

## Chapter Six

“In a name of justice and fairness”:

The Mississippi Choctaw Indian Federation v. the BIA, 1934

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*Congress responded to critics of Indian policy by enacting the Wheeler-Howard or Indian Reorganization Act (IRA) in June 1934 (see **timeline**, p.). The Bureau of Indian Affairs (BIA) encouraged tribes to “reorganize” to accept constitutional government and to incorporate to take full advantage of new economic opportunities. Until the late 1960s, historians generally viewed the New Deal as a positive change for Indians; recently the assessments have been more qualified.<sup>2</sup> Anthropological research on the new governments showed that where Native peoples recognized potential for more control over local affairs or where they were desperate for economic assistance, acceptance of an IRA government was part of a larger strategy. Elsewhere, where tribes were involved in disputes over federal intervention, rejection of the IRA government was part of a pattern of resistance.<sup>3</sup> In many cases, an elected government was or over time became compatible with traditional political values. In others, the introduction of an IRA council led to an intensification of political conflict.<sup>4</sup> Katherine Osburn’s paper contributes to this discussion and offers a rare examination of the IRA process in the South. Osburn describes the Mississippi Choctaws’ effort to respond to the IRA by constructing a tribal government without direct supervision of BIA personnel. This struggle drew on older strategies of activism in which Choctaws cultivated alliances with local, non-Choctaw politicians.*

On May 12 1934, a Mississippi Choctaw man named Joe Chitto attended a meeting in Union, Mississippi, which several observers called “the largest assemblage of Indians that had gathered in Mississippi since 1895.” At this gathering, the Mississippi Choctaw, citing their approval of the 1934 Indian Reorganization Act, constructed a tribal government called the Mississippi Choctaw Indian Federation (MCIF), and approved a constitution drafted by State Senator Earl Richardson. Chitto was elected secretary-treasurer, and Choctaw Baptist Minister E.W. Willis was elected Chief.<sup>5</sup> Simultaneously, Senator Richardson and E.T. Winston—a newspaper editor and close associate of Governor Theodore Bilbo—founded the Mississippi

Choctaw Welfare Association (MCWA), an “affiliate” of the Federation, which existed to “assist the Indians in their very laudable undertaking toward self-government and self-expression.”<sup>6</sup>

Chief Willis then informed Choctaw Superintendent Archie C. Hector of these actions.<sup>7</sup>

Superintendent Hector was not impressed, however, for he had already created a Tribal Business Committee (TBC), to consider the Indian Reorganization Act.<sup>8</sup> Ironically, two-thirds of the Committee had attended the Union meeting and voted in favor of the Federation.

In the following years, the Mississippi Choctaw Indian Federation and their allies engaged Agent Hector and Commissioner of Indian Affairs John Collier in a passionate debate over who had the authority to construct a tribal government for the Mississippi Choctaw under the IRA. The process of hammering out a tribal government took eleven years, during which time the MCIF demanded recognition using strikes, boycotts, and petitions. They did not prevail, however, and the Federation’s leadership was absorbed into an officially sanctioned tribal council in 1945.

At first glance, this story appears to be simply a tale of a political initiative that failed. Yet the campaign raised several significant questions. Why did these Choctaws agree to join the Superintendent’s Tribal Business Committee and then create their own government behind his back? Why did the leadership of the Federation continue to serve on the Business Committee, even as they claimed their Federation as the real tribal government? Why did the Federation leadership fight so fiercely for recognition only to be “co-opted” into a third governing body? The answers to these questions suggest that the Mississippi Choctaw Indian Federation’s campaign should not be understood by reference to a dichotomous political model in which two organizations compete for legitimacy and one “wins.” Rather, the activities of the Federation

reveal a Choctaw political strategy deeply rooted in historical patterns of activism and an indigenous view of politics as multifaceted.

The Choctaw example is also instructive because it highlights how one tribe used the policy of Indian reorganization for purposes other than those designed by the Office of Indian Affairs (OIA). The struggle to create a tribal government in the 1930s was merely the latest assertion of Choctaw sovereignty in a century of political activism. Article 14 of the 1830 Treaty of Dancing Rabbit Creek had promised that the Choctaws who remained in Mississippi would be given land; if they resided on these lands for five years, they would hold the political status of free white citizens.<sup>9</sup> The allotment process was hopelessly corrupt, however, and the majority of the remnant band became squatters and sharecroppers without political standing. In response, Choctaws retreated into ethnic enclaves where they could preserve their cultural distinctiveness.

Despite the laws proclaiming the dissolution of the Choctaw nation in Mississippi, the remnant band conflated their ethnic identity with a continuing juridical status under which they claimed treaty rights to land. They campaigned for these rights in a variety of venues over the late nineteenth and early twentieth centuries, building up a network of political allies. In 1918 they won the establishment of an Office of Indian Affairs agency in Mississippi, which provided schools, reimbursable farm allotments, and vocational training. Choctaws used these government services to maintain a third racial identity in the biracial south—one that could help them to overcome poverty and racism. The battle over the Mississippi Choctaw Indian Federation ultimately strengthened the Choctaws' relationships with local politicians who could advance this strategy. Thus, the shaping of this national policy was deeply rooted in the Choctaws' local context.

In the 1930s most Choctaws who remained in Mississippi lived in seven communities of extended families that had clustered around churches and mission schools in eastern-central Mississippi in the late nineteenth century.<sup>10</sup> Despite the assistance of the Office of Indian Affairs agency, the majority of the Mississippi Choctaws were desperately poor sharecroppers living far below the poverty line.<sup>11</sup> Politically, Choctaws kept to their own communities, which had rudimentary political structures. At the Tucker community, where they lived on lands of the Holy Rosary Catholic Mission, the Indians elected a chief to conduct community business with the Priest. The other six communities were mostly Baptist and held meetings in government day schools according to parliamentary procedures used in their churches.<sup>12</sup> Farm clubs and their ladies' auxiliaries also provided opportunities for community leadership. At the Agency level, the Choctaw had a police force—with one Indian policeman—but no other centralized institutions.<sup>13</sup> Thus, the tribe's political organizations were mostly informal and localized at the time that Agency Superintendent Archie Hector introduced the Indian New Deal.

In February of 1934, Superintendent Hector appointed the Tribal Business Committee to consider the Indian Reorganization Act. This task was their only responsibility, and they met only when called. Seventeen people comprised this council: three from the communities of Conehatta, Tucker, and Pearl River, and two from the smaller districts of Red Water, Standing Pine, Bogue Chitto, and Bogue Homa. The delegates held office until OIA officials decided to make reappointments.<sup>14</sup> In March, Hector reported to Commissioner of Indian Affairs John Collier that the Business Committee had approved of the IRA, but some Choctaws feared that they lacked sufficient education to create a tribal government. Others were concerned that “there were a considerable number of Indians who had received practically no help and ... they believed that such Indians should be helped first.”<sup>15</sup>

In April, Joe Chitto, a Tribal Business Committee representative from the Standing Pine Community, wrote to Collier asking him to clarify the powers of this body and questioning if Collier indeed wanted them to form a tribal government. Chitto believed they should wait until the Indian Reorganization Act was approved.<sup>16</sup> Collier replied that Chitto should draft a constitution, so as to be ready to institute their new government when the bill passed.<sup>17</sup> Taking Collier at his word, Chitto and his friends created the Mississippi Choctaw Indian Federation.

Agency Superintendent Hector immediately denigrated the organization and asked for Collier's backing.<sup>18</sup> Collier wrote to the Tribal Business Committee explaining that the drafting of a constitution was a matter "in which the Indians will need careful guidance" and instructing them to wait for further instructions. He also disavowed the previous letter to Chitto, explaining that it had been composed by a member of his staff who was unaware of the proper procedures. While Collier supported "the right of Indians of any community or reservation to meet as and when they please without reference to a Superintendent," he could not endorse the Federation because he had already approved the Business Committee as the legitimate government.<sup>19</sup>

Collier also addressed a petition that the Federation had sent him. Two hundred and fifty-two Choctaws, including two-thirds of the Business Committee, had demanded Hector's removal because he was "trying to make us believe that our organization is not legal unless whatever business we do [is] done through him .... In a name of justice and fairness we ask that you remove him at once." The entire leadership of Red Water and Standing Pine and two-thirds of the leaders of Conehatta, both male and female, signed the petition. Additionally, the petition requested that the commissioner of Indian affairs transfer various personnel.<sup>20</sup> Collier assumed full blame for the mistake that had allowed the two groups to emerge but declined to act on the petition. Instead, he sanctioned the Federation as an organization of salvage anthropology,

encouraging them to work with the Welfare Association to promote “historical research and endeavor to keep alive the traditions of the inhabitants” and reiterated that only one organization could officially represent the tribe.<sup>21</sup>

Joe Chitto responded with a sharp assertion of Choctaw autonomy. He informed Superintendent Hector that, in support of the Federation, “most of the committee” would boycott the upcoming Business Committee meeting. He further stated that the Federation did not exist “just to fight [the Tribal Business] Committee,” but rather the majority of Choctaws preferred “the organization and we are going to stand by it regardless whether you or [the] commissioner recognize [it or] not.” According to Chitto, the Choctaw did not organize this government to defy the Office of Indian Affairs agency, but rather to assert their political autonomy. “We are not fighting the government or you,” he wrote, “but it is time we did something for our own welfare. It is over one hundred years since we lost our right of organization but we are making up [for it].”<sup>22</sup>

It is clear that Chitto viewed his actions as the embodiment of the Indian Reorganization Act. In boycotting the Tribal Business Committee meeting, the Choctaws were holding the government to the promises of the IRA. “We believe in [the] government’s intention and their policies,” he wrote, “... but it [*sic*] are not carried out as the[y] should [be].”<sup>23</sup> According to the members of the Mississippi Choctaw Indian Federation, these policies recognized the rights of the Choctaw to organize whatever political bodies they chose. While the petition for Agency Superintendent Hector’s removal was a direct challenge to the OIA, Chitto seemed to view this step as a means to gain recognition of the Federation as the true incarnation of the IRA, not necessarily as a way to replace the Tribal Business Committee, in which he retained membership.

Given that the majority of the Business Committee's leaders held membership in both organizations, it is reasonable to conclude that they saw the two as complementary. The Choctaw did not conceive of the world in binary opposites, but rather incorporated seemingly contradictory ideas into a complex ideology that held supposed incongruities in creative tension. This worldview had been manifested for over a century in the Choctaws' use of Christianity to carry Choctaw culture through white encroachment and removal. Similarly, in Choctaw thinking, if one political organization did not meet all of their needs, they could create another one.<sup>24</sup>

Joe Chitto also wrote to Indian Commissioner John Collier criticizing the IRA process as undemocratic, for the Business Committee was not "approve[d] by vote or otherwise, just named."<sup>25</sup> And yet, in an apparent irony, he claimed legitimacy for the Federation by appealing to the authority of the Business Committee, noting that all but one member of that body had attended the meeting in Union, and all but three voted for the Federation. Rather than being a "faction," the MCIF was a vehicle to carry out grassroots political actions. The petition, he noted, was written on Federation letterhead but "was started and signed by the Indians [as] individuals [*sic*] citizens" not by the organization.<sup>26</sup> Consequently, he concluded, "there was not any faction or division or any feeling among the Choctaws as you seem to think."<sup>27</sup> Rather, there was a universal desire for democracy.

The Federation's allies echoed Chitto's charge of faux democracy in the IRA process. Senator Earl Richardson, President of the Mississippi Choctaw Welfare Association, wrote Collier that Choctaw headmen had approached him "several months ago with a view of organizing a federation." He acknowledged Archie Hector's Tribal Business Committee, stressing that the Choctaws did not intend to interfere with it. Nonetheless, the majority of the Indians felt that the superintendent's group neglected "the ancient customs, rules, and

regulations. They wanted a more democratic and larger organization, one that would embody all the Indians and one that all the Indians would have an opportunity to have a voice in.” While indigenous Choctaw politics were ranked, all Choctaw had input into political decisions.<sup>28</sup> In Hector’s plan, however, Indians living outside of the seven “official” communities had no representation.<sup>29</sup> In contrast, the MCIF granted membership to “any Mississippi Choctaw Indian of twenty-one years of age or more, or who is the head of a family as husband, wife, or guardian, and whose degree of blood is more than one-half.”<sup>30</sup> Richardson also insisted that the Choctaw were not fighting the Office of Indian Affairs, but were “carrying out the personal wishes of the Commissioner in this matter, as revealed in the Howard Wheeler [*sic*] Indian Act.”<sup>31</sup>

In his next letter to Collier, Joe Chitto drew upon the Choctaws’ activist history. He cited an 1842 speech by Choctaw leader Samuel Cobb to government agents investigating the failures of Article 14. The vocabulary of this speech suggests that, even twelve years after removal, Cobb still had a sense of Choctaw sovereignty. Cobb’s speech was a classic example of Native American treaty language, a rhetorical style that built understanding between treaty partners by reference to a common humanity.<sup>32</sup> Significantly, rather than using the term “father,” implying a hierarchical relationship, Cobb had repeatedly used the term “brother,” indicating an association between equals. He had also appealed to an emotion common to all people—a love for ancestors and homeland:

Brother: Our hearts are full. Twelve winters ago our chief sold our country. Every warrior that you see here was opposed to that treaty. If the dead could have been counted, it never would have been made; but alas, though they stood around they could not be seen or heard. Their tears came in the rain-drops and their voices in the wailing wind, but the pale faces knew it not, and our land was taken away.<sup>33</sup>



In his closing remarks, Cobb also invoked religious sanction, again in keeping with traditional diplomatic protocols between sovereign nations.<sup>34</sup> “When you took our country, you promised us land,” he observed. “There is your promise in the book. Twelve times the trees have dropped their leaves, and yet we have received no land.” Building upon Cobb’s words, Joe Chitto concluded his letter to John Collier by emphasizing what he considered to be the obvious parallels. “You see how the government treated our fathers, and now after more than one hundred years, the remnant of the once powerful Choctaws took Mr. Collier at his word [only] to be told by you that you would not recognize our federation,” he wrote. “It makes us Choctaws wonder if the government ever makes its promises good to the Indians.”<sup>35</sup> Chitto’s reference to the “remnant of the once powerful Choctaw” declared his people’s desire to reassert their historical juridical identity in Mississippi under the Indian Reorganization Act.

To celebrate their tribal rebirth, the Mississippi Choctaw Indian Federation and their allies performed a ceremony to install Federation officials on September 27<sup>th</sup>—the 104<sup>th</sup> anniversary of the signing of the Treaty of Dancing Rabbit Creek. The festivities were preceded by a stickball game, and George H. Ethridge, Assistant Justice of the State Supreme Court, swore in the new government. The Mississippi Congressional delegation was invited, and the new representative from Pontotoc attended.<sup>36</sup>

A close analysis of the press clippings of this ritual illuminates the Choctaw’s strategies for political renaissance. When first posed with the prospect of a tribal government, Choctaw leaders had raised several concerns. They feared their lack of education. Aligning themselves with Judge Richardson and newspaper editor Winston, who was “considered the best read student of Indian history and lore in the state,” provided them with political expertise.<sup>37</sup> Several committee members had also noted the Choctaws’ dire need for financial assistance.<sup>38</sup> The

Mississippi Choctaw Welfare Association addressed that anxiety as well, for they planned to seek federal funds for various projects—a tradition long practiced by Mississippi officials allied with the Choctaws.<sup>39</sup>

The tribe's work with these political leaders reflected a long-standing strategy of activism. Because Jim Crow laws requiring literacy and poll taxes disenfranchised them, Choctaws did not represent a constituency in Mississippi politics.<sup>40</sup> Nonetheless, state and local politicians had rallied to assert Indian interests since the early twentieth century, when Representative Pat Harrison had attempted to open the tribal rolls of the Oklahoma Choctaw nation to the Mississippi remnant.<sup>41</sup> Harrison's agitation had led to the establishment of the Office of Indian Affairs agency, for which Mississippi politicians then continually sought greater funding. Accordingly, the Federation appealed to their elected officials to support the Indian Reorganization Act in return for "the deep gratitude and sincere appreciation of all the Mississippi Choctaw Indians."<sup>42</sup> While it is not clear whether these officials lobbied on behalf of the IRA, several members of the state's congressional delegation contacted Collier on behalf of the Mississippi Choctaw Indian Federation over the next year.

It appears, then, that state and local politicians took the concerns of "their Indians" seriously—but why? E.T. Winston's newspaper articles and correspondence with John Collier intimate economic motives rooted in the Great Depression, a cataclysmic event that had reached its nadir by the time of the conflict over tribal self-governance in Mississippi. "Present economic conditions create a new order," Winston wrote. Both Indian and whites were "engaged in a struggle for mere existence, and hence the strong arm of government is besought to stay the impending calamity that threatens both civilizations."<sup>43</sup> The Federation and Welfare Association were born at this moment because "a 'new deal' has been promised the white man and the

Indians from Washington.”<sup>44</sup> Mississippi politicians, understanding the economic benefits of the Indian New Deal—the revolving credit fund and the land purchase program—saw an opportunity to fatten state coffers.<sup>45</sup> The Welfare Association also planned to seek compensation for lost lands and funding to turn the nearby Nanih Waiya mound into a national park, which would “be a great help to our Indians and to our county.”<sup>46</sup>

As the Tribal Business Committee assembled by Superintendent Archie Hector was the federally recognized organization and thus the only one that could access New Deal monies, the seemingly overwhelming preference for the Mississippi Choctaw Indian Federation seems counterintuitive. By taking this stand, however, the alliance between non-Indian congressional representatives, the governor’s office, and tribal leaders allowed them to request federal funds while simultaneously asserting state’s rights. Newspaper editor E.T. Winston implied as much when he claimed that the supreme authority on the issue of Choctaw sovereignty came not from the Office of Indian Affairs but from the 1830 state laws that had abolished all tribal governments in the state, revoked all tribal laws save marriage, and instituted a fine of \$1,000.00 for anyone exercising the office of “chief.”<sup>47</sup> The installation ceremony would rescind these laws and reestablish federally recognized Choctaw political institutions under state authority.<sup>48</sup>

This pursuit of federal funding while asserting local authority in administration also reflected larger patterns of Southern interactions with the New Deal. For example, despite provisions protecting tenants in the Agricultural Adjustment Act (AAA), Southern landlords often evicted their tenants when “downsizing” their farms and frequently failed to distribute parity funds designed to mitigate these hardships. These actions, in turn, threw the remaining tenants onto the relief roles. Thus Southern landlords shifted their old paternal duties to their tenants to the federal government.<sup>49</sup> Similarly, the federal government could now relieve the

Choctaws' neighbors of their charitable obligations, which, according to E.T. Winston, they had graciously embraced.<sup>50</sup> Winston's creation of the tribal government that would institute this transaction would buttress state's rights even as the federal government insinuated itself into Mississippi's political domain. The Choctaws exhibited similar ambivalence, embracing the Office of Indian Affairs agency while skillfully using their allies to advance their own agenda of asserting more power over its policies.

The Choctaws' appeals to their allies seem to have affected some of the decisions the Office of Indian Affairs made regarding local agency matters. In August an anonymous OIA memo argued that one particular employee should be transferred because he dragged "the local citizenry" into agency matters. The author of the memo also added: "Hector should also be moved .... He has had other personnel difficulties but they have been accentuated by local politics and politicians. He has not the support of the local congressmen."<sup>51</sup> Around the same time, the Indian affairs office decided to transfer the individual named on the Federation's petition. Hector warned Collier that, if they did, "certain Indians will feel that they had something to do with this and that they can tell the Agency what to do."<sup>52</sup> While there is no specific evidence that pressure from "the local congressmen" was directly responsible for this change, it is plausible to conclude that the OIA considered the opinions of Mississippi political leaders in these matters. The Choctaws counted on that in their campaign.

Over the summer and fall of 1934, Federation leaders pressed the Office of Indian Affairs for federal recognition. Joe Chitto challenged Agency Superintendent Archie Hector openly in a Tribal Business Committee meeting, preventing a vote on its leadership. A two-hour argument ensued, and the Business Committee finally delayed the vote.<sup>53</sup> When Hector called another meeting on August 16th, Chitto announced his boycott.<sup>54</sup> This meeting was two members shy of

a quorum, but Hector was uncertain if that was Chitto's doing. He complained that the one thing Choctaws agreed on was that "they did not want to comply with the rules laid down in you [*sic*] letter for holding meetings." They again adjourned without electing officers.<sup>55</sup> In response, Superintendent Hector blamed the situation on "the local politicians."<sup>56</sup> Nonetheless, he continued his preparations for the vote on the Indian Reorganization Act. Even as parents struck the Standing Pine School in solidarity with the Mississippi Choctaw Indian Federation, Hector claimed that support for the IRA was building.<sup>57</sup>

Despite the strike at Standing Pine, the majority of Choctaws approved the IRA on March 19, 1935. The Conehatta, Tucker, Pearl River, Red Water, and Bogue Homa communities all voted affirmatively, Bogue Chitto turned in only three votes, and Standing Pine cast a majority negative vote.<sup>58</sup> While the vote appeared to support Hector's contention that he had triumphed over the MCIF, a close analysis suggests a more nuanced interpretation. Those who voted for the Indian Reorganization Act may not have viewed this action as a repudiation of the Federation, as Hector claimed. Instead, the Federation's agitation may well have shaped the vote.

Archie Hector had addressed some of the concerns Joe Chitto had raised nearly a year before. In this election, he arranged for the "scattered Indians to vote in the school districts with which they should be affiliated."<sup>59</sup> Perhaps his willingness to include these Indians made the election process more acceptable to Federation members. Secondly, rather than appointing the new Tribal Business Committee, Hector called for elections during the vote on the Indian Reorganization Act.<sup>60</sup> Hector assumed that this new committee would put an end to the Mississippi Choctaw Indian Federation. It did not.

The Choctaws' actions following the election suggest that they countenanced two governments, for the MCIF continued to function, and the new Tribal Business Committee did not assert its power over them.<sup>61</sup> In their first meeting, the new business committee discussed the strike at Standing Pine, and "someone" suggested closing the school. They voted unanimously, however, to keep the school open until the "parents of the district could discuss the matter."<sup>62</sup> Over several months, parents at the Standing Pine School began gradually to return their children to the classroom.<sup>63</sup> Perhaps the Tribal Business Committee's light touch in the matter mitigated some of the frictions between the Standing Pine community and the local OIA agency.

Tensions persisted with other communities, nonetheless. In June, the Bogue Homa School went on strike. Strike leader Henry Jim belonged to both the MCIF and the Tribal Business Committee. Using Federation letterhead, he petitioned the Mississippi congressional delegation to transfer the teacher and close the school.<sup>64</sup> Congressmen Bill Colmer and Albert Dunn asked Commissioner of Indian Affairs John Collier to look into Jim's grievances.<sup>65</sup> As with the earlier petition, these complaints led to an investigation which resulted in the teacher's transfer.<sup>66</sup> Thus, while the majority of Choctaws embraced the Business Committee, the Federation continued to serve as a vehicle to protest the agency establishment through appeals to the Choctaws' political allies. The committee's refusal to disband the "rival" MCIF government or punish their actions suggested that they viewed this organization as another method to protect Choctaw interests.

In June of 1936, Joe Jennings, a special agent for the Office of Indian Affairs, went to Mississippi to establish the official IRA government. He noted the existence of two political organizations and proposed "to bring both groups together in a new constitution and bylaws." He instructed Superintendent Hector to include delegates of the Mississippi Choctaw Indian

Federation in all meetings of the Tribal Business Committee; Hector claimed to comply.<sup>67</sup>

References to the MCIF fade out of the records about this time, so it is conceivable that a hybrid council operated. A few months later, however, Joe Jennings decided that the Choctaw were not eligible for the IRA, because they were not a tribe and did not live on trust lands.<sup>68</sup> Ultimately, neither the Federation nor the Business Committee prevailed, and the Choctaws had to begin the organizing process anew.

Searching for solutions, the Office of Indian Affairs debated various proposals. One plan allowed the Choctaws to organize at the local level and eschew a tribal council. Another suggested that the OIA simply declare the Choctaws' reimbursable lands as an Indian reservation and let them form a tribal government. Both suggestions included plans for purchasing lands under IRA provisions for "full-blooded" Indians.<sup>69</sup> Choctaw leaders refused to choose one plan. They voted to form councils at the local level, but also to keep the central business committee for "negotiation with the government." This committee would operate under an unofficial constitution, and it was unclear how the two groups would function together.<sup>70</sup> Again, the Choctaws opted for the most flexible plan and for more than one governing organization.

The matter of a tribal government lay dormant over the next few years, although Office of Indian Affairs directed the local agency to begin purchasing lands. While the Interior Department Solicitor authorized these purchases, he also ruled that the Choctaws were still not a recognized tribe and could not access the revolving credit funds that would allow for economic development.<sup>71</sup> Agency Superintendent Archie Hector pushed for an official IRA council through the end of his term in 1938, but to no avail.<sup>72</sup> Then, in 1944, the Shell Oil Company became interested in oil leases on Choctaw lands in the Pearl River district. After much legal

wrangling, the reimbursable lands were re-classified as a reservation and the Choctaws declared a “tribe” so that a tribal council could negotiate oil leases.<sup>73</sup>

The second Business Committee disbanded and the Choctaws elected a tribal council. Following the example of the all-inclusive Mississippi Choctaw Indian Federation, these representatives then called meetings in their communities to gather input for the new constitution. On April 20, 1945 the Choctaws approved this council and constitution 346 to 71, and the Mississippi Choctaw became a “tribe” under the Indian Reorganization Act.<sup>74</sup> The new council consisted of four members of the original Tribal Business Committee, and five men who had not previously held leadership positions beyond their communities.<sup>75</sup> Joe Chitto remained a prominent figure in Choctaw politics, serving as Tribal Council Chairman in the 1950s.<sup>76</sup>

While Chitto could not keep his dream of the Mississippi Choctaw Indian Federation alive, the campaign had demonstrated the Choctaws’ continuing political acumen. The interactions of the Choctaws with their political allies and elected officials re-enforced their position as constituents within Mississippi political networks. While it is unclear from official records what happened to the Mississippi Choctaw Welfare Association, over the next decades the Choctaws would continue to work with their elected officials to bring federal funds into the state. True to their promises to help mitigate “the industrial disadvantage incidental to their racial and educational disadvantages,” the Choctaws’ political allies helped them cope with rural poverty and discrimination. In upholding the Federation as one means of asserting their interests, the Mississippi Choctaws maneuvered around the Office of Indian Affairs and used the implementation of the Indian Reorganization Act to strengthen their relationship with Mississippi’s elected officials.



## Notes

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<sup>2</sup> Kenneth R. Philp, *John Collier's Crusade for Indian Reform, 1920-1954* (Tucson: University of Arizona Press, 1977); Kenneth R. Philp, *Termination Revisited: American Indians on the Trail to Self-Determination, 1933-1953* (Lincoln: University of Nebraska Press, 1999); Graham D. Taylor, *The New Deal and American Indian Tribalism: The Administration of the Indian Reorganization Act, 1934-1945* (Lincoln: University of Nebraska Press, 1980); Vine Deloria, Jr., and Clifford Lytle, *The Nations Within: The Past and Future of American Indian Sovereignty* (New York: Pantheon Books, 1984); Lawrence C. Kelly, *The Navajo Indians and Federal Indian Policy, 1900-1935* (Tucson: University of Arizona Press, 1968); Donald Parman, *The Navajos and the New Deal* (New Haven: Yale University Press, 1976); and Lawrence Hauptman, *The Iroquois and the New Deal* (Syracuse: Syracuse University Press, 1981).

<sup>3</sup> Loretta Fowler, *Tribal Sovereignty and the Historical Imagination: Cheyenne-Arapaho Politics* (Lincoln: University of Nebraska Press, 2002).

<sup>4</sup> For example, see Thomas Biolsi, *Organizing the Lakota: The Political Economy of the New Deal on the Pine Ridge and Rosebud Reservations* (Tucson: University of Arizona Press, 1992).

<sup>5</sup> E.T. Winston, Vice President of the MS Choctaw Indian Welfare Association (MCWA), to Commissioner of Indian Affairs, (CIA) John Collier, 24 July 1936, Record Group 75 (RG 75): Records of the Bureau of Indian Affairs, Central Classified Files (CCF), Choctaw: 150-54948-1933, National Archives and Records Administration (NARA), Washington, D.C.

<sup>6</sup> CCF:150-54948-1933: 31 July 1934, Winston to CIA; CCF: 068-9544A-1936: 19 May 1934, The Mississippi Choctaw Indian Federation (MCIF) to The Honorable Senators Pat Harrison, Hubert D. Stevens and Congressmen Ross Collins, Wall Doxey, W.M. Whittington, John E. Rankin, Jeff Busby, William M. Colmer and Russell Elizey, (Hereafter cited as the Mississippi Congressional Delegation); CCF: 150-54948-1933: 21 August 1934, Choctaw Superintendent Archie C. Hector to CIA; Quotation from, E.T. Winston, "Choctaws Turn to Friends Among Pale Faces In Effort to Recapture Old Glories." *The Memphis Commercial Appeal*, August 21, 1934, no page number, clipping with the file.

<sup>7</sup> CCF: 068—9544A-1936: 19 May 1934, MCIF to the Mississippi Congressional Delegation.

<sup>8</sup> MCIF to the Mississippi Congressional Delegation. For a listing of the council members see, CCF: 150-54948-1933: 13 February 1934, Hector to CIA.

<sup>9</sup> The Treaty of Dancing Rabbit Creek, Article 14, in Charles J. Kappler, ed., *Indian Affairs: Laws and Treaties*, vol. 2 (Washington, D.C., 1892), 222. Also see Ronald N. Satz, "From the Removal Treaty Onward," in *After Removal: The Choctaw in Mississippi*, Samuel J. Wells and Roseanna Tubby, eds. (Jackson: University of Mississippi Press, 1986), 3; and John Williams Wade, "The Removal of the Mississippi Choctaws," *Publications of the Mississippi Historical Society*, (1904) 8:397-426.

<sup>10</sup> The seven Choctaw communities are: Pearl River, Standing Pine, Red Water, Bogue Homo, Bogue Chitto, Conehatta, and Tucker.

<sup>11</sup> Clara Sue Kidwell, *Choctaws and Missionaries in Mississippi, 1819-1919*, (Norman: University of Oklahoma Press, 1995) Chapter 8-Epilogue and Clara Sue Kidwell, "Choctaw Women and Cultural Persistence in Mississippi," in *Negotiators of Change: Historical Perspectives on Native American Women*, Nancy Shoemaker, ed. (New York: Routledge, Inc., 1995), 115-134; "Condition of the Mississippi Choctaws." Hearings at Union, MS, 16 March 1917. Congress, House, *Hearings before the Committee on Investigation of the Indian Service*, March 12-14, 1917, Vol. I (Washington, D.C.: Government Printing Office, [GPO]1917), 117-78, and CCF: 806-38014: *A Study of the Social and Economic Condition of the Choctaw Indians in Mississippi in Relation to the Educational Programs, May 1935*, by Joe Jennings, Supt. of Indian Schools, Eastern Area; Vernon L. Beggs, Supervisor of Indian Education; and A.B. Caldwell, Supt. of Indian Education, Lake States Area.

<sup>12</sup> CCF: 068-9544A-1936, *Questionnaire on Tribal Organization*, summer, 1934.

<sup>13</sup> CCF: 100-98178-1922: 14 May 1927, Choctaw Superintendent R. J. Enochs to CIA.

<sup>14</sup> CCF: 100-98178-1922: 14 May 1927, Enochs to CIA.

<sup>15</sup> CCF: 150-54948-1933: 10 June 1934, Hector to Collier.

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- <sup>16</sup> CCF: 150-54948-1933: 30 April 1934, Joe Chitto to Collier.
- <sup>17</sup> CCF: 150-54948-1933: 7 June 1934, Collier to Chitto.
- <sup>18</sup> CCF: 150-54948-1933: 10 June 1934, Hector to Collier.
- <sup>19</sup> CCF: 150-54948-1933: 30 July 1934, Collier to the Choctaw Business Committee.
- <sup>20</sup> CCF: 150-54948-1933: 30 July 1934, Collier to Chitto, the petition of 14 July 1934 was filed with the letter to Chitto.
- <sup>21</sup> CCF: 150-54948-1933: 30 July 1934, Collier to Choctaw Business Committee, Collier to Hector, and Collier to Chitto.
- <sup>22</sup> CCF: 150-54948-1933: 14 August 1934, Chitto to Hector; 16 August 1934, Chitto to Collier.
- <sup>23</sup> CCF: 150-54948-1933: 14 August 1934, Chitto to Hector.
- <sup>24</sup> Kidwell, *Choctaws and Missionaries*, passim. The Choctaws' fluid conceptions of power are skillfully analyzed in Greg O'Brien's work *Choctaws in a Revolutionary Age, 1750-1830* (Lincoln: University of Nebraska Press, 2002).
- <sup>25</sup> CCF: 150-54948-1933: 16 August 1934, Chitto to Collier.
- <sup>26</sup> CCF: 150-54948-1933: 16 August 1934, Chitto to Collier.
- <sup>27</sup> CCF: 150-54948-1933: 16 August 1934, Chitto to Collier.
- <sup>28</sup> John Swanton, *Source Material for the Social and Ceremonial Life of the Choctaw Indians*. Bureau of American Ethnology, Bulletin 103 (GPO, 1931), 96-102; Angie Debo, *The Rise and Fall of the Choctaw Republic*, 2<sup>nd</sup> ed. (Norman: University of Oklahoma Press, 1961), 21; O'Brien, *Choctaws in a Revolutionary Age*, 31.
- <sup>29</sup> CCF: 800-4313-1951: February 20- March 20, 1936, Report of Edna Groves, Supervisor of Home Economics.
- <sup>30</sup> CCF: 068-9544A-36: *The Constitution of the Mississippi Choctaw Indian Federation, 1934*.
- <sup>31</sup> CCF: 150-54948-1933: 11 September 1934, Senator Earl Richardson to Collier.
- <sup>32</sup> For an analysis of Indian diplomacy and treaty language, see Robert A. Williams, *Linking Arms Together: American Indian Treaty Visions of Law and Peace, 1600-1800* (New York and London: Routledge, 1999) Chapter Two.
- <sup>33</sup> CCF: 150-54948-1933: 20 August 1934, Chitto to Collier. Chitto quoted Cobb's speech from, Colonel J.F. H. Claiborne, *Mississippi As a Province, Territory, and State*, vol. 1 (Jackson, MS: Power and Barksdale, Publishers and Printers, 1880; Baton Rouge: Louisiana State University Press, 1964), 512-513. The original speech may be found in *Niles Weekly Register* 64 (April 29, 1843), 131-132.
- <sup>34</sup> See Williams, *Linking Arms*, Chapter Three.
- <sup>35</sup> CCF: 150-54948-1933: 20 August 1934, Chitto to Collier.
- <sup>36</sup> CCF: 150-54948-1933: 21 August 1934, Hector to Collier, includes press clippings from the *Daily Jackson News*, 10 September 1934, the *Meridian Star*, 30 July 1934, and the *Memphis Commercial Appeal*, 21 August 1934; Hector to A. J. Shippe, Director of Extension Services, 1 December 1934 noted the Congressman who attended the ceremony.
- <sup>37</sup> CCF: 150-54948-1933: 21 August 1934, Hector to Collier.
- <sup>38</sup> CCF: 919-70945-38: 12 September 1934, Hector to Collier; 150-54948-1933: 14 March 1934, Hector to Collier.
- <sup>39</sup> CCF: 150-54948-1933: Clipping from the *Daily Jackson News*, "Choctaw Lovers of Land: Legend Surrounds Start," 10 September 1934; "The Story of Neshoba," by R.L. Breland. *The Neshoba County Democrat*. 1 February 1935 in Vertical Files: Indians, Neshoba County Library, Philadelphia, MS.
- <sup>40</sup> John H. Peterson, Jr., "The Mississippi Band of Choctaw Indians: Their Recent History and Current Relations." (Ph.D. diss., University of Georgia, 1970), 13, 220.
- <sup>41</sup> See William Sidney Coker, "Pat Harrison's Efforts to Reopen the Choctaw Citizenship Rolls." *Southern Quarterly*, 3 (Oct. 1965), 36-61.
- <sup>42</sup> CCF: 068-9544A-36: The MCIF to the Mississippi Congressional Delegation, 19 May 1934.
- <sup>43</sup> 150-54948-1933: 31 July 1934, Winston to Collier.
- <sup>44</sup> Winston quotation from 150-54948-1933: Clipping from the *Daily Jackson News*, "Choctaw Lovers of Land: Legend Surrounds Start," 10 September 1934.
- <sup>45</sup> For an analysis of the impact of the New Deal in the South see, *The New Deal and the South*, James C. Cobb and Michael Namorato, eds. (Jackson: University Press of Mississippi, 1984).
- <sup>46</sup> 150-54948-1933: Clipping from the *Daily Jackson News*, "Choctaw Lovers of Land: Legend Surrounds Start," 10 September 1934; "The Story of Neshoba" by R.L. Breland. *The Neshoba County Democrat*. 1 February 1935 in Vertical Files: Indians, Neshoba County Library, Philadelphia, MS.
- <sup>47</sup> Peterson, "The Mississippi Band of Choctaw Indians, 13-14.
- <sup>48</sup> 150-54948-1933: Clipping from the *Daily Jackson News*, "Choctaw Lovers of Land: Legend Surrounds Start," 10 September 1934.

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- <sup>49</sup> See, Pete Daniel, "Federal Farm Policy and the End of an Agrarian Way of Life," in *Major Problems in the History of the American South*, volume 2, *The New South*. Paul D. Escott and David R. Goldfield eds. (Lexington, Mass: D.C. Heath and Company, 1990), 397-406. For further information on the New Deal South, see the essays in *The New Deal and Beyond: Social Welfare in the South Since 1930*, Elna C. Green, ed. (Athens: University of Georgia Press, 2003).
- <sup>50</sup> CCF: 150-54948-1933: 31 July 1934, Winston to Collier.
- <sup>51</sup> CCF: 150-54948-1933: 29 August 1934, Memorandum to Extension, no signature.
- <sup>52</sup> CCF: 150-54948-1933: 7 August 1934, Hector to Collier.
- <sup>53</sup> CCF: 150-54948-1933: 20 August 1934, Hector to Collier.
- <sup>54</sup> CCF: 150-54948-1933: 14 August 1934, Chitto to Hector.
- <sup>55</sup> CCF: 150-54948-1933: 20 August 1934, Hector to Collier.
- <sup>56</sup> CCF: 150-54948-1933: 10 June, 7, 20, and 21, August 21, September 25, 1934, Hector to Collier; 1 December 1934, Hector to Shippe.
- <sup>57</sup> CCF: 150-54948-1933: 1 April 1935, Hector to Collier.
- <sup>58</sup> CCF: 150-54948-1933: 21 February 1936, Collier to Winston; 1 April 1935, Hector to CIA. If Chitto was behind the boycott of the vote at Bogue Chitto he was unaware that abstaining from voting was registered as a yes vote.
- <sup>59</sup> CCF: 150-54948-1933: 29 December 1934, Hector to Collier.
- <sup>60</sup> CCF: 150-54948-1933: 29 December 1934, Hector to Collier.
- <sup>61</sup> On the continued activities of the MCIF see, 150-54948-1933: 13 November 1935 and 24 February 1936, Winston to CIA; 21 February 1936, Collier to Winston.
- <sup>62</sup> CCF: 057-21159-1935: 15 April 1934, Memo of Byrd Issac, Secretary, TBC.
- <sup>63</sup> For the gradual diminishment of the Pearl River strike see, CCF: 134- 48712-33: 18 June 1935, Hector to Collier.
- <sup>64</sup> For the petition see, CCF: 134- 48712-33: 4 June 1935, Henry Jim et. al. to Senators Theodore Bilbo and Pat Harrison and Congressmen Bill Colmer and Albert Dunn. For the Bogue Homa school strike see, CCF: 134- 48712-33: 11 June 1935, S. Keyzer, Teacher at Bogue Homa Day School to Hector.
- <sup>65</sup> CCF: 134-48712-33: 4 June 1935, Henry Jim et. al. to Bilbo, Harrison, Colmer, and Dunn; 8 June 1935, Comer to Collier. Winston frequently copied his correspondence with the Office to these individuals.
- <sup>66</sup> CCF: 150-54948-1933: 1 December 1934, Hector to Shippe.
- <sup>67</sup> CCF: 150-54948-1933: 26 June 1936, Joe Jennings to Collier.
- <sup>68</sup> CCF: 150-54948-1933: 21 September 1936, Jennings to Collier.
- <sup>69</sup> CCF: 150-54948-1933: 21 September 1936, Jennings to Collier.
- <sup>70</sup> CCF: 150-54948-1933: 21 September 1936, Jennings and Charlotte T. Westwood to Collier.
- <sup>71</sup> Nathan Margold, Solicitor, Department of the Interior, Memorandum for the Office of Indian Affairs, 31 August 1936, RG 279, ICC Docket 52, Box 620, Entry 11UD.
- <sup>72</sup> CCF: 150-54984-1933: 4 November 1937, Hector to CIA; CCF: 068-9545-1936: 20 March 1940 and 3 June 1940, Stewart to CIA.
- <sup>73</sup> On oil interests see, CCF: 066-9545-1936: 18 April 1944, Walter V. Woehlke to Jennings; 24 April 1944, Mr. Reeves, for Joe Jennings; 21 August 1944, Jennings to Choctaw Superintendent Archie H. McMullen; 4 May 1945, McMullen to CIA; 22 May 1945, Oscar Chapman, Assistant Secretary, to McMullen; Interview with Baxter York, 5 July 1973. Southeastern Indian Oral History Project, University of Florida. Interviewer: The Staff of *Nanah Waiyah*. In Vertical File: Choctaw Indians, Neshoba County Library, Philadelphia, MS.
- <sup>74</sup> CCF: 066-9545-1936: 15 February 1944, McMullen to CIA; CCF: 068-9544A-1936: 4 May 1945, McMullen to CIA.
- <sup>75</sup> CCF: 066-9544, 1936: 5 January 1945, Tribal Council to CIA.
- <sup>76</sup> CCF: 066-9544, 1936: 5 January 1945, Tribal Council to CIA; 14 November 1951, Chitto to W.O. Roberts, Area Director, Muskogee Oklahoma, File: "Miss. Band of Choctaw Indians, 1951-53." Entry 327: Office Of Tribal Operations, Office Files Of Tribal Affairs Officer, 1947-65, Box 43, RG 75: Five Civilized Tribes Agency, National Archive and Records Administration, Southwest Region, Fort Worth, Texas (NARA-SW).