

**STATE OF OKLAHOMA        )**

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**)       Affidavit of Robert W. Trepp**

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**CREEK COUNTY                )**

**Before me, the undersigned notary public, this day, personally, appeared Robert W. Trepp, to me known, who being duly sworn according to law, deposes the following:**

**I, Robert W. Trepp, first being sworn, do hereby declare the following:**

**That, I am an enrolled Citizen of the Muscogee (Creek) Nation, a member of Loca'pokv Tribal Town and its Beaver Clan, that I have served the Nation in staff and legislative adjunct positions and also served as Commissioner under the District Court ruling in Harjo v. Kleppe (420 F.Supp. 1110), and that I am at this time a private citizen, not employed by the Muscogee Nation and not making any representation that my statement reflects the views of the Muscogee Nation, its people, its government, nor its officers..**

**That, I am concerned about the continuing employment of Ward Churchill in a academic position by the University of Colorado for both academic and cultural reasons.**

**That, I am a firm believer that history is a science, because it is a systematized body of knowledge from which a dedicated researcher may derive patterns and express opinions about those patterns in an atmosphere of peer review and open discussion, but not where one can make up "facts" in order to substantiate their opinions.**

**That, his misrepresentations of history for his own purposes pollute the purposes of historical analysis and will make it harder for Muscogee people as academic scholars to raise particular issues without fear of academic distrust and potential public backlash if wrongly identified as “fellow tribal members” of Ward Churchill.**

**That, I am convinced that the particular claims of “genocide” by Mr. Churchill, followed by his pseudo-academic summersaults to belatedly provide documentation by quoting himself and by quoting others who were quoting him, are particularly onerous because there are actual instances in Mvskoke (the proper spelling in our language and alphabet) history which, although mentioned in general histories, are not sufficiently studied in detail, nor studied by tribal members, and which some day require that an honest researcher make the claim of actual or attempted genocide, and that his claim of being Mvskoke (whether actual or self-identified) seems not to be real, either in his historical research subject matter nor in his cultural life where he sets an example for native students.**

**That, if he had been Mvskoke, he would have responded instead, immediately and vociferously, to any southern politician's claim of the ten commandments as a legal foundation (since any analysis would soon bring up the concepts of "false witness", "covet", and "kill").**

**That, if he had been Mvskoke, he would have discussed the maps which Andrew Jackson and the congress studied before adopting the Indian Removal Act of 1830, showing the area west of Arkansas and Missouri marked as "uninhabitable desert."**

**That, if he had been Mvskoke, he would have deconstructed the romantic images of a 'trail of tears' and spoken of forced removal, interment camps, being walked from Alabama to Indian Territory (now Oklahoma) at gunpoint and being fed by the lowest bidder, all in total violation of the treaty of 1832 and its**

**plain, express provision that any Mvskoke person could either emigrate to the west, or could stay and become a U.S. citizen.**

**That, if he had been Mvskoke, he would have exposed the failure of the federal government to live up to their 1833 treaty guarantees of protection in 1861, or would have compared the myth of southern chivalry to Texas and Arkansas militia overwhelming a column of thousands of 'armed neutrals', killing men and women and children (probably 3,000 dead that day alone, numerically as many or more than those who died in the World Trade Center, but proportionately nearly 20% of our population) trying to flee the war zone to false promises of federal protection in Kansas; or if he were in fact socially connected to Mvskoke people he might have been able to tell the women's story about that day, with women in the camp picking up their cast iron skillets and swinging them at the confederate soldiers and their mounts.**

**That, if he had been Mvskoke, he could have done some real research and analyzed the economics of the allotment of common lands, the breakup of traditional communities, the reservation of lands for historically new churches but the failure to reserve any lands for ancient ceremonial grounds or for cemeteries, the internal dynamics of the native response to allotment, the political economics of guardians (who were legally ineligible under our Agreement), or the use of cheap Indian Territory oil to win WWI.**

**That, if he had been Mvskoke, he could have discussed the federal government's division of existing tribal rolls into "by-blood" and "freedmen" during allotment (including the classification of anyone with African blood as "freemen" and writing over any documentation for the future that they were indeed Mvskoke "by-blood"), then adopting different laws governing their land titles and finally adopting different policies regarding federal services, thus creating fodder for the federal courts to feast on 100 years later in order to intrude on each native nation's sovereign right to define its own citizenship.**

**That, this would mean hard, diligent work (in the academic sense: speaking with real native people (almost as much a problem for historians as it is for anthropologists) and documenting real oral history, confronting genocide squarely and fairly – and I know that is not an easy road to walk and that some are easily scared away.**

**That, that fact that, at this point, this work is left for qualified native scholars is a blessing, but that their future work is already undermined by these headlines about an academic quack with self-identity issues, that's just a plain shame..**

**That, the oral history of the Mvskoke is fractured and can only be founds in bits-and-pieces, because we've lost so much -- so much oral history was never handed down, so much traditional knowledge was lost in the Redstick war (2000 lives in a single day at Horseshoe Bend, thousands more in the burning of villages on the Black Warrior River and the Georgia troops' massacre of civilians at Hillabee who had already surrendered to Jackson), in removal (another 7,000 over a few years), and in the war between the states (3000 in the 'fortress' on Battle Creek, another 1000 in flight to Kansas in the snow and sleet, and another 1000 in federal 'protection'), but also that much of that oral history is accessible and documentable for the researcher to expend the effort.**

**That, under the provisions of the Indian Vaccination Act of 1832, many hundreds of Mvskoke were vaccinated by federal officers, both in Alabama and in the Indian Territory, and apparently with great success, thus showing that statutory federal policy was in fact completely different than his representations; failure of an academic to at least mention such a law and discuss its implications seems to me to be inexplicable.**

**That, I know quite a few “self-identified Creek” people. They are mostly persons who have married into Mvskoke families, or have had lifelong close friendships with Mvskoke people and have shared their lives with them in religious and social settings.**

**That, the “self-identified Creek” people I know come to and participate in tribal political meetings, engage in sports and other social contact, attend funerals of friends and relatives and leaders in our communities, take some part in religious gatherings (even if only as an observer), and are known through those families and those communities as someone who “belongs”, even though they are not a tribal member.**

**That, I know, and have known well for 34 years, many of the traditional religious leaders of our people, and I have seen several of them testify in courts of law: federal, state and tribal; and, not once have I seen one carry an eagle feather to the witness stand to testify. I believe they would see such conduct as unbecoming someone who respected their religion and impossible from someone who reveres the spiritual power of a feather in the Mvskoke traditional religion. They would certainly see it as someone who desecrates the sacred by bringing it to a profane place where it does not belong, and would question whether he had a federal permit or was even qualified to request a federal permit to possess an eagle feather.**

**Further, affiant sayeth not.**

  
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**Robert W. Trepp**

**Subscribed and sworn to before me this \_\_\_\_\_ day of May, 2009.**

  
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**Notary Public**

**My commission expires:** July 12, 2010

