individuals who understood nothing beyond the world of their mountains. Those Cherokees who had spent their entire lives within the boundaries of the nation and who had refrained from contact with missionaries now struggled to understand the new ideas that were being incorporated into their society. Thus, Boudinot faced the challenge of bringing these Cherokees the ideas of the outside world in a manner and language that they could understand.

53 CP 9/17/1831 see also 3/5/1831 which contains a letter from Col. Sanford and 2/19/1831 which contains a letter from Gov. Gilmer
54 Holland 27
55 Gabriel 124
As pressure to emigrate to the West increased, Boudinot also faced the challenge of how best to unite his diverse audience. With their large population, the Cherokees’ greatest chance for victory lay in presenting a united front to the rest of the world. His position as editor made him the spearhead of Cherokee resistance, so he faced the difficult task of creating that front. The wide circulation of the *Phoenix* gave him the means for accomplishing this goal, yet he had to choose a method that would be successful.

**Obstacles Boudinot Faced in Reaching His White Audience**

Boudinot’s secondary audience was the white citizens of the United States. Addressing this audience was even more difficult, as they were much more diverse than the citizens of the Cherokee nation. Specifically, Boudinot wrote toward three groups in American society: northerners whom he hoped would be sympathetic to the Cherokees’ plight, politicians whom he hoped would be able to reinstate the Cherokees’ rights, and the people of Georgia who were treating the Cherokees so badly.

In 1828, Georgians were beginning to chafe under the restraint of the United States government. They became increasingly weary of waiting for the federal government to expel the Cherokees from what Georgians considered *their* land. It had been 26 years since the Act of 1802 had promised them the Cherokees’ land and Georgia citizens felt that they had waited long enough for what they considered rightfully theirs.\(^{57}\)

Governor John Forsyth, a Republican Jacksonian, led political opposition to the Cherokees. House Representatives Wilson Lumpkin and George Gilmer, both of whom

\(^{56}\) Holland 80
\(^{57}\) Gabriel 121
served on the Indian Affairs Committee, joined him. Gilmer and Lumpkin would both later serve as Governors of Georgia, Gilmer from 1829-31 and Lumpkin for four years following him. The men formed a political trio with nearly absolute powers. Their political beliefs about which branches and institutions possessed the highest governmental power can be summed up in a letter from Lumpkin to President Jackson:

"It appears to me that the rulers of the Cherokees have sufficient intelligence to see the utter imbecility of placing any...reliance upon the Supreme Court to sustain their pretensions. The Supreme Court has as much right to grant a citation to cite the King of Great Britain for any assignable cause as to cite the govt. of Georgia for the manner in which the state chooses to exercise her jurisdiction. Georgia is not accountable to the Supreme Court or any other tribunal on earth."

The three men shared a common hatred for the Cherokees. Their comments reflected a skewing of reality due to their intense loathing of the Cherokees. Forsyth more than once referred to them as "stubborn ignorant savages." Because of their political positions, their comments were frequently published in Georgia newspapers, and the status of these men helped to further perpetrate their opinions that the Cherokees were brainless, slovenly and destitute.

Boudinot also faced the critical challenge of ethos, or credibility. Ethos is based upon reputation, appearance, introduction and context. Two of these, reputation and the greater context of the situation, have relevance to the Phoenix. In Boudinot’s case, his reputation was terribly important because he needed to convince thousands of white Georgians that what he wrote about the Cherokees was the truth, and consequently that the men they had elected to government office were speaking lies.

58 Thornton 23
59 qtd in Woodward 165
60 see for example issues of the Milledgeville Recorder or the Athenian
Boudinot constantly battled the impression that his column was really written by one of the white missionaries, Samuel Worchester. Because of the professional appearance and worldly content of the Phoenix, many whites doubted that it was written and printed by Cherokees. In Euramerican society, despite the efforts of many individuals, the image of Native Americans as ignorant savages persisted. Thus they needed a man behind Boudinot. Because of the large amounts of time they spent together translating scripture, this man became Reverend Samuel Worchester.

The purpose of the paper, as outlined in the “Prospectus,” challenged Boudinot. He wrote to further the cause of the Cherokees, but the words he wrote, while believable to the Cherokees, were questioned by white Georgians. The difficulty extended further, however, because the people of Georgia did not want to believe him. As long as they continued to believe that the Cherokees were an inferior race, it was easier for Georgians to accept the way they were robbing the Cherokees of their rights.

Analysis of Boudinot’s Strategies and Their Intended Effects

Two of Boudinot’s major goals were to increase national unity and to create a sense of empowerment among the Cherokee people. As the nineteenth century advanced, the Cherokees saw the neighboring tribes, fragmented and factionalized, swallowed by the dominant Euramerican culture. Tribal identities were displaced even before their members were removed to lands far away. Cherokee leaders recognized that this new Cherokee nationalism required embracing the Euramerican culture as a means of avoiding removal. But because this nationalism protected geographical integrity,

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62 CP 3/19/1831 and Holland 70
63 Morris and Wander 164
participatory self-government, and the ethic of consensus, it also preserved basic aspects of traditional Cherokee values, beliefs and practices. 64

The Cherokee Phoenix served as the major vehicle to accomplish these goals. Through a variety of articles, Boudinot sought to increase Cherokee pride in their common national heritage and in their recent achievements. For example, Boudinot’s column cited the results of the latest Cherokee census. “The Cherokees own 22,531 cows, 7683 horses, 46,732 hogs, 2943 plows, 2566 sheep, 762 looms, 2488 spinning wheels, 172 wagons, 10 saw mills, 31 grist mills, 62 blacksmith shops and 18 ferries.” 65 The numbers were indicative of a nation that was highly prosperous and they validated the Cherokees’ assertion that they were rapidly becoming as civilized as their white neighbors.

Boudinot sought not only to empower the Cherokees through his choice of material, but through the words and phrases he used. The Cherokees were consistently painted in a positive light. For example, in an editorial about Cherokee character, Boudinot wrote “the moral laws that govern him…are few, but he conforms to them all. The white man abounds in laws of religion, morals, and manner; but how many does he violate?” 66 Andrew Jackson and the Georgia Guard, however, were described as unfaithful, irreverent and disrespectful, as illustrated by the following:

“He [Jackson] has not acted honorably towards the Cherokees, unless it is honorable to violate the pledges of protection….to refuse to enforce the provisions of treaties; to suspend the laws of the United States regulating intercourse with the Indians; to violate his own promise made through the Secretary of War….if all these….are indeed honorable acts, then he has pursued an honorable course toward the Cherokees.” 67

64 McLoughlin 550
65 CP 10/4/1828
66 CP 3/13/1828
67 CP 3/12/1831
Although by doing this, Boudinot could increase Cherokee individuals’ self-esteem and consequently the likelihood that they would be willing to act out against Georgia, he also risked angering and alienating his white audience. While whites in any region were not likely to be offending by Boudinot’s portrayal of the Cherokees, at least some of them would be offended by the way he painted their President. It was one thing for Boudinot to praise his own people or to make derogatory statements about the Georgia Guard, but it was something entirely different for him to criticize the man they had chosen to lead their country. Even many northern Americans were likely to resent his slander of Jackson. Georgians probably also objected to the negative portrayals of the Georgia Guard because in their minds, the Guard was simply carrying out the laws of the state and should not be criticized for such actions.

Under certain circumstances, Boudinot appealed to the logos of the American people. When a major charge was made directly against the Cherokees, the Phoenix, or himself; or when an issue or event became so important as to necessitate a complex response, he crafted one.68 The pages of the Phoenix were filled with elegantly structured arguments in which Boudinot took the Georgians’ arguments and effectively refuted them. An example of this was Boudinot’s response, issued on March 12, 1831, to Georgia’s argument that the Cherokees had no right to erect an independent government within the sovereign limits of Georgia without her consent:

“Such reasoning discovers great ignorance of the subject, or a fixed determination to misrepresent facts and mislead the public mind....No body affirms that the Cherokees can erect an independent Government within the sovereign limits of Georgia, but the question is, how far do the sovereign limits of the state extend? Does the sovereignty of the State terminate at the boundary line established by treaty between the Cherokees and the United States....as the former contend supported by the first jurists of the country, or does it extend to the chartered limits -- as General Jackson and many of his supports affirm?....Those who talk of the consent of Georgia being necessary before the Cherokees can erect a Government must be very ignorant of the history of

68 for another example, see the CP 2/19/1831
their own country... When the Cherokee Government was erected, where was Georgia, before
whose authority the representative and minister plepontiary of the seven cians of the
Cherokees might have appeared, made obeisance, and craved the privilege of erecting a
government within its sovereign limits...⁶⁹

The argument extended two columns in length, explaining that although the
Cherokees had no right to create a new government on Georgia land, they most certainly
had the right to continue their own form of government on the land of their forefathers,
which was not a part of the state of Georgia. Boudinot aptly pointed out that the
Georgians were making a teleological argument, which was an unacceptable way of
proving a conclusion. In creating his elegant arguments, he recognized that Georgians
were not going to back away from the issue. Thus, he responded to each and every
possible argument that Georgians could make. He anticipated their responses and refuted
them rationally.

Through these logical arguments and refutations, Boudinot also attempted to
further empower the Cherokees. By reading his justifications, the Cherokees could learn
the flaws in Georgians’ arguments and better understand what and whom they were
fighting. The Cherokees could also learn Boudinot’s reasoning so that they could apply it
themselves when faced with refuting similar arguments. By giving them the tools with
which to defend themselves, Boudinot hoped to empower the Cherokees to stand up for
themselves.

Logos, the art of proving something through argumentation, was a historically
powerful way of making a point.⁷⁰ The use of logos, however, was traditionally and still
is today, most successful in direct debate. Boudinot’s use of logos in his attempt to
change Georgian attitudes was probably unsuccessful at least in part because his medium

⁶⁹ CP 3/12/1831
of communication was a newspaper and not a debate. However, he was also challenged by his lack of credibility among southern white readers. In the Cherokees' case, no amount of logical persuasion could convince Georgians of their skill as farmers and their ability to be "civilized" because they lacked the credibility in such circles. No matter how elegantly Boudinot wrote, he was unable to change white attitudes simply because they did not want to be changed. According to Huxley, persuasion is effective only upon those whom circumstances have already partly convinced of its truth. 71 The Georgians could not believe Boudinot's argument because to do so meant they lost their justification for forcibly displacing the Cherokee from their lands. The Cherokees, on the other hand, were probably easily convinced by Boudinot's arguments. Elias Boudinot was a respected member of their society and his reputation carried a certain amount of credibility. Therefore, they were more likely to believe the contents of his column than the Georgians were.

The language of the Cherokee-white relationship also influenced the way Boudinot's Cherokee audience saw themselves. The United States, with its "superior" culture, had declared itself guardian and protector over the Cherokees. They brought the vocabulary and practices of paternalism to the Cherokee-white relationship. The President and federal government were the benevolent father and the Cherokee were the young, unruly, uncultured children. 72 From the beginning, the United States tried to help her children grow to be more like their parent. They sent their religion, their farming techniques and their lofty ideals -- fresh from the American Revolution -- into Cherokee country. According to historian Mary Young, "The young Republic's [America's]
experiment in self-reproduction succeeded, in retrospect, better than either its authors or its beneficiaries could comfortably acknowledge." The United States could not acknowledge their success because it would eliminate their arguments for removal, which were based upon the preconceived idea that the Cherokees were uncivilized. As long as they continued to use American ideals against the United States, however, the Cherokees could not acknowledge the similarities either.

When Andrew Jackson was elected president, Jacksonian America, with its ideas of expansion and greatness, began to take the place of the old Jeffersonian ideals. With this changing of the guard, things began to change for the Cherokees as well. The preceding presidents from Washington through Monroe had advocated a policy of civilization and assimilation toward the Cherokees. Jackson, however, favored removal. Michael Rogen astutely reflected that paternalism suited white needs far better than it did Cherokee ones. The language of paternalism was designed to give whites absolute power, and Boudinot needed to discredit this language to effectively empower the Cherokees.

As the government's actions changed from benevolent under the preceding administrations to malevolent under Jackson, Boudinot took the metaphor of paternalism and twisted it to one of abandonment. Cleverly italicizing and mocking the vocabulary of paternalism, he attacked the government -- and especially Jackson -- with their own ideals. On February 12, 1831, Boudinot discussed the arrest of John Martin, a mixed breed, by the Georgia Guard in full military array without any formal charges. "On the head of our false and faithless Father be the consequences of all this vexatious

72 Young II 503
73 ibid
As this quote illustrates, Boudinot frequently used the word “father” in reference to President Jackson when his actions were anything but father-like. The juxtaposition of these two terms lent an ironic tone to the article and further illustrated what Boudinot was trying to convey to his Cherokee readers, that the Cherokees had grown up enough to recognize the flaws in their “parents.”

Another example can be found in Boudinot’s April 16, 1831 column: “...if they [the Cherokee] suffer, they will suffer unrighteously. If their rights and their property are forcibly taken away from them the responsibility will not be upon them, but upon their treacherous ‘guardians.’” Comments such as this, in which Boudinot placed the blame for the Cherokees’ oppression solely upon the shoulders of the federal government served a dual purpose. Not only did the article emphasize that the government was not acting in its self-appointed role of protector and guardian, it also empowered the Cherokee to act together. By emphasizing the government’s betrayal, Boudinot inspired the Cherokees to get angry -- to stand up for themselves.

Twenty years before, the Cherokees had largely accepted the language of paternalism, as seen in Boudinot’s reminiscence about George Washington. “With a commendable zeal the first Chief magistrate of the United States undertook to bring the Cherokees into....civilization, by establishing friendly relations with them by treaties and introducing the mechanic arts among them. He was indeed a Father to them – they regarded him as such.” Now, with the government’s betrayal in their faces, they could no longer accept paternalism. They had grown up to recognize that their culture was just
as refined as their “parents,” and when those “parents” refused to acknowledge their rights, the Cherokees, proud adults, stood tall and dignified and threw the government’s blasphemy back in its face.

Boudinot’s goals to accomplish through the *Cherokee Phoenix* were highly specific. Not only did he want to empower the Cherokees to act against Georgia, he had a specific type of action in mind. The Cherokees had watched with horror as their Creek neighbors tried to fight against removal. Tales of bloody battles and massacred villages reached Cherokee ears and circulated rapidly. Despite their bravery, thousands of Creeks were ruthlessly beaten down and forced from their lands.\(^78\) Fortunately for the Cherokees, their leaders had followed the Creeks’ story and recognized the futility of violent resistance. If the Cherokees fought back and killed the Georgians who infringed upon their land and their rights, the American government would only become less supportive -- not more.\(^79\)

Thus, Boudinot used the pages of the *Phoenix* to advocate that the Cherokees use techniques of nonviolent resistance. This nonviolent resistance would combine nonviolent protest in the form of moral appeals and a formidable constitutionalist rebuttal of Georgian arguments, written by Boudinot, with various techniques of nonviolent action including political and social non-cooperation.\(^80\) Ideally, by communicating the ideas behind nonviolent resistance, Boudinot would convince the Cherokees that it was a good technique. Then he could simply give them guidance on how to put these principles into action.

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\(^{78}\) Pearce 57
\(^{79}\) ibid
\(^{80}\) Conser 191
According to Sharp, the basic political assumption of nonviolent action is that “when people refuse their cooperation....they are denying their opponent the basic human assistance and cooperation which any government or hierarchical system requires. If they do this in sufficient numbers for long enough, that government or hierarchical system will no longer have power.”\textsuperscript{81} Although Cherokee leaders possessed sufficient insight to realize they could not overthrow the United States government, they nonetheless hoped to positively resolve their conflict through doing – or refusing to do – certain things.

The idea of nonviolent resistance had its roots in Cherokee tradition. They had long practiced social ostracism as a nonviolent sanction against Cherokees who had committed various social crimes. Interpersonal conflict was solved by consensual agreement or by the withdrawal of one party, but never by physical coercion.\textsuperscript{82} Even when going to war against other nations, the Cherokees remained consistent. Joining a war party was a voluntary choice that each and every warrior made for himself.

In part because they were against unnecessary violence, the Cherokees focused on moral reasoning behind action. “New Echota” was filled with moral appeals designed to motivate the Cherokees through their contrasting portrayals of the Cherokees as good and Georgians, typically the Georgia Guard, as bad. For example, on April 30, 1831, Boudinot wrote:

\textit{“After the solemnity of baptism [of several Cherokees] was performed, a very mild invitation was given to the congregation to retire to the place of worship; but before the congregation had retired from the water, the following very disgraceful scene took place among the Georgia Guard. Three of their number pretended that they were so powerfully moved upon by the Spirit that they mounted their horses, returned to the place of baptism, telling the people to get out of the way or else they would ride over them, for they were determined to baptize their horses in the same place.”}

\textsuperscript{82} Conser 210
They rode into the water mocking religion and repeating the sacred words of our blessed Savior. Such is the example set by the Christian people of Georgia, if Christians they be.  

Boudinot painted the scene in clear and concise language. Devout Cherokees were being inducted into the Christian faith when the Georgia Guard, a supposedly Christian army, ruined the experience for the Cherokees. His intent was two-fold. First, he wanted to soil the reputation of the Georgia Guard, so that Cherokees everywhere would be prepared when they happened to meet the Guard and so that they did not irrationally fear members of the Guard.

Second, he again is attempting to influence the Cherokees' view of themselves. One of the major purposes of Boudinot's writing was to empower the Cherokees to believe in themselves and in their ability to remain in the land of their forefathers. By painting the Cherokees as good Christians, Boudinot can give the Cherokee people a better view of themselves. If the Cherokees believe that they are the "good guys," that they are in the right, it will give them emotional strength their fight to retain their ancestral lands. Painting the Georgia Guard as evil and sacrilegious also further reinforces the positive image of the Cherokees. By appealing to their senses of justice and morality, Boudinot hoped to create a driving force for nonviolent action.

These moral appeals may have influenced Boudinot's white audience as well. Northern whites, who possessed perhaps a stronger idealism than their southern counterparts, were probably greatly moved by the scandalous behavior of the Georgia Guard. A surprisingly large number of northerners wrote letters and editorials, protesting the injustices being done to the Cherokees. Conversely, southern whites were probably offended by Boudinot's portrayal of the Georgia Guard as immoral. Many of them

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83 CP 4/30/1831
would have considered his columns an attempt to slander the Guard because they doubted the validity of Boudinot’s words.

In the January 22, 1831 issue of the Phoenix, Boudinot reprinted a law, recently passed by the state of Georgia, requiring all white men living within the Cherokee nation to swear an oath of allegiance to the state of Georgia. Interspersed with sections of the law, he wrote a commentary that included the following question, “Ye Christians of Georgia, and Republicans of America! Where is your boasted freedom of opinion and liberty of conscience, if a man may be tore from his wife and children by a legislative act, and sent to the Penitentiary as a culprit, because he will not purjure himself?”  

Using an outrageous question to make his point, Boudinot was attempting to open the Euramerican public’s eyes to the sheer audacity of Georgia’s actions against the Cherokee missionaries. The words with which he expressed this question were chosen to create specific images. The call issued to “Christians” and “republicans,” words that these two groups of people frequently used to describe themselves during that period of history, set the stage for the question that follows. The phrase “torn from his wife and children” creates an image in readers’ minds of a good man trying to provide for his family and being dragged away from them by the law. Boudinot’s attitude is bold and daring. It is as though he is saying “who do you think you are, calling yourselves one thing and acting like another?” He hoped to shock northerners with his statements and perhaps even alert some Georgians to the nature of their actions.

84 Holland 44
85 CP 1/22/1831
One reason Boudinot’s rebuttal was so powerful was that it was done in the name of the enemy’s own ideals. The Cherokees viewed themselves as oppressed by Georgia and the federal government and they drew on the popular ideals of the American Revolution for their own use against the United States. One idea that Boudinot frequently employed was that of due process of law -- a right guaranteed to Americans by the Constitution that was frequently denied to the Cherokee and also to the missionaries who served them. The Cherokees were not included in the Constitution and Georgia law claimed to make their own Constitution null and void. The missionaries, however, should have been protected by the Constitution. Yet in practice, the Georgia Guard frequently violated their rights as American citizens. The July 16, 1831 issue of the newspaper reported one such incidence of a white friend of the Cherokees being arrested by the Georgia Guard:

“The Rev. Mr. McLeod, superintendent of the Methodist Missions in this nation, and not residing within the Georgia charter, lately returned from a visit to Tennessee. He merely passed this part of the nation...on his way to the Creek path...On his way back to the Tennessee side of the Nation...when but a few miles from Mount Wesley, he met the Guard conducting Messrs. Worcester and Trott to their headquarters. He was arrested by them, ordered to dismount from his horse and take the line of march with the other prisoners...Now under what law, under what provision of any law was Mr. McLeod arrested, and compelled to walk fifty or sixty miles?”

Boudinot’s Cherokee audience became increasingly frustrated with the injustices they and their missionaries were forced to endure. Because the Cherokees had had a republican government for several centuries, they were not accustomed to being denied their rights in such a manner. In the beginning, their outrage was tempered by disbelief. Their own code of laws was even more protective of the accused than that of the United States, and for a time a sense of shock dominated their rhetoric. At one point, Boudinot

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86 Conser 191
87 CP 7/16/1831
wrote, “What will the Cherokees do under such circumstances? What can we do?” As the above passage regarding MacLeod’s arrest illustrates, they began to speak out in bold language. Boudinot’s rhetorical question was designed to trigger a sense of indignation among the Cherokee people because if he could make them angry, they would be more likely to participate in the campaign of nonviolent resistance.

By printing stories of the injustices done to both the Cherokees and the missionaries Boudinot also hoped to influence his white audience. Having only recently won their freedom from England, American citizens were obviously proud of their democratic Constitution and the freedoms they enjoyed because of it. As their reaction to the French Revolution illustrated, when they became aware of injustice, the American people tended to pass judgement on others quickly— and their favor typically rested with the oppressed. As with Boudinot’s use of moral appeals, he probably got a stronger response from northern whites than southern ones because northerners were more likely to believe his rhetoric than southerners, who had substantially more at stake in the issue, were.

The columns of the Phoenix also urged the Cherokees toward social and political non-cooperation, a form of nonviolent action. One major issue facing the Cherokee in 1831 was the distribution of the annuity — a lump sum of money the United States Government paid the nation each year for lands ceded in previous treaties. Traditionally, the annuity had always been distributed to the nation as a whole, placed in the national treasury and formally accepted by the treasurer of the nation. In 1831, the United States decided that the annuity should be distributed to each individual member of the nation,

88 CP 4/16/1831
89 Conser 195
instead of the nation as a whole. In making this change, Jackson’s intent was to damage Cherokee unity and to make members of the tribe more individualized. The Cherokee people disagreed with this method of distribution, primarily because it went against their sense of identity within the nation, and Boudinot used the pages of the Phoenix to influence the Cherokees’ response to this plan:

"The Cherokee annuity goes off slowly. For want of customers it is now obliged to go begging. We are informed the sub-agent has been travelling through the country with an interpreter for the purpose of paying off the money...he has had but poor success -- We know this new scheme cannot succeed. The Government would do well, therefore, to pay the annuity at once...or to send it back whence it came. It belongs to the Nation and individuals will not be compelled to receive it merely for the purpose of advancing the views and designs of the powers that be."\(^9^1\)

This paragraph illustrates that the Cherokee people believed the annuity belonged to the nation, not to themselves as individuals. By publishing commentary indicating that individuals are refusing to collect the annuity, Boudinot not only tried to inspire others to do the same, but also encouraged them to think and act not as individuals, but as one nation. Georgia had ostensibly extended her laws over Cherokee territory. If the Georgia Guard arrested a Cherokee man, he could not testify in court, even in his own defense. A white man could not be arrested for committing a crime against a Cherokee unless there were two additional white witnesses. More than one Cherokee family living near the Georgia border saw their home go up in flames and the arsonist walk away free as a result of these laws. Thus, to act alone against Georgia or the United States was a dangerous thing for a Cherokee to do, especially in 1831.

All was not lost, however, because there was safety in numbers. What was a dangerous act for one Cherokee became a political statement when carried out by a large number of Cherokees. Thus, by communicating the refusal of some to collect the

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\(^9^0\) Holland 83  
\(^9^1\) CP 10/7/1831
annuity, Boudinot was trying to inspire many more Cherokees to act in the same manner, further encouraging a sense of unity. One indication that Boudinot’s rhetoric against the distribution of the annuity may have been successful appeared just a few weeks later. “The following resolutions were adopted by a large meeting which had convened to sign a protest against the distribution of the annuity among individuals.”92 The resolutions mentioned were also printed in the column, and they outlined an ambitious plan of non-cooperation and recruitment of other Cherokees.

The rhetoric of the Cherokee Phoenix expressed the evolution of the relationship between the Cherokee nation and the United States Government. The Cherokees were closely attuned to the federal government’s pledges -- whether spelled out in presidential or congressional policy pronouncements or as crafted in judicial decisions.93 Boudinot reprinted these announcements in the pages of the Phoenix, word for word, so that the Cherokees might be aware of the federal government’s actions.94 The Cherokee sense of trust held that once a treaty or agreement had been approved by both parties, the rights or lands guaranteed in that treaty lasted forever, or until the two parties mutually agreed to change the conditions of the agreement.95 Consequently, the Cherokees had three expectations of the federal government that were rhetorically expressed in the pages of the Phoenix. Boudinot’s goal, through the Phoenix, was to make American citizens realize that their federal government was not keeping its promises and should consequently change to meet the Cherokees’ expectations.

92 CP 5/14/1831
94 see for example the CP 1/22/1831 which contains a reprint of the new laws passed by Georgia or 4/9/1831 which contains a reprint of the Supreme Court decision regarding the Cherokees petition for an injunction against Georgia
95 Wilkins 497
First, the Cherokees believed that the government would honor its legal obligations as established in preexisting colonial and early federal treaties. On March 5, 1831 Boudinot wrote:

“The object for which this military band [the Georgia Guard] was created by the last legislature was to defend the gold mines and to assist in enforcing the laws....We considered their duties few and simple, and we thought we understood them, until they came and arrested Mr. Martin without a written precept, and without even alleging a charge.”

The government had pledged to keep whites off Cherokee land, and the Guard was supposedly created to help keep that promise. Boudinot made frequent references to the rights the federal government promised Cherokees and the tone he used was ambivalent. Through his comments, it became clear that the Cherokees expected the federal government to keep its promises. Each time the government violated its promises, Boudinot’s articles had a distinctive tone of shock and disbelief. In a column about the annuity distribution to individuals, which violated treaty provisions, he wrote, “who would have thought?....The searching operation of the Government has penetrated into the wilderness!” By juxtaposing the government’s promises with actual events, Boudinot displayed the contradiction between the two, hopefully forcing his white audience to see the disparity.

Second, they believed that the federal government would legally and morally feel obligated as a Christian nation to follow its own laws. Boudinot’s shock and disdain came across clearly when he wrote, “Among the many honorable acts of the President towards the Cherokees is his giving leave to Georgia, against an express provision of the

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96 ibid 496
97 CP 3/5/1831
98 CP 5/28/1831
99 Wilkins 496
intercourse law of 1802, to survey the Cherokee territory." The Cherokees had clearly expected the government to obey the law it wrote. This can also be seen in articles from the latter half of the year, in which Boudinot frequently commented on the Cherokee belief that Worchester (the arrested missionary) would be vindicated by the Supreme Court. The Cherokees believed that once the court made its decision in their favor, the President would have to enforce it and Georgians would be forced to withdraw from Cherokees’ lands.

Third, they believed that the government would voluntarily assume whatever additional duties were required to serve in the role they had created for themselves as the Cherokee nation’s “protectors and guardians.” The preceding reference regarding the Georgia Guard is an excellent example of this belief. The Guard was ostensibly created to assist with these additional duties of the federal government. One of their duties was supposedly to prevent Georgians from stealing gold from the Cherokee mines near the nation’s boarder. In reality, however, the Guard not only prevented whites from mining, but Cherokees as well. A circular, written by Col. Brooks and published by Boudinot at the end of New Echota, shows that they did not even pretend to act in the Cherokees’ best interests. “To all and every person or persons, who may be occupied in digging for Gold Silver, or other Metals...They are hereby requested to cease digging....I therefore do Hope and Trust, that no person either white or Red, Will be found hardy enough to Resist, the Troops and authority of the State.” This safeguarded the mine’s riches for the state of Georgia until she could take over the land. So instead of assisting the national

100 CP 3/26/1831
101 CP 10/19/1831 and 11/16/1831
102 Gabriel 131
103 Wilkins 496
government in its role as guardian of the Cherokee, the Georgia Guard undermined this role, just like the federal government itself was doing. Boudinot’s expression of their beliefs was also designed to further empower the Cherokees. By printing their beliefs, Boudinot hoped to give further validity to these expectations, which would consequently increase the Cherokees’ faith in themselves and in their ideas.

Conclusion

“Unlike other groups and individuals in the United States who have their rights constitutionalized, tribal nations understood that as separate sovereigns their collective rights have an extra-constitutional basis and are dependent upon proper interpretation of treaty provisions.” In the Cherokee’s case, this lack of official rights sealed their fate. When the United States government chose not to protect their rights, not to uphold their end of the trust bargain, the Cherokees had nowhere to turn and no way of protecting themselves. Their only voice was their newspaper, the Cherokee Phoenix. In its pages, Boudinot expressed their disbelief over the government’s actions and their indignation over the way they were being treated:

“It appears that another attempt is to be made to create an impression that the Cherokees are willing to treat....We have said....that the Cherokees were not disposed to treat, and would not treat under present circumstances....It is useless to talk of treaties when their validity is denied and their provisions superseded by executive will -- We want no more promises, no solemn stipulation to be disregarded and violated the first opportunity....We cannot, without doing violence to our rights and opinions, consent to treat with General Jackson.”

As this passage illustrates, by 1831 the Cherokees were beginning to realize that the federal government would not keep its promises. Boudinot’s frustration was evident in his use of words like “useless” and “violated” and in his relation of the Cherokees’

104 CP 3/5/1831
105 Wilkins 498
absolute refusal to make any more treaties. Each and every treaty the Cherokees had made had been violated, and their indignation stemmed from the federal government’s complete disregard for its responsibilities in their relationship. By treating with the Cherokees, the federal government had entered into a relationship of trust, which dictated that they respond in a certain manner. When the government failed to fulfill the Cherokees’ expectations, they responded in the only way they could, in the pages of their newspaper.

By expressing the views of an oppressed people, the *Phoenix* functioned as a minority press. It was their voice, not only to each other, but to those who strove to suppress them. As a minority press, the *Phoenix* was repeatedly challenged by the dominant Euramerican society, as illustrated by the accusations that the paper was written and printed by the missionaries, not the Cherokees. In the end, like Benjamin Franklin’s patriotism-tinged paper of colonial times, the Cherokees saw their printing press seized by an army – the Georgia Guard.

As this analysis has shown, the *Cherokee Phoenix* played a significant role in society. During the pivotal year of 1831, Boudinot’s powerful rhetoric attempted, sometimes with striking success, to influence the thoughts and actions of two distinct peoples – the Cherokees and Americans of European descent.

The *Cherokee Phoenix* is one nation’s story of their civilization and how the United States government betrayed them. Although Boudinot and the Cherokees were not successful in their ultimate goal, they left behind in the *Phoenix* a permanent record of their struggle. As this analysis illustrates, Boudinot was highly successful in accomplishing most of his goals for his Cherokee audience. He helped unite the nation

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106 CP 5/19/1831
and empower them to nonviolent resistance. Although their actions were ultimately unsuccessful, their refusal to go quietly made a lasting impression on American history.

Boudinot was actually mildly successful in altering the dominant Euramerican attitude toward the Cherokee nation. Although he was unable to convince those who mattered most, "many Americans who in general favored the Removal policy did not favor it for the Cherokees, and even those who saw Removal as a necessity denounced the government's actions [against the Cherokees]."107 Their support in the Cherokees' struggle helped enable the nation to remain in Georgia long after they should have been removed to the west.

The Cherokee Phoenix is an example of how the contents of a newspaper can have a significant impact upon a culture. The thoughts and actions of a nation could be traced to the deliberate writings of one man, chosen by his peers, who embodied the traditional spirit of Cherokee nationalism. Boudinot's rhetoric empowered a nation to fight for their right to be who they were. They did not win simply because they could not -- not against President Jackson and the citizens of Georgia. The Cherokees' failure lay not in their efforts, but rather in their inability to realize the futility of their fight. And the legacy they left behind was a few sheets of newsprint -- testimony to the greatness they had achieved and the great injustice they endured. This newsprint, the Cherokee Phoenix, was their voice.

107 Pearce 64.