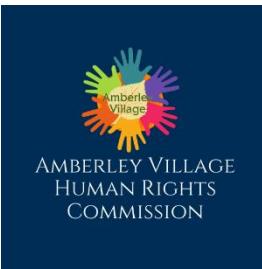


Amberley Village Human Rights Commission Recommends Land Acknowledgement for Indigenous Peoples



Fulfilling its charge to combat discrimination, guarantee inclusion, and foster mutual understanding and respect among all persons (Ordinance 2018-4), the Amberley Village Human Rights Commission is recommending that Amberley Village adopt a Land Acknowledgement statement. This article explains the rationale and history behind this recommendation.

Overview:

Land Acknowledgement is the recognition of the Native Americans/First Nations/Indigenous Peoples who cared for the lands on which we currently live, work and play prior to their removal. It has been adopted by a number of public and private entities across the country and usually takes the form of a brief statement that might be recited at the beginning of a meeting and/or incorporated into print and online publications.

The following outlines the specific Land Acknowledgment statement recommended for consideration by the Amberley Village Human Rights Commission: "As a step toward honoring the truth and achieving healing and reconciliation with those Indigenous Peoples who were affected most by colonization and broken treaties, we acknowledge the traditional Shawnee and Myamia (Miami) lands on which we now stand, and on which the Village of Amberley was built."

Why Land Acknowledgement?

Native Americans advocate for Land Acknowledgement as a response to the colonization and expulsion of Indigenous Peoples that began with their removal from the land and continued with the historical erasure and distortion of Native Americans. Acknowledging that past represents a crucial step toward reconciliation. Our particular area is a case in point.

A Brief Territorial History of Amberley Village

The land in and around what is now called Amberley Village was cared for by a number of Indigenous Peoples. After the treaty of Paris in 1763, Great Britain laid claim to the land, with the specific intent to colonize it. As early as 1751, the Virginian Christopher Gist surveyed the land on behalf of the Ohio Company in preparation of settling the area. The Ohio Company was a group of land speculators that included prominent Virginians such as Thomas Lee and George Washington's brothers, Lawrence and Augustine. This explains why southern Ohio was allotted to the colony of Virginia by the Treaty of Paris. (The northern two-thirds of Ohio was allotted to Connecticut). The survey generated interest in colonizing the area which continued before, during, and after the American Revolution.

At the time of the Treaty of Paris, the primary indigenous inhabitants were the Shawnee and Myamia (Miami). The Shawnee and Myamia were not parties to the treaty, as was often the case. King George III later forbade colonization west of the Alleghenies. Not only was this prohibition resisted by the American colonists, promoting white settlement in Ohio became a matter of anti-British principle and entitlement after the Revolutionary War.

After the land was taken from the Shawnee and Myamia, the transfer of land in the region occurred “legally” and John Cleves Symmes purchased land between the two Miami Rivers (1787) from the Continental Congress. The first white settlement on this land appeared in 1788, at which time Losantiville was established. (It would later be renamed Cincinnati on January 2, 1790). Tensions with indigenous people escalated until the Battle of Fallen Timbers (1794), and the 1795 Treaty of Greenville ended hostilities for the time being.

That same year, Edward Buxton settled in the area which became Amberley Village, and he later received the deed to the property from John Cleves Symmes in 1797. There was an attempt to unite the Indigenous Peoples under Shawnee leader Tecumseh, which ultimately failed when his brother was defeated at the Battle of Tippecanoe in 1811. Tecumseh himself died a year later during the War of 1812, when his confederacy collapsed and the British ceded Ohio country to the United States in the Treaty of Ghent in 1814.

In 1830, the U.S. Congress passed the Indian Removal Act, and the Shawnee were forced to resettle west of the Mississippi River. In short, the land of the Shawnee and Myamia was initially acquired by force and then subsequently confiscated by the British and U.S. governments to enable legal purchase by individual U.S. citizens.

Land Acquisition and Human Rights

There is more to the story of how the land of Amberley Village was acquired besides wars, treaties, and real estate transactions. Colonizing the land was based on prejudice, discrimination, and disempowerment. Moreover, the memorialization of this story perpetuates either the invisibility or prejudicial misrepresentations of Indigenous Peoples.

A major justification for colonization was the view that civilized white Christians were entitled to the land because of their superiority to the so-called “uncivilized, pagan savages.” For example, the Doctrine of Discovery, a principle of international law dating from the late 15th century and rooted in the 1452 papal decree of Pope Nicholas V, specifically sanctioned and promoted the conquest, colonization, and exploitation of non-Christian territories and peoples.

The connection between land acquisition and racism is also revealed by comparing the French and Dutch land policies to that of the British. French and Dutch provinces did not intend settlements but were mainly interested in profiting from the fur trade. The British colonies, however, advertised the availability of cheap land because they sought to expand colonial borders into the interior through immigration and building towns and cities.

According to Paul R. and Sally E. Misencik in *American Indians of the Ohio Country in the 18th Century*, “the people in the English colonies had a voracious craving for land...however, most white Europeans did not recognize Indian rights of land ownership any more than they would

recognize the land ownership rights of animals in the forest or the birds in the trees. In fact, many Europeans considered Indians to be something less than human, more on a par with a higher-level animal that could be exploited. As a result, the Europeans used questionable land purchases, trickery, fraud, or often simply brute force to evict the Indians from their homelands.”

The Shawnee in particular were disempowered actors. Related to the people associated with Fort Ancient, the Shawnee migrated east around the upper Potomac and lower Susquehanna Rivers during the Colonial Period looking for a peaceful place to live because of hostile Indian and European neighbors. The eastern migration was no better as they were vulnerable to European colonists along the coast and the domineering Iroquois to the north.

The European colonists did not consider the Shawnee as equal partners and considered any agreements that were made as if between a master and subservient. For example, the English negotiated the Treaty of Albany in 1722 which prohibited the Shawnee from areas around the Potomac River and east of the Appalachians Mountains. However, this treaty was reached solely with the Iroquois.

The Shawnee were first informed of the Treaty of Albany when the lieutenant governor of the Pennsylvania and Delaware colonies sent messengers to warn them “that any Indian who did not comply with the treaty would be put to death or sold into slavery.” As a result, the Shawnee moved back to their ancestral homelands in Ohio. “Europeans at best viewed the Indians as feudal vassals, and often they were considered as little more than wild animals roaming the forests.”¹

How is This History Remembered?

In the memorialization of these events, Indigenous Peoples are either invisible or misrepresented as brutal savages. For example, a sign marking the Columbia Purchase on Anthony Wayne Parkway not only makes no mention of Indigenous Peoples, it refers to itself as the first settlement in Hamilton County. Referring to the area between the Miami Rivers as the “Miami Slaughterhouse” is just one of many examples of the demonization of Indigenous Peoples.

Generals like Anthony Wayne and William Henry Harrison are honored for their victories. We see both in *Amberley Village: Its History and Its People*. The Concise Historical Timeline lists events from 1751-1990 without any mention of the Shawnee and Myamia², while its brief historical narrative relevant to Indigenous Peoples³ refers to “hostile Indians” and “restless” natives who attacked settlers and killed their children.. In fairness, *Amberley Village: Its History and Its People* alludes to the problematic aspects of the acquisition of the land here. “The history of Amberley Village’s land is the history of all American land. It belonged to someone else, but was ‘discovered.’”⁴

Even so, the implications of this recognition are not acknowledged. On the contrary, *Amberley Village: Its History and Its People* describes the apportionment of land codified in the Treaty of Paris without any involvement of the “Delawares, Iroquois, Miamis, Mingoes, Senecas, Shawnees, or any other indigenous peoples who passed through, hunted or lived in the area” as a “small detail” that “was responsible for so many killings between Indians and the hunters, trappers, and settlers, that the land between the Miami rivers, north of the Ohio River, was

referred to as the “Miami Slaughterhouse.”⁴ Calling the seizure of territory where the Myamia and Shawnee dwelt “a small detail” is the opposite of Land Acknowledgement.

Different Views of the Land

The seizure of territory not only depended on a European sense of ethnic superiority to Indigenous Peoples; the two groups also shared a completely different view of the land. For Indian tribes, the members hold the land in common with the right to “enjoy and use” a relatively well-defined area.⁵ The Europeans conceived of land as something to be owned and ruled by an individual or government. The Treaty of Paris in 1763 came as a surprise to the Indians. They assumed that now the British had won from the French the right to be tenants on the land. The British assumed that the land had belonged to the French who ceded ownership of the land to them because they had gained it by conquest.

Res Nullius, or “Nobody’s Property”

The legal principle applied by the British and formed the basis for land policy in the United States, was the ancient Roman concept of *res nullius*, or ‘nobody’s property’. According to the doctrine of *res nullius*, absolute title to imperial lands resided in the Crown. *Res nullius* denied Indians title to their land but recognized their right to hold, enjoy, and use it. The doctrine came under attack by land speculators to advance their private claims to the land. From the British - and later American - governments’ points of view, the land cared for by Indigenous Peoples could not belong to them because they were nobodies. Land Acknowledgment is much more than simply about land. It rejects the fundamental premise that Indigenous People are non-entities and acknowledges that the Shawnee and Myamia are somebodies.

What are the Effects of Land Acknowledgement?

For Amberley Village the immediate and long-term impact will be on our hearts and minds. Amberley Village says that it is committed to protecting human rights. Land Acknowledgement is a tangible, powerful way to show this commitment. Moreover, while the purpose of Land Acknowledgement is moving toward reconciliation, its effect would be educational which is one of the missions of the Amberley Village Human Rights Commission (AVHRC). Although Land Acknowledgement is a response to a tragic story, it has the positive result of inspiring others to take action to support Indigenous communities. It is a living celebration of Indigenous communities and helps leave Indigenous People in a stronger, more empowered place. It signals that Amberley Village cares deeply about all human rights by demonstrating our support for the rights of a particular disempowered group. It should be noted that Land Acknowledgements run the risk of being merely performative ends in themselves, but we have to start somewhere. When we acknowledge our uncomfortable history, we begin to share in the discomfort of Indigenous Peoples.

References:

¹ Paul R. Misencik, and Sally E. Misencik. *American Indians of the Ohio Country in the 18th Century*. McFarland, 2019, p. 25

² John Watts. *Amberley Village: Its History and Its People*, pp.167-171

³ John Watts. *Amberley Village: Its History and Its People*, pp.2-10

⁴ John Watts. *Amberley Village: Its History and Its People*, p.2

⁵ Bert Anson, *The Miami Indians*, 1970 [1999], p.59

Resources:

The Greater Cincinnati Native American Coalition Website

<https://gcnativeamericancoalition.com/> has a specific section on Land Acknowledgement

<https://gcnativeamericancoalition.com/land-acknowledgement>

For further reading:

Bert Anson, *The Miami Indians*, 1970.

Roxanne Dunbar-Ortiz, *An Indigenous Peoples' History of the United States*, 2014.

Paul R. and Sally E. Misencik, *American Indians of the Ohio Country in the 18th Century*, 2019.

Mary Stockwell, *The Other Trail of Tears: The Removal of the Ohio Indians*, 2014.