

I. *Mountain Windsong* as "Trail of Tears"

Mountain Windsong by Robert J. Conley, a Cherokee Indian writer, dramatizes the pain and suffering of Cherokee people on one hand and the confidence to renovate the historical identity through the tribal solidarity on the other. As an oral tale told by a grandfather to his grandson, the novel while representing the Native American Cherokee history of removal through the perspective of the victim also portrays the act of forceful removal as genocidal violence perpetrated by the US government upon the Cherokee Indians.

Set against the tragic events of the Cherokees' removal from their original lands in North Carolina to Indian Territory in Oklahoma between 1835 and 1838, *Mountain Windsong* is a grotesque and tragic tale of both the Georgian history and American heritage that pushed the Cherokees west along a route they called the "Trail of Tears". There was a hope for new settlement, dreams of wealth and a new and innovative life. However, the Cherokee tribe the journey to the west proved to be a bitter pill forced upon them by a state and federal Government that cared little for their culture and society, values and norms and even less about justice.

Known to the most as the 'Trail of Tears' this historical event killed many Cherokee men, women and children amongst others. It was in the spring time of 1838 that General Winfield Scott, Commander of the United States army with the assistance of forces from States such as North Carolina, Georgia, Alabama, Tennessee, herded them into Stockades, and then forced them new to travel over eight hundred miles to their new government-appointed lands west of the Mississippi. During the capture, Stockade experience, and journey west over 4,000 Cherokees died due to factors such as disease, illness, and murder.

1835 was a pivotal year in Georgian history. Three years earlier, to solidify their claim to Cherokee land the state of Georgia held to land lotteries that divided the Cherokee Nation in 160 acre lots and gave them to any Georgian who had four dollars in their pocket and won a chance to buy land. Unfortunately, the Cherokee never ceded the land to either the state or federal government and the Supreme Court ruled that state did not have the power to make a treaty with a sovereign nation. John Ross represented the vast majority of Cherokee and had their complete support. With settlers moving into the Cherokee Nation Ross understood that making a deal for the land with the United States as his best option, since he a at risk of losing the entire nation to the state of Georgia. In early 1835 he and his group wanted to deed a portion of the land to the United States for an amount of money to be determined by Congress, with the rest of the property ceded to the Cherokee owner. The sticking point on the Ross deal was the requirement that the United States and the state of Georgia recognize Cherokee citizenship, including the right to vote and hold political office. Neither Georgia nor the United States would ever agree to this.

For the new settlement, the U.S. government launched the new package for Cherokee nation i.e. compensation. The government urged them for voluntary leave and relocation of Indian Territory, Oklahoma, accepting the proposal of handsome amount of compensation. But, most of the Cherokees denied the proposal and expressed their solidarity for the motherland. Unfortunately, a small group of radicals led by John Ridge and his cousin Elias Boudinot negotiated the corrupt Treaty of New Echota, giving up Cherokee lands for pennies on the dollars.

Although treaties between the United States and the Cherokees had appeared in the past, it was the Treaty of New Echota, signed on 29 December, 1835 and ratified on 17 may, 1836 that became infamous in Cherokee history. It was this treaty

that stated the Cherokees would relinquish all south-eastern lands in exchange for lands in the West, and received five million dollars. This treaty, like many others before it, was not only deceptive, but it ultimately split Indian partly lines so deep that genocidal violence and death was the ensured outcome.

The treaty gave away traditional Cherokee land in the south for concession in Indian Territory to which the Georgia factor removed two years earlier than the Ross faction. The Ross faction denied the legality of the treaty and refused to acknowledge its terms. Finally in 1838, federal Troops rounded up the remaining Cherokee, forcing them to abandon the land, crops, homesteads and personal belongings, and marched them first to internment camps in Tennessee and then in the dead of winter and without adequate provisions, on foot eight hundred miles West to the Indian territory of Oklahoma.

Mountain Windsong, thus, depicts the history of the Trail of Tears both in an imaginative as well as factual manner. Since history is a literary artefact, the mix of history and literature in *Mountain Windsong* creates an intertext that yields a much more truthful history than documented in textbooks. As Tony Hillerman writes that the book "deserves to become an American classic. Conley takes the grim facts out of 'manifest destiny' and makes them come alive in the novel, which is beautiful and heart warming as well as tragic"(1).

Robert, J Conley's writing is mostly concerned with the issues of native American people. His novels are strong in narrative innovation and stronger in terms of ethnic partisanship. His novels have significant literary base on the "native American Renaissance" i.e. an indigenous political and cultural awakening which emerged in the late 1960s and featured the organization of the American Indian movement. The narrative which has been used in his novels, have the image of

Cherokee sensibility that exposes the hidden side of the Christian mission. He has provided not only the wealth of historical details but also the rudiments of a theoretical framework for analysis, the process of Cherokee tribes' articulation during the pivotal period in its history.

Conley's genius can be seen in his blending of fiction and facts in this novel. It can be taken as politics of representation while justifying the historical facts of Native American history of removal. He begins the novel with the beautiful scene of the mountain and natural beauty. Grandfather, the narrator in the novel, expresses his past memories as his own experiences, "I remember the first time ever I heard the Windsong in those misty hill about big cave (5). His use of songs, legend and historical documents recreates the fragmented history of Cherokee people. The relationship between grandpa and Chooj is set in contemporary smoky mountains and the relationship between Waguli and his love Ocoheechee, that binds the fragments together, takes place in the period of Cherokee removal. No doubt Conley tries to justify the real pain and suffering of many couple like Waguli and Ocoheechee who had been greatly victimized by the cruelty and brutality of contemporary American Authority. By presenting the fictitious love story between Waugli and Ocochechee Conley brings out the real pain and pathos of Cherokee removal and revitalizes the suppressed Cherokee history.

As Grandpa teaches his grandson traditional Cherokee skills, he tells the boy the story of the lovers who were to be married but then were separated by the Trail of Tears, when Waugli walks with thousands of other Cherokees to Indian Territory in 1830s. Hiding out in the hollows of smoke Oconechee remains behind, unaware that Waguli has been removed. Conley has been successful in blending the fictional love story within the framework of factual history of Cherokee, which is excluded in

official history. The setting and actions correspond directly and specifically to historical events of Cherokee places. The agonies and pathos of the characters cast the dominant white as wolves on the rampage and the native Indian as their helpless victims. He weaves the tale in such a way that the excruciation, suffering and stoic endurance of Cherokee are highlighted on the one hand and savagery of the rampaging Euro-Americans is exposed on the other.

Conley depicts how the Natives are branded by stereotypes and symbol like blood thirsty, savages. Anglo-American regarded Indian as dangerous neighbours and savages. Thus the best course of action would be to drive them off, to exterminate them and seize their lands. Conley through the attitude of grandfather resists that it were not the Indians who were the savages and the wolves but the so called civilized and pacific white Americans.

Mountain Windsong is an innovative novel in narrative technique completely eschewing conventional omniscient narrative point of view. Conley voices nearly the entire plot through the participants of The Trail of Tears, who speak their parts individually. Using four different techniques and perspectives, Conley draws attention of his audiences in the tragic story of the Trail of the Tears. Although, ultimately legendry love does not meet horrible end, with the switches between grandfather and grandson, the legal documents drawn by US government, a song, and the romantic story of two, perhaps fictional, Native Americans set apart by the Trail of Tears, the book is impossible to put down. The book is both heart -wrenching and heart warming. In this regard Max Evans opines "*Mountain Windsong* is a masterpiece. It is the most honest, deeply felt book of the American Indian I have ever read" (1).

Likewise Wilma P. Mankiller, principal chief of the Cherokee nation comments:

Mountain Windsong, at last, a Cherokee love story about two ordinary people caught up in an extraordinary period of time. In telling the love story of Oconeechee, Bob Conley takes the reader on a journey that allows one to feel the effects of the Trail of Tears on individual People and their families, while weaving in solid historical information about all the extreme forces, which forever changed the Cherokee nation.(1)

This is the way that how Conley presents the *Mountain Windsong*. The novel focuses on the pain of Cherokee on the one hand and the confidence to renovate the historical identity thorough the tribal solidarity on the other.

Mary C Churchill in *American Indian Quarterly* comments that "the realism that characterizes the relationship between the grandfather and the grandson provides an interesting contrast to the romanticization of the loves, suggesting, perhaps, that both such responses—realistic and romantic—exist today in recollection the past"(130).The lines quoted above shed light that the novel has unique kind of characterization and both the real as well as imaginary depiction of different events which had happened during the course of Trail of Tears. The sequential development of history on the one hand and the romantic love between Waguli and Oconeechee on the other hand shows a kind of contrast on the structural modality of the novel.

While commenting on the thematic content of Conley's text, Beerendra Pandey asserts:

Conley however, wants to keep it as much near the factual truth as he can by inserting the historical data. The interruption mars the narrative flow, but it lends an air of dense specificity and particularity to the fictional truth. The truth that *Mountain Winsong* seeks to unravel is the inhuman excesses committed upon the Cherokees by the so-called

civilized Euro-Americans in their ever burgeoning greed for more and more land. (65)

What Pandey seems to stress is the fact that Conley presents the Native American story to make lively the Native history, which is suppressed via the power of U.S. government. No doubt, the history is written through the perspective of victor and the voice of defeated is never heard. But, Conley, through this novel, is successful to renovate the suppressed history through the medium of the literary text.

Similarly, H. Walter and Conser Jr. pay attention to the tragic events of the Cherokee removal from their traditional lands in north Carolina to Indian territory between 1835 to 1838. They examine how the novel "focuses on the documents on which he argues from the Cherokee perspective on the nineteenth century debate over Indian affair" (1010). Walter and Conser focus on the brings the natural rights of Cherokee and a sense of loss which they experienced during the removal. They critique the federal governments' treaty over Native American and its effects on the democratic integration for them. By using the historical documents Conley tries to expose the question of belonging and self respect. They further states:

In *Mountain Windsong* the author has carefully examined government documents, manuscripts, collections, editorials of contemporary journals and articles, and published speeches of leading figures of the day. His analysis of the discussion of race by the key expansionist of the late 19th century offers remarkably fresh and original focus on two stories that have been told and retold many times by several generations. (1010)

H. Walter and Conser focus on the transmissions of culture upon which native survival as a people depends. Storytelling illustrates Native American legend in a

realistic legend in a realistic contemporary context that confirms its emotional truth and makes it accessible to a large audience.

While reading the novel *Mountain Windsong* from the gender perspective, Sarah H. Hill glorifies the vital roles that women have played in Cherokee history. Her emphasis is on the women's authority, the destabilization of gender relation, and ongoing reconstruction of gender roles. She analyzes mostly three historical crises that challenged the existence of Cherokee nation and bitterly affected the status of women, "retained most reinforcing aspect of traditional culture while embracing new beliefs, attitudes, speech, dress and relationship seeking women's presence, participation and role . . . facing extraordinary challenge to gender, culture, and national integrity" (54-55). Like Hill, Hahn Stevens, a prominent critic perceives Conley's novel *Mountain Winsong* as an investigation of 19th century Cherokee political thought expressed in public memorials, petitions, and appeals and aimed primarily to Euro-American audiences. He further writes:

Cherokee adopted the republican rhetoric of virtue steeped in nostalgic reverence for the founding fathers. This was especially the case for the great Washington, whom they help up as an example of selflessness in hopes of curbing American materialism. Moreover, the Cherokee lauded their recent civilizing advancement to counter the myth of the disappearing Indians. (188)

The novel strategically exploits the rhetoric that was deeply engaged with American culture, which had the effect of conflating Cherokee interests with those of the United States.

Though the text has been reviewed form various perspectives at different times, much needed critical attention to the genocidal violence perpetrated upon the

Cherokees during the removal has not been properly paid. Thus, the present research focuses on Cherokee Indians' pain and pathos, sorrows and suffering, as portrayed in the novel by the novelist who has immensely contributed to aggrandize and uplift the condition of Cherokees in the native American literary arenas. Moreover, it examines the pain and sufferings of Cherokees experienced during the removal as an act of genocidal violence imposed by the authoritarian government. While forcing them along the trails eight hundred miles West with virtually nothing from Georgia to the Indian territory at Oklahoma i.e. the Trail of Tears.

II. Historicizing Genocide

Genocide in the generic sense is the mass killing of substantial numbers of human beings, when not in the course of military action against the military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims. Coined and used by Raphael Lemkin in the context of what the Nazis thought to be the final solution of the Jewish question, genocide is a "form of one-sided mass killing in which a state or other authority intends to destroy a group and membership in it are defined by the perpetrator"(Frank Chalk and Kurt Jonassohn³³). Thus, it can be inferred that Genocide is sustained purposeful action by a perpetrator to physically destroy a collectively directly or indirectly, through interdiction of the biological and social reproduction of a group members, sustained regardless of the surrender or lack of threat offered by the victim.

Genocide is a denial of the right of existence of entire human groups as homicide is the denial of the right to live of individual human beings, such denial of the right of existence shocks the conscience of mankind, results in great loss to humanity in the form of cultural and other contributions represented by these groups, and is contrary to moral law and to the spirit and aims of the united nations , many instances of such crimes of genocide have occurred when racial, political and other groups have been destroyed, entirely or in part. The punishment of the crime of genocide is a matter of international concern.

Genocide in the UN Convention of 1948

Throughout the human history there has been an uninterrupted chain of mass killings. In response to what seemed unprecedented massacres inflicted on European Jews by the Third Reich during World War II, Lemkin wanted to distinguish between

extermination and non-extermination massacres committed by Hitlerian Germany. This opened up the problem of determining when and how massacres cease to be large-scale killings and begin to assume genocidal characteristics. Genocide was subsumed in "crimes against humanity" or into a category called "war crimes" as was the case during the post-world war II International Military Tribunal which convened in 1946 (Huttenbach 167). The UN Genocide convention of 1948 made Genocide – now an accepted term – a separate criminal category. It tried to solve this problem of specificity and distinction from other crimes by supplying more or less descriptive criteria of what genocidal behaviour consists of. In a sense this has been quite satisfactory at least to serve as a guideline for those prosecuting genocide. Virtually all courts and tribunals have generally rested "their determination of what makes a genocide and what is or is not genocidal on the UN declaration, although not entirely"(170). Their definition of genocide and its criteria have both modified and added to those characteristics outlined in the Genocide convention. Serious deficiencies of the UN definition have been founded by the 1978 and 1985 reports of the special Rapporteurs of the UN on its own Genocide Convention.

In his *The Holocaust in History* Stephen Katz developed a "methodologically but transparently flawed argument to prove that there is but one bonafide case of genocide, namely the Holocaust that is, the "final solution of the Jewish question" as the extermination policy was dubbed by the SS) (qtd. in Huttenbach168). He arrived at this conclusion by examining literally hundreds of instances of mass killing over the span of centuries, determining that, since no one descriptively compares with the Holocaust, there remains but one full-fledged instance of genocide. In his analysis, one can identify a serious flaw that of false because he purposely selects one event- to serve as the operating paradigm of genocide. Katz could safely conclude that "all

other events necessarily fail to meet the criteria and standards of his chosen genocide—the Holocaust"(3). Since no two events are ever fully alike, then, logically, all others are automatically disqualified as full-fledged genocides.

Secondly, Katz commits the academic sin of a priori reasoning. He consciously constructed an argument around a conclusion he wanted to prove a priori to his writing the book, namely, to confirm that the Holocaust is unique, standing apart, alone and beyond comparison, a sole representative of a class of its own, a super-genocide. All other instances of targeted mass killing of a group he classifies by interference as near genocides or lesser genocides. Thus, Katz "lays the groundwork for a hierarchy of massacres over which the Holocaust reigns supreme, incomparable, unique, with its own definition that applies only to itself"(3). Whatever knowledge about genocide one needs, Katz concludes, can be gleaned from the Holocaust: any insights gained from other genocides are necessarily secondary according to the Holocaust-centric formula posited by Katz. Holocaust stands completely apart from other incidents of genocide. It is perceived as 'unique', as a super-genocide that cannot be compared with other genocidal incidents.

Israel Charny broadly defines "genocide as a wide array of events fit within its range and, therefore, can be identified as genocides"(169). Several hundred events are classified as bearing the mark of genocide including most of those excluded by Katz. This is best illustrated in Israel Charny's two volume *Encyclopedia of Genocide*. It is a remorseless compendium of masacral events to each of which a genocidal status is attributed. The result is such a universalization of the act of genocide that the word lacks any meaningful core specificity. Every violent "mass violation of human rights is identified as genocidal. Virtually all assaults on collective human rights could be

perceived as a form of genocide, leaving one with a quandary "(170). Unless proven otherwise any massive, violent event belongs within the parameters of genocide.

Israel Charney is content to work with a 'generic definition' that does not exclude any case of mass murder irrespective of racial, national, ethnic, cultural, religious, or political categories. In his words, 'whenever large numbers of unarmed human beings are put to death at the hands of their fellow human beings, we are talking about genocide'. He claims that it is "a moral absurdity and an insult to the value of human life to exclude from full historical recognition any instance of mass killing as if it were undeserving of inclusion in the record"(170). He fails to see, however, that it is not a question of 'undeserving' in the sense of being included in the record but of attempting to identify a particular kind of atrocity. A useful analogy can be found in domestic law. In cases of homicide we rightly consider the crime of the serial killer to be more repugnant than manslaughter. The important point here is that comparability is not the same thing as equivalence, and the challenge is to find adequate means to express the 'gradations of genocide'. Charney's expansionist understanding of genocide even goes as far as claiming that massive deaths resulting from the meltdown of a nuclear reactor would count as genocide. Just as an incident happened in Chernobyl, Ukraine, in 1986. Hundreds lost their lives and many thousands were irradiated. This was a tragic consequences that followed from human error, but it was not genocide. The line of argument pursued by Charney leads to the flattening out of history.

Acknowledged masters of this practice are the Holocaust deniers such as Ernst Nolte who equate what Germans did at Auschwitz with what Americans did at My Lai in Vietnam. Colin Tatz refers to this danger as "comparative trivialisation"(315). If we allow this to happen, he argues, "then we acquiesce in the demise of genocide

and its meaning"(315). In 1998 however, the Convention celebrated its fiftieth anniversary. Peoples around the world are aware of its existence, and at the last count, 130 governments had ratified the treaty. Despite the existence of a widespread consensus regarding the declaratory importance of the Convention, the genocide in Rwanda in 1994 underscored the gap that exists between the normative aspiration, that the practice must be prevented, and the cold reality of its persistence.

In order to clarify the different kinds of victim group, Barbara Harff distinguishes between politically and socially or racially motivated killings, genocide and politicide: "genocides and politicides are the promotion and execution of policies by a state or its agent that result in the deaths of a substantial portion of a group"(315). In cases of genocide the focus is on the communal characteristics of the victim group, whereas in politicide it is on the victim group's political opposition, to the regime, and to the dominant group. The problem here is that it is sometimes hard to distinguish between politicides and genocides; the Nazis had no difficulty in including political opponents in the Holocaust.

A variation on this argument points to the fact that politicides often become genocides. In Bosnia, the ethnicity of 'Bosnian Muslims' was in part constructed by Bosnian Serb aggression. The most expansivist argument in regard to the victim group is provided by Frank Chalk and Kurt Jonassohn who define genocide as "a form of one-sided mass killings in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrator"(33).The main difference between the Genocide Convention and this definition is that there is no restriction on the identity of the victimised group. Chalk and Jonassohn maintain that by accepting the UN definition, their research would necessarily continue the

'silence' in the genocide literature regarding 'the assault on certain victimised social groups of the past'.

Although Chalk and Jonassohn rightly point out the "limitations of the Genocide-Convention's definition" particularly the erasing of the category of 'political group', their definition "ultimately buys into the reasoning of the perpetrator which can be a dangerous enterprise since it accepts the singling out of a certain group, reducing complex human experiences to essential ethnic, political or religious characteristics"(33). The question how to assess the intentions of a genocidal agent is notoriously problematic in the social sciences. Max Weber overcame the problem by assuming that instrumental rationally pervaded social action in the modern world; likewise, political economists believe that agents are motivated by the desire to maximise utility, thereby circumventing the need to inquire into the origins of their preferences. Evaluating the intentions of corporate actors like states is even more problematic. Apart from the case of the Nazis, there is no historical example where a plan to commit genocide has been so co-ordinated and well documented.

The discussion concerning intent is wide-reaching in the field of genocide studies. Leo Kuper emphasizes that "the intent to destroy is a crucial element. Destruction alone is not sufficient. The inadvertent wiping out of a group, he argues, is not genocide"(34). This means that the wholesale "destruction of the Aztec civilisation following the arrival of the Spanish conquistadores in the late fifteenth century would not count as an act of genocide, since the majority of deaths were caused by disease and the ill-effects of slave labour"(34).

There have been two innovative suggestions about how to overcome the dilemma of intentionality. First, the idea of developing a legal definition of genocide that follows the custom of classifying homicides by degree. Second, it has been

argued that it is possible to separate intentions from motives. According to Hurst Hannum and David Hawk "the intent clause of article II of the Genocide Convention requires only that the various destructive acts—killings, causing mental and physical harm, deliberately inflicted conditions of life," etc. "have a purposeful or deliberate character as opposed to an accidental or unintentional character"(qtd. in Dunne and Krosiak³⁴). This effectively shifts the focus from a legal language of guilt to a more sociological assessment of the causes of genocidal conflicts.

The last issue of 'intent' is probably the least problematic aspect of the Convention. Even where the destruction of 'a national, ethnic, racial or religious group' has been least organised, as was the case with the genocide against the Aborigines in Australia, it is relatively easy to find evidence of official complicity. While there was no 'Hitler' in London plotting their destruction, there were plenty of colonial government employees justifying the attacks on their culture and civilization with reference to arguments about racial inferiority. And there were many more policemen out in the bush obeying the order of 'dispersal', the euphemism for shooting on sight when a group of Aboriginal men gathered together. In short, it is hard to resist the conclusion of Chalk and Jonassohn that "it is not plausible that a group of some considerable size is victimized by man-made means without anyone meaning to do it"(35).

The related issues of the identity of the target group, and the scale of the destruction, are less easily resolved. By leaving out the destruction of political classes, such as intellectuals (1970s Cambodia) or Kulaks (1930s Soviet Union), the Convention is too restrictive. But in terms of scale, the Convention is arguably too broad. There is no mention of a minimum threshold, thereby enabling those wishing

to take an expansionist view to argue that countless dictators have sought to destroy in part the form of life of particular religious or national groups within their states.

The ambiguities evident in the text itself lead genocide scholars to draw sharply diverging conclusions about its adequacy. The most adamant defender of the Genocide Convention definition is Leo Kuper. In his extensive writings on the subject he maintains, contrary to many of his colleagues; "I do not think it helpful to create new definitions of genocide, when there is an internationally recognized definition and a Genocide Convention which might become the basis for some effective action"(35).

From the beginning of 1999, some Western journalists, intellectuals, and state leaders increasingly applied the term genocide to describe the actions of the Milosevic regime in Kosovo. As the British Defence Secretary, George Robertson, puts it: "these air strikes have one purpose only: to stop the genocidal violence"(qtd. in Dunne and Kroslak³⁵). How should we interpret this claim, in the light of the Convention and the scholarly debates discussed above? Is it an example of a further widening –hence trivialising – of the concept? Or does Kosovo comply with what we have called an expansive reading of the convention?

There is no doubt that politicians and the media are engaged in absurd parallels between the herding of Jews onto trains leading to forced labour and or the gas chambers, and the forced transportation of Kosovars to refugee camps in Albania and Macedonia. Robin Cook argues that "the appalling mass deportations we were from Pristina, particularly the use of the railways, is evocative of what happened under Hitler and again under Stalin"(qtd. in Castle). There is no question that this kind of argument conforms to what Tatz referred to as "comparative trivialisation". Other world leaders were more guarded in their assessments. The UN Secretary-General

said 'that the actions of the FRY were in violation of humanitarian law (not explicitly the Genocide Convention). His preferred description for the barbarous acts was 'ethnic cleansing'.

Ethnic Cleansing as Genocidal Violence

The differentiation between genocide and ethnic cleansing is important here since it shows that the interchangeable use of the two concepts has added to the debate about the prevention and punishment of genocide. Cook further argues:

the confusion between genocide and ethnic cleansing has led to a widening perception of genocide in international law. Although both concepts describe large-scale killings of groups, and genocide can be seen as a particular-the ultimate-form of ethnic cleansing, a legal differentiation is necessary to avoid misinterpretation under international law. Both terms have often been used in similar contexts, and wrongly so; however, unless ethnic cleansing is recognised in international law, the expansion of the concept of genocide will continue. (36)

People who argue that genocide was committed in Kosovo insist on the ambiguity of the 'whole or in part' clause of the Convention. They maintain that a part of the population was targeted to be exterminated. Torture and mass killings were a "systematic pattern of state terror, especially in the first five months of 1999; however, these were used as methods of intimidation" and not as part of a more general policy 'aimed at the destruction of a target group (36).

What then distinguishes ethnic cleansing from genocide? It is not a matter of scale, since this is not an explicit element of the Convention. The key difference is that ethnic cleansing implies the forced removal of a victim group from a territory; it

is a matter of dispossession and destruction. The element of destroying a particular culture or nation means that no one of the victims' family, race, ethnic or other group will be left to carry on its tradition, pass on its folklore and religious beliefs. This is the main difference between genocide and other massacres since in cases where genocide succeeds no members of the victim group are left to take the side of the victim. Other victims of massacres might still have the hope that their children or like-minded survivors will be able to continue the cultural traditions in another country, with the possibility of returning to their homeland at some future date. Ever since the mid-1980, and especially since 1989, Kosovars had been subjected to a campaign of terror which included arbitrary arrests, rape, state terror and violent clashes between demonstrators and security forces. The Albanian language was banned in the media, ethnic Albanian students were refused further education, political activists were imprisoned for their actions, and unlawful deaths occurred in custody as a result of torture and other kinds of ill treatment. In 1998 the level of violence escalated even further with extrajudicial and other killings and the beginnings of forced displacement. This campaign of violent exclusion sought primarily to suppress calls by ethnic Albanian leaders for independence rather than attempt to eradicate Kosovar Albanians as a group.

The debates surrounding the meaning of genocide reveal the following key arguments. First, that the consensus supporting the Genocide Convention masks important disputes around issues of intent, scale, and identity of victim-group. For instance, by excluding the category of 'political' from the list of referents, many states have been able to attempt to destroy their political opponents without being legally responsible according to the terms of the Convention. Second, Kosovo is a good example of the dispute between those who want a narrower definition. Widely

labelled as genocide by politicians, journalists, and some genocide studies scholars, the judgement of these expansionists is called into question because Kosovar Albanians were in the main expelled from Serbia rather than liquidated. Thus, one can draw a distinction between a policy of dispossession and destruction. But until the term ethnic cleansing is recognised in international law, genocide will continue to be stretched, fuelling the fears of restrictions of 'comparative trivialization' across cases.

The starting point of critical thinking about international relations requires that victims of world politics be put at the center of our inquiry into who gets what, when, and how, on a global scale. "To remember" according to Tatz, means "remembering all the victims of genocide. It means remembering too the fates of non-Jewish Germans, Romani (Gypsies) and homosexuals at the hands of Nazis"(316). In the case of America, where Holocaust studies is a respected part of the curriculum, it means remembering the destruction of the indigenous cultures of the Americans as well as the horrors of Auschwitz or Treblinka. Moreover, it means remembering that the destruction of ethnic groups has a history stretching to the earliest recorded history, such as the Athenians assault on the Islanders of Melos. Since, those who forget the past are doomed to repeat it. Finally, by remembering past genocides, one might all become more human, more caring, and therefore less likely to walk away when called upon to risk lives and commit resources to protect strangers in danger.

One cannot forget the past, but might want to forget- or unlearn-certain kinds of behaviour that contributed towards the production of genocidal massacres. One need to forget the idea that genocide is exceptional, forget that governments are normally benign institutions to provide for our welfare and security. Few have made this argument with as much force as the political scientists R. J. Rummel:

In total, during the first 88 years of this century, almost 170 million men women and children were shot, beaten, tortured, knifed, burned, starved, frozen, crushed, or worked to death, buried alive, drowned, hanged, bombed, or killed in any other of the myriad ways governments have inflicted death on unarmed. helpless citizens and foreigners. (28)

The discipline of international Relations needs to forget its habit of selectively describing and explaining the past. Instead of taking family snaps of human history, one must not forget the blood and immorality.

At the heart of genocide lies the existential dimension, the thought and the act of threatening and endangering a groups' existence. This could be expressed by the term elimination, the wish to elimination a group, except genocide automatically also raises the thought of mass killing, whereas eliminate, etymologically, connotes first and foremost 'removal, or, in a genocidal context, "mass expulsion- but not necessarily mass killing; Mass murder intended and or committed, however should be acknowledged in ones' basic understanding of genocide, while elimination only secondarily points towards the idea and deed of large scale killing"(Rummel 28). A term such as elimination, that only indirectly infers the wide destruction of life, misses the sine quo non genocide, namely posing a threat to a group's survival, in part as a result of a significant loss of life caused by man-made violence. However, a group could be made to disappear culturally by means of forced assimilation; yet most genocides include massacrual killings, often in response to opposition to forced cultural conversion. Genocide as elaborated earlier can go considerably further , beyond the mere destruction of the biological life of a targeted group. Genocide can include the wanton pulverization of the corpses and importantly the destruction of the entire

creative heritage of a people, its literature, its architectural monuments, its arts, its entire legacy, in short, its culture. The possibility of culturecide as an integral part of genocidal intention should not be excluded from the central thought that gives genocide its core meaning.

Genocide, however, has come to be seen as the ultimate human rights catastrophe and thus the measure of all such catastrophes. Implicitly or explicitly, we routinely construe and evaluate mass killings, cultural exterminations, ethnic cleansings, political disappearances, religious inquisitions, chattel slavery, and other catastrophic violations of human rights through the lens of genocide. This often illuminates the genocidal aspects of diverse atrocities, but it also hinders and distorts our understanding of matters that cannot and should not be understood only in relation to genocide.

The primary conceptual constraint on thinking about genocide is the dominance of holocaust-based-conception of genocide. The problem is not that the holocaust rather than some other genocide, has been taken to be prototypical. Given that every genocide is unique, any prototype based-concept of genocide will distort ones understanding of some genocides as it filters them through whatever genocide taken as central and defining. Perpetrated in whatever forms by whoever authority, effects of genocidal violence are lived by the survivor victims in the form of traumatic memory.

III. Trail of Tears as Genocidal Violence

Robert J. Conley's *Mountain Windsong: A Novel of the Trail of Tears* records the story of the Trail of Tears by weaving ethnohistory with the deep-rooted Native American storytelling tradition. Being a Cherokee author that writes about his own culture, Conley is familiar with this tradition that has held the Cherokees and other tribal peoples together for thousands of years. The oral tradition creates a space for the culture's stories to be told and passed down from generation to generation. In her book, *The Native American Oral Tradition: Voices of the Spirit and Soul*, Lois Einhorn reminds the reader that storytellers have "passed on historical events, community norms, cultural practices, and vies of life"(2). These valueable pieces of knowledge that are passed down can be read about and lived vicariously through Conley's text.

The narrator of the novel is LeRoy, whom his grandfather calls Chooj, or boy. Throughout the book, the grandson tells the reader the story of the Trail of Tears, via listening to his grandfathers' tale, a love story between Oconeechee and Waguli, a young Cherokee couple who were separated by the Trail of Tears. Woven into that personal story are historical documents such as treaties and letters that add a greater understanding to the severity of the situation. Within the grandfather's stories, Cherokee songs and poetry are heard and Cherokee beliefs and culture are learned. Also extremely prevalent in the Indian culture, Conley recreates the bond between elder and youth. Conley uses dialogue to illustrate this cultural relationship. For example, while fishing one day grandfather teaches Chooj about the Cherokee relationship to nature and its creatures:

A piece of fresh chicken meat was tied to the end of Grandpa's line, and he had let it down on the flat rocks just a few feet out into the

water. "Now just watch," he said. Grandma had killed and plucked the chicken for us, and we had taken it, the fishing pole, a long-handed fishnet, and a big plastic bucket with us down to the creek. "Look," I said. A fat, sinister-looking crawdad had crept out from under a flat rock and was making his way toward the meat. "Jisduh," said Grandpa. "What?" "That's his name. Jisduh. Watch. There will be more." He was right. In just a few minutes the meat was covered with them. They were crawling over each other and falling off. Grandpa smiled, and his old eyes seemed to twinkle. (21)

Robert J. Conley includes many exchanges such as this one that intend to teach the grandson-and the reader-not only about the mentoring relationship of elder to youth, but also about the Cherokee knowledge and respect for nature.

Also, through the grandfathers' actions and stories, both Chooj and the reader learn some of the old ways. In another conversation between the two, the grandfather is telling a story to Chooj about one of the false promises concerning the Osage land, where the United States government wanted to send the Cherokee. Chooj responds: "I hate the government:

I said. "No use in that Chooj", said the Grandpa. "This all happened a long time ago. The people who were in the government then are all long dead. Besides, hate just makes you feel bad. Makes you sick. It eats you up from inside. I don't hate nothing or nobody. There are some that I sure can't figure out though, and I aint' got much use for them". (33)

Here, Cherokee wisdom and forgiveness are realized as both important lessons that the grandfather attempts to pass on to his grandson. And although many American

Indians and Native American scholars still hold grudges against the United States government for its betrayal before, during, and after the Trail of Tears, Conley wants to teach an important lesson: knowing past relations with the U.S. government and the historical events that happened as a result of those dealings is of crucial importance to the Cherokee people (and other tribes for that matter) so that the voice of the Trail of Tears is never silenced, but it is also important to move forward, and not to blame all white people living today for their ancestors' attempts at cultural genocide.

Retraumatized by the forceful removal and genocidal violence, the grandfather acts out the traumatic memory while recounting the fact that:

[...] the troops were disposed at various points throughout the Cherokee country, where stockade forts were erected for gathering in and holding the Indians preparatory to removal. From these, squads of troops were sent to search out with rifle and bayonet every small cabin hidden away in the coves or by the sides of mountain streams, to seize and bring in as prisoners all the occupants, however or wherever they might be found. Families at dinner were startled by the sudden gleam of bayonets in the doorway and rose up to be driven with blows and oaths along the weary miles to trail that led to the stockade. Men were seized in their fields or going along the road. Women were taken from their wheels and children from their play. (81)

As the treaty of New Ecota shows in may 1838, the forcible eviction of the Cherokee Nation began. Government troops under the command of Winfield Scott, at times supported by the brutal Georgia Guard, moved across the state taking the helpless Cherokee from their homes. Within two weeks every Cherokee in North Georgia,

Tennessee, and Alabama had been captured, killed, overlooked or fled. Holding areas contained the Cherokee until they could be moved to one of the specially constructed forts further north. Such a forceful removal of the Cherokee from Georgia to Oklahoma has been portrayed as genocidal violence in Native American Cherokee history.

As the historiographical approach reviews history critically, the writer of *Mountain Windsong* states the idea through the historical perspective. The indigenous quality of a history and reality of the people can be trusted as the writer's main achievement. One can see the Cherokee narrator narrating the story of past traumatically, the past which was undermined by the history but alive as the imprint to the mind of Cherokee people, which was saved through oral tradition. The grandfather is telling the story to grandson sharing the repeated trauma which he had experienced:

"Have you heard about that story?" He said.

"No"

"Well, it was a long time ago.....Back then the Cherokees had all this land. Not just our little reservation here that we have now. We have lots of land-in North Carolina, in Georgia, in Alabama, in Tennessee. The Cherokee Nation was real big back in those days."(7)

The rulers were guided by the tyrannical ideology in the mask of democracy. The Cherokee Indians had bore the cruelty although there was no fault of them. On the basis of the power of gun, the government had played the inhuman role by imposing genocidal violence upon the Cherokees. They tried to create the hierarchy between the so-called ruler and the Cherokee people.

In the name of good governance, they have looted the poor Cherokees seizing their right to life, liberty and pursuit of happiness. The Cherokee, neither economically strong nor equipped with the power of the gun, were always traumatized and tortured inhumanly. As the grandfather remembers:

They thought that a white man was better than an Indian. They thought we were savages. I'm not too sure what that word means, that savage, but I guess it just means that we didn't live the same way they did.

They said savages steal and kill people. But they stole from us and they killed our people. so I don't really know what they meant by that. But they said that Indians were savage, and they didn't want savage neighbours. But mostly, I think, they just wanted all our land. I think that's why they wanted to kick us out."

"But that's what was going on. Junaluska knew that it was hard times, and he knew that his little girl would need him, so he stayed here. And now that's the place where the story really starts- the story about the windsong. (10-11)

The grandfather is traumatized repeatedly by the bitter historical event of Cherokee removal. The vested interest of white people to the Cherokee territory and natural resource is evidently clear here. For the economic and financial benefit white imposed inhuman and cruel behaviour and even not eschewed to steal the property of the native people.

The forceful migration of Cherokee people towards the west has different consequences. Against the will of the Cherokee people, the power was imposed and the unlawful treaty was signed. The grandfather's dialogues show the internalized pain which he is sharing with the grandson, who is taking the historical and cultural ideas

through the experienced tongue of the old man, "one thing they were right about. Things did start to get rougher on the Cherokees. Especially those in Georgia. Georgia passed a bunch of laws they called the anti-Cherokee laws"(23). Moreover, "they said a white person couldn't go onto Cherokee land without a permit form the men would ride out to Cherokee homes and steal from them, and the Cherokees couldn't complain because they couldn't testify. Things got bad"(23).

The authoritative idea of the government was that the Cherokee people have no excess to the Court. As court is taken as the temple of justice where the decisions have resolved to establish the government which should be based on rule of law: but in the context of Cherokee there is access of justice. There were some white people in favour of Cherokee nation; even they were also victimized by the government, "those who were trying to help us, they arrested some missionaries who were out among the Cherokees and threw them in prison"(23-24). Not only the Cherokee people but also the white people, who were in favour of rule of law and against the brutality of the government, were also arrested and thrown into prison. So the voice of justice and humanity was out of the conscience of the government.

There were different voices against the governmental acts. The Cherokee had formed a group which was active for the protection of the Fundamental rights of the Cherokee people. John Ross, the chief of the Cherokee group, disclosed the reality of the illegal acts of U.S. government as well as the Jacksonian authority in U.S. to suppress the Cherokees. He protested in loud voice that "Andy Jackson didn't have no right to do what he was doing. He said that even the U.S. Supreme Court was on our side and Jackson was breaking his own laws"(30).

In anger and anguish the grandfather further remembers the bygone days that the Cherokee National Council had passed a law making it illegal for anyone to sell

Cherokee land, and anyone caught doing that could be executed. And he also reminds the legal status of the treaty party that "those men weren't even elected to do anything by the Cherokee people"(31). For the grandfather the U.S. government and treaty party had not right to sign anything for Cherokees, and the United States didn't have any right to honor anything they had signed. He had that those people who signed against the Cherokee nation had no feeling of nationality and patriotism. It was the blow upon the feelings of the Cherokee, thus, not a treaty but a treachery. As the grandfather remembers, John Ross aroused the consciousness of the Cherokee people that "we're not going anywhere. We're going to stay right here because it's our land and we've got the right , but he said that he didn't want anyone to fight"(31). Thus, the Cherokee people always remained in favour of justice and humanitarian rights and also the lover of peace.

The narration of grandfather shifts towards Waguli, who is one of the victims of U.S. government though he was the agent of government itself .Waguli, an agent of government, was facing the same destiny, to whom, although there was support of Cherokee people, the government could not bear his activities which were favourable to the Cherokee nation. During the course of Waguli's arrest, there was the huge crowd. He was lovely to each and every Cherokee person, "Waguli had ever been and probably the biggest crowd of people he'd ever seen"(31). The treaty party had created the rumour that the Cherokee people should follow the rules and regulations which were passed by U.S. government. They said that "the longer the Cherokees held out against the United States, the worse things would be on them" (32). Those treaty signers, they said, were just trying to make things a little bit easier for everybody, and they even risked their own lives to do that.

There was bitter anger and anguish to the people against the treaty party. Although, the people of treaty party tried to convince the people and exercised to make Ross guilty of act that, "Ross was putting everyone else in danger for selfish reasons, said he knew that they wouldn't really be able to stay. He was just holding out for money"(32). They also wanted to allure the people that, "the government in Washington was just only interested in our safety, and that's why they wanted us to get out west where it was safe"(32).

But the Cherokees were aware about it. They had already known that the place where the government was planning to take them is the habitat of Osage Indians. The place was Western Arkansas and Eastern Oklahoma. The government, like the Cherokee people, treated them also, "that was their land, their home, just like this out here was ours, but the government didn't care about that"(33). Some Cherokees had also already habituated there. They fought a big war with the Osages. The Cherokee used to come the homeland and used to bring messages to Cherokees. But government wanted to hide the fact.

Hearing the grandfather's tale the grandson expressed his intense disgust to the government that "I hate the government" (33). The treaty of agreement between the minority Cherokees and the U.S. government has different kinds of issues which were only favourable to the government. Although there was a provision of compensation for property that was very cheap in rate, that also became the daydream for the Cherokees. While rectifying the treaty there was the obligatory provision for each article but the government itself violated the rules and made the Cherokees the scapegoat. The charge to the Cherokees that they had supported the British government during the time of War of Independence was only the fake charge. The genocidal violence is further exposed when the grandfather repeatedly narrates many

events that took place during the Cherokee removal. In one of such events, the grandfather recollects, how the land was captured when early in the morning the Cherokee found white soldiers behind trees and rocks, rifles trained on them, bayonets fixed:

Little children began to cry. Adults began to wail. Waguli suddenly reached forth and grabbed the barrel of a rifle, shoving it upward with his right hand. With the heel of his left, he bashed the chin of the soldier behind the gun.... Another soldier reacted quickly, grabbed Waguli from the left side, and Waguli spun on him, grabbing him by the jacket front and flinging him aside, knocking two more off their feet... Then two mounted soldiers turned their horses and raced after Waguli. The soldier raised his rifle and swung it through the air, smashing the butt against the back of Waguli's head. Waguli took more laboured strides through the water and pitched forward on his face. When Waguli regained his senses, his hands were tied behind his back and a soldier was pulling him to his feet. He staggered, but he did not fall. (82-3)

Waguli, the hero of the Cherokee tribe, was never identified by the canonical history. His activities were unknown, but are going to be renovated by the narrator through the medium of grandfather. It is the transformation of history from generation to generation through the oral tradition. It is the recreation of history which is under the dominance of power politics and abstract system in which descriptive practices are interwoven with social practices by the circulation of power.

Likewise, the unwritten history which is only in the mind of the grandfather and has no chance to be written, and which is never come to the national history, is

going to be spread through the oral tradition. In which the grandson is going to protect own his history to make it lively for the upcoming generations. This might be the medium for offspring to know the real ancestral history. Cherokees always wanted to be Cherokees. They wanted to preserve their culture, language, tradition, values, norms and originality. They never compromised their originality with any kind of greed and dream shown by the authority. They used to valorize their own original culture at any cost. The mixed idea on the history and culture had a hazardous situation which will not work for the native Indian people. To protect the past history they should be remained at own stand and should be determined to protect the ownness and fight against the authoritative government. The consciousness of the prophet in Red Clay further clarifies the Cherokee consciousness to native culture and history:

"Throw away your steel Knives and iron pots and guns. Burn the white man's clothes you wear. Throw away the glass beads you use for decoration and learn again how to prepare the quills of the porcupine for use as decoration. Speak your own language, the one God gave the Cherokees. Kill your cats and pigs and horses. Be Cherokees. That is only way to be saved". (36)

The grandson is conscious to know the situation of Waguli that whether he has returned or not. He has curiosity towards the historical event which is invisible and unknown. The grandfather is clearly stating the idea to aggrandize the importance of the historical facts and evidences. To associate the Cherokee history grandfather starts to tell the whole journey of Waguli, where his journey represents the journey of whole Cherokee tribe. Grandfather, in circumlocutory way expresses the historical fact, that how the people of different clan had been captured and compelled to do what the

troops desired. During the imprisonment, they have friends, which are natural symbols, "thunder is our special friend. He's a friend to the Cherokees. So they called on Thunder to use his powers to help them out of their trouble, but they had to do it in a special way"(71).The Cherokees had done the ritual work, as they used to do in the Old Town, whenever the bad time occurred. In this context also the Cherokees has rounded a circle, which was made up of tobacco, seven times turn by turn, as many the people in the prison, for the protection form the bad times, " they did all night long until they had done it seven time, and when they did it that seventh time, it was dawn"(73).

When the curious grandson wanted to know about Waguli the grandfather tells same kind of situation of the Tsali's family amalgamating the situation of Waguli. The situation of Tsali's family was also harsh. The troops abruptly entered to the house of Tsali, and asked the whole family to get up and do whatever the troops were ordered:

"The soldiers came on a whole family. All of them together having a meal. The old man was named Tsali. Tsali and his wife had two grown sons and one young one. Tsali's brother and his wife and kids were there with them, and Tsali's two grown boys, they had families, too. They were all of them visiting and having a meal together, and the soldiers came. Well, Tsali and his family, none of them could talk any English or even understand any of it, but they sure enough could tell what those soldiers wanted. They knew, so Tsali just told them to get up and do what they was told. He didn't want anyone in his family to get hurt. So the soldiers lined them all up out on the road headed down the mountain. They had to leave their food on the table, and all extra clothes and blankets. They had to leave all their belongings behind.

The soldiers wouldn't let them take anything. And they started to march them down the mountain."(87)

As they were captured by troops, they had no alternative way to escape from their vulture clutch. The Cherokees who escaped from the arrest of the troops were in the mountainside. Then the troops conditioned that if Tsali's family surrenders they will not search for the others. To protect the life of other people Tsali became liberal and followed the conditions. That became a kind of elixir to those people who were hiding in the mountain hills.

Waguli, when he reached at the camp, felt disgusted and disappointed. There was only fence, not more than that, "no buildings, no huts, no chairs or benches even. There was nothing but people, Cherokee people [...] of all ages [...] were crowded into the foul-smelling compound"(90). Everyone was wailing, crying and screaming out of fear and hunger and physical discomfort. It was the bitter reality lived by the Cherokees. The condition of camp and the poor facility of nurture caused rage and bitterness in them. The intense discomfort was felt by Waguli, in the place which was not facilitated as a barn. It was severing and critical condition for Cherokee people during the course of journey. After the first camp the soldiers pushed them forward. But, they thought there was no destination. The Cherokee hero, who was feeling that the soldiers were taking them somewhere until their death, "he had begun to believe that there was no destination, that the soldiers were just to going to march them until they dropped dead, one by one"(104). The camps were changed and soldiers took them non-stop four day's journey. Like the animals they followed the soldiers without hope of life and thought that they were heading without direction, "the pathway to the Darkening Land at the edge of the world, the place from which no human being ever return"(104). After the restless journey, they thought that the journey had no end and

the trek was nowhere. There was deplorable condition of every person. There was no hope while beginning the next trip everyone should be suspicious with utter despair and there was no ultimate goal. "The trip had just begun, and already they were dying. Why not? Already he was died inside. He wondered why his body kept moving, why his lungs kept drawing in the dusty air. Why? Why? Why?"(105).This is how the Cherokees were traumatized and were destined to move forcefully which can be taken as the true example of genocidal violence.

When everything of Cherokee was shattered and there was forceful migration of people, some of the Cherokees were still there, hiding in the mountain caves, out of the white men's access. Wild Cat, one of the Deer people, came when Oconeechee was mourning on the separation of Waguli. Wild Cat made a plan to escape from there to the hillside where some of the Cherokees had already gone. They have to hastily leave the place because there was possibility of Georgian's arrival for the acquisition of the property of the Cherokees. But, Wild Cat and Oconeechee's plan to burn the whole town and make it the town of ash was successful before the arrival of Whites. Out of rage and frustration and the trauma and pain of the forceful removal .Waguli refused to eat the white man's meat, and soon they didn't even bother to try anymore inside the prison. He decided that he would starve himself to death. In the prison Waguli sees the human misery all around him:

[...] the soldier bring the bottle of whiskey and entice the young Cherokee woman outside the compound. He saw her return later, too long gone to have satisfied just one man, staggering drunk form the white man's crazy water and the white man's lust. He saw the child sick with dysentery screaming in its helpless mothers' arms, and he later saw it dead. He saw the young woman who had drunk the whiskey in

pathetic attempt to escape the pain lying passed out in her own vomit. He heard the crying children, and he heard the mother's wailing because they could do nothing to ease the pain and hunger and fear felt by their little ones. He heard the groans of the old men and old women as they valiantly attempted to suffer with patience. And he heard the laughter and the cursing of the soldiers, and he thought that he would swell and burst with his fermenting rage. But of all the physical horror, the pain of his wounds, the clangor of terror in his ears, the ghastly sights before his eyes. (95-96)

The feeling of Waguli repeatedly flashes to the bygone days with Occoneechee, but the condition where he was living with death had no hope to meet to her next time but there was only, "defeat, disaster, despair and death"(97). He remembers the possible calamity of the prophet when he was in Red Clay, "I see Cherokees turning into whites[...] to maintain our balance, we must remain Cherokee. If you keep these things you have form white men, the Cherokees to driven to the west, to the edge of the worked, to the Darkening land"(97).

Thus, the dialogic structure of the novel further moves with the conversation between grandfather and grandson about the process of troops' capturing to the Cherokee people. The grandfather is narrating the past story and tactic of the troops to capture the Cherokees, "they was just waiting to get everybody all rounded up. They had to have some place they could hold the ones they caught 'til they caught them all and would move them west"(102-3). He further adds that, "they knew that those few were still out there, but they had promised Tsali[...] before they killed him, that they would quit, and they did"(103). Grandfather feels bad that the soldiers took some of the people and moved them out west. Old Ross, went to the army and told them that

the Cherokees could move themselves, and they had to argue about it for a while. Finally, the army let him do it, "So for all the rest of people, it was Cherokees who led them on out there. It was bad enough that way, but it was a whole lot worse for that first bunch- the ones the army took"(103). As the grandfather recollects there was rage and disgust towards the troops who forcefully chase the Cherokees and traumatized them on the way.

The painful history which is addressed by the literary text, through which the suppressed history, the unheard and silent cry of painful history is aroused. The painful history which was never heard and never written directly come to the public which shows the shameful act of the U.S. government and the unhealed wounds of the Cherokee people. The power of whites diffused itself in systems of authority and effects of truth are produced within discourses which in themselves are neither true nor false.

It becomes clear that the mainstream history had glorified the Indian Removal Act but the reality was always hidden and always suppressed by the history which was written through the perspective of the whites. Such historical truth is itself a product of relations of power and of the systems which it follows. All the means of communication: oral, aural, written and visual, and all the media were under the control of the 'power'. In such situation the 'voice of below' is never heard. The same condition is faced by the Cherokee people during the long and conditioned journey towards the Dark Land. New historicist conjunctures historical and literary vocabulary as they render power visible and enable marginal or unheard voices to emerge. The voices of the minority and inequalities between the power holders and common people are most sharply disclosed in the narratives. So, Conley's effort is to

disclose the hidden facts, because of which the Cherokee suffered; the bitter past which was ignored by the mainstream history.

Orality, Native Songs, and Poetry: Relocating the Self to the Heritage

Robert J. Conley's *Mountain Windsong: A Novel of Trail of Tears*, the terrific representation of Cherokee removal, is a novel of fragmentation, in which the writer is able to show intertextuality amalgamating the tedious history in literature. It is the story of traumatic removal of Cherokee people. To make precise and clear, Conley has used simple diction inscribed with metaphor and mythic references form the narrative voice of the novel. Though attributed to one character to another, the predominant voice is, finally a collective voice. All of the voices in the novel are practically juxtaposed, and the third person narrator narrates the story. Though one hears the thoughts of the individual characters, the voice became collective voice of the Cherokee people as the community experiences the genocidal march and the attack on their tribal culture and history.

For Native American historical novelists, there was the problematic situation both in terms of narrative and in terms of cultural politics. The American Indian writers, whose history typically was either erased or ideologically reshaped by the state of colonization in which he is located, would not have a history that was part of the public sphere except in its traces or its redefined form within the new national mythos. Moreover, this American Indian writer might find it difficult to include historical person in his narrative who were recognizable to readers. As does much contemporary Native American writing, nearly all of Conley's work grapples with the problem of how to express a contemporary Cherokee, or more generally, an American Indian identity when the past is remote, many of the traditional ways have been lost, and one is focused to write in a foreign language still under the yoke of colonialism.

Such situation is developed to understand the text not by Western, but by tribal centered criticism. In this novel the virtue of love is rewarded although there was hardship during the Trail of Tears. The story is in narration, which is in oral tradition, which is the process of transmuting the culture from generation to generation. By using own types native words during the course of writing, the writer is resisting the mainstream history, which always have ignored the identity of Cherokees. The writer is resisting and deconstructing the stereotypes in narration itself. Conley's fiction is characterized by fragmentation of narrative point of view and voice, nonlinearity, and the substitution of metaphor for plot detail and objective scenic description. Conley contends that fragmentation in his work contains the Native American history, identity and power.

Conley draws the figures of 'trickster' which appears in traditional Cherokee myth as well. Trickster remains as dual identity in the novel. The major characters Waguli, Oconeechee, Gun Rod remain dual in terms of identity and culture. Waguli appears as old fashioned traditional Cherokee boy while he visits SocoGap: "He wore buckskin leggings with a breechclout and moccasins and noting else but a single eagle father tied in his scalp lock"(13). It recalls the native ancient culture. Oconeechee is not Cherokee, but remains as a major character and Gun Rod is an Anglo-American but prefers Cherokees name, it signifies the cultural split in colonial ethos. Duality itself is the link between traditional and postmodern native worlds. Such hybridity and duality resist the colonial time, to redefine and recreate natives past history through the stories.

The stories signify, first that they have always existed in the oral tradition of native people but are only new able to be written by native writers for numerous reason including the political fact that these colonized peoples' stories are just now

being published, these tales are belated history in the sense that it is written out of the textbooks and is only entering American history in its own voice. So Conley attempts to retell history that disrupts history and reinscribe a series of native time into the Anglo American metanarrative of history itself. While intervening the metanarrative of history Conley writes:

Waguli had been scratched, and his head bled, but he knew that the scratching and bleeding would help to purify his body. Then come the time to drink the special drink. The men all drank, and then one at a time when they felt the urge, they went into the woods to vomit...all the impurities gathered over the past year, all the pollution in the bodies of the people, would be gone everything and everybody would be clean and pure, and the balance and harmony of the world would be restored-Waguli drank, and he felt the uprising deep within.(118)

In one particular poignant moment of removal, Waguli vividly brings very panic scenes and events of suffering Cherokees who were being moved into the Darkening Land, where one can hear shouts, screams crying and wailing. The whole removal journey was full of shrill, trauma, and sickness. The soldiers loaded Cherokees onto the boats like so many cattle. Waguli becomes conscious about these all events which make him aware to reclaim his self and identity. He tries to vomit which shows his desire to resist the white domination and racial and cultural oppression. Waguli is frustrated with the animalistic behaviours of whites and his own masked identity. The activities of civilized whites make the Cherokees' world imbalanced and disordered. Thus, vomiting in the text functions as an act of resistance to regain harmony in Cherokee life.

Conley, confirming the love story as the native legend of the novel, allots much space to narrate Cherokees' history yet he is equally conscious to present the details of the native culture. The entire novel is narrated simultaneously to the two layers of audiences. In one level, he is unfolding the romantic love story of young girl, Oconeechee and traditional young boy, Waguli; and in another level narrating very traumatic removal history of Cherokees. Rejecting the history as a chain of events in linear sequence, the plot of the novel jumps up from one event to another. After narrating heart-melting love story, the plot of the novel shifts to another event that is the Cherokees' removal in 1830s. At this point, readers are plunged in the actual removal history of Cherokees rather than separated lovers because tragedy between Waguli and Oconeechee is a consequence of the removal act. The novel is successful in its historiographic attempts at rewriting the Native American history. The porosity of history and literature in all this text gives rise to an intertext that, in turn, enables the writer of the novel to directly confront what Hayden White has called the 'terror of history.'

Poetry and Song are special types of genres related to the Cherokee Trail of Tears and the American Indian storytelling tradition. They function as means of communication for the Native American culture. Considering the culture had been an oral one for thousands of years-prior to Sequoyia's nineteenth century invention of the Cherokee syllabry-stories, songs, and poems were passed down from generation to generation. As Amy Devitt states in her book *Writing Genres*:

Poetry or the lyric...has been associated with a function for readers with greater difficulty, often resorting to expressiveness, that poetry expresses reader's deeper thoughts and emotions, that it helps readers to reflect on their worlds. Sonnets glorify love, monologues enable the

poet to comment on the speakers' perceptions, novels give order to the human condition. (179)

If poetry or song "helps readers to reflect on their worlds" as Devitt asserts, then Native American poetry and song relative to the Trail of Tears can create a space for the reader to reflect upon her/his world in context of the Trail of Tears event.

The uniqueness of Conley's *Mountain Windsong* lies in that it utilizes the genres of poetry and verse to create a suitable place to relate the storytelling tradition. Conley uses the love poem and song of Oconeechee and Whippoorwill(also known in the story as Waguli) the "Mountain Windsong" to open and close the book. Conley begins his historical novel with the grandson inquiring about the sound of the singing Whippoorwill. It is here in the book where the story of the Trail of Tears begins, and the grandfather commences the Cherokee Trail of Tears narrative. And again, at the end of the book, Conley incorporates the song when the grandfather finishes telling the story. The epilogue explains, in poetic form, how Oconeechee and Waguli (Whippoorwill) were reunited again, and lived out their days in the mountains of North Carolina, birthing children who would carry on their Trail of Tears story, passing it along for the next generation to convey to their children and so forth and so on. As the song goes:

Now they say that they were married, And they lived up there for
years,

Though most folks have forgotten. Their long bitter trail of tears.

Cherokees say that when the wind blows

Softly through the misty hills,

That's the noble Whippoorwill. (217)

Conley's use of this poem and the song to open and close the text not only reinforces Devitt's above statement that "novels give order to the human condition," but it also argues for the importance of the American Indian storytelling tradition that is passed on from generation to generation that "gives order to " the Native American "human condition". Without their stories, they have not a past, and without a past, the culture deteriorates. Conley's story, although historical fiction, details not only Cherokee survival during the removal to the west and, in some cases, the dangerous journey back, but it also shows how traditional storytelling is performed from one family member to another, in this case from elder to a child. Therefore, the genres of poetry and song are significant to not only persuading readers and listeners to the importance of the Trail of Tears, but they also function as a means of storytelling, a crucial aspect in Native American life.

Amongst other ethnographical additives woven throughout the book, Conley includes documents that tell the genocidal violence inflicted by the U.S. government upon the Cherokee such as the agreement between the State of Georgia and the U.S. of 24 April, 1802 and the landmark Treaty with the Cherokee of 1835. Moreover, a protest letter by Ralph Waldo Emerson written to the President Van Buren, reprinted in part by Conley exposes the plight of the Cherokees as the U.S. government troops perpetrated genocidal violence upon them:

"It now appears that the government of the United States chooses to hold the Cherokees to this sham treaty[1835 removal], and are proceeding to execute the same. Almost the entire Cherokee Nation stand up and say, "This is not our act. Behold us. Here are we. Do not mistake that handful of deserters for us"; and the American President and the cabinet, the senate and the House of Representatives, neither

hear these men nor see them, and are contracting to put this active nation into carts and boats, and to drag them over mountains and rivers to a wilderness at a vast distance beyond the Mississippi....I write this, sir, to inform you of the state of the mind these Indian tidings have awakened here, and to pray with one voice more that you, whose hands are strong with the delegated power of fifteen millions of men, will avert with that terrific injury which threatens the Cherokee tribe.... These hard times, it is true, have brought the discussion home to every farmhouse and poor man's house in this town: but it is the chirping of grasshoppers beside the immortal question whether justice shall be done by the race of civilized to the race of savage man whether all the attributes of reason, of civility of justice, and even of mercy, shall be put off by the American people, and so vast and outrage upon the Cherokee Nation and upon human nature shall be consummated." (75-78)

By knitting Emerson's letters into the text, Conley also shows that white protest was yet another factor involved in the historical event. Emerson's letter gives audiences another perspective concerning the Trail of Tears: there was a greater public concern for the Cherokees than just the main political advocates and white missionaries living with them.

This is important to mention because many people have learned that the only major components concerning Indian removal were the United States Government, and in that place some will claim Andrew Jackson, and Cherokee removal supporters. This is yet another reason that genres such as these must be brought to the surface when dealing with the Trail of Tears, so that any diseased thinking like the examples

listed in this chapter-and there are many, many others- can be brought to light and be remedied. The attempt to demonstrate the importance of re-examining the genocidal violence imposed by the U.S. government and the traumatic memory of the Cherokee people through the rhetorical lens of ethnohistory and providing the examples of ethnographic resources such as visual media, maps, personal writing, poetry, and songs that bring the reader closer to the actual event, and create a story that breathes, rather than one that died along that long cold and traumatic Trail with the many victims of the Trail of Tears.

IV. Conclusion

Robert J. Conley's *Mountain Windsong : A Novel of the Trail of Tears* lively depicts the details of genocidal removal of the Cherokee tribe from their original and traditional land in North Carolina to Indian Territory of Oklahoma between 1835 and 1838 and brings into light the traumatic memory and great cultural loss in the history of native America. The novel attempts to recreate the forgotten history of American natives through the narrative technique of storytelling, song, poetry, legends, and testimonies. It records the story of the Trail of Tears by weaving genocide with the deep-rooted Native American storytelling tradition, -poetry, song and orality.

Being a Cherokee author who writes about his own culture, Conley is familiar with this tradition that has held the Cherokees and other tribal people together for thousands of years. The oral tradition creates a space for the cultures' stories to be told and passed down from generation to generation. Poetry and songs are special types of genres related to the Cherokee Trail of Tears and the American Indian storytelling tradition. They function as means of communication of the Native American culture. The uniqueness of Conley's *Mountain Windsong* lies in that it utilizes the genres of poetry and verse to create a suitable place to relate the storytelling tradition in order to reduce the inner trauma of the victims caused by Genocidal Violence.

Some of the main historical, genocidal and traumatizing events as documents are deemed valuable in Conley's text while examining the Trail of Tears are treaties and other types of legislations that surround this event. These types of documents are very powerful and persuasive as they expose how the government, the Cherokees, and other parties involved used rhetoric in creating and executing such documents. Moreover, the treaty is traditionally known to function as a means of peace, partnership, and honesty, declaring that different parties agree on the same terms.

However, the function of the genre changed over time; it took on a sinister function, one that manipulated, betrayed, and stole from the Cherokee Indians. In the hands of the U.S. government the documents[treaties] became thinly disguised bills of sale, transferring ancient tribal lands into white hands. In the fine print, these treaties usually called for Indians to move to the least fertile corner of their existing lands, to abandon their homes altogether and move elsewhere, or to slice up their holdings into single-family allotments, which the Indians were supposed to cultivate while selling off the rest to white land speculators . In some cases, whites reserved the right to run their wagon trails or railroad tracks across the Indian land. In essence, as white avarice for land and wealth grew, so did the trickery portrayed through the treaties. These false treaties hold importance in retelling history of the Trail of Tears event. The illusory function of this genre acts as a means of breaking the traditional thought that the United States bought the land with intentions of fairness and goodness from the Indians.

Robert J. Conleys' *Mountain Windsong*, reprints the entire Treaty of New Echota, including all who signed and witnessed the signing. In addition to the 1835 New Echota treaty that falsely promises the Indians "a government of their choice", and "individual comfort", and "five million dollars", Conley also includes a valuable reprint of the supplementary articles to the 1835 treaty. By including this supplement to the treaty, the document is reinforced, and the act of removal becomes even more cemented. The U.S. government made forceful removal violating all the promises and dreams as well as the values and norms of all the treaties with Cherokees.

Although the genocidal act of removal has caused trauma upon the Cherokees and the core of their identity disturbed, through the oral tradition of storytelling, that weaves song, poetry and historical documents. Robert J. Conley in *Mountain*

Windsong manages to re-establish a sense of purpose and identity with the culture and nation devastated by the genocide. When people get displaced into a new physical and cultural environment, the bewilderment and profound sense of dislocation results in to a deep sense of loss. To overcome such loss people need to culturally organize ways which legitimize and facilitate mourning, and find ways to express grief at their loss. Moreover, the loss of country can feel like the loss of all that is familiar. The psychological sense of home that has been located in people or place, when lost, can feel like depletion of parts of the Self and identity itself can feel threatened. In this connection, *Mountain Windsong* can be taken not simply a text about mourning the loss of home, culture and nation but more than that, an attempt to relocate the 'Self' of a community traumatized by genocidal violence back to its heritage so that the bitterness of the past can be reduced to the level of meaningful present.

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