

“We’ve always known who we are”: Belonging in the Poarch Band of Creek Indians

by

Kelly N. Fayard

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Doctoral committee:

Associate Professor Stuart A. Kirsch, Chair  
Professor Gregory E. Dowd  
Professor Gillian Feeley-Harnik  
Associate Professor Barbra A. Meek  
Associate Professor Tiya A. Miles

## **Dedication**

To my parents and grandparents

## **Acknowledgements**

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## Chapter 1

### **“They didn’t believe we was Indians without that war bonnet”: Problems with writing about Native Americans in the Southeast**

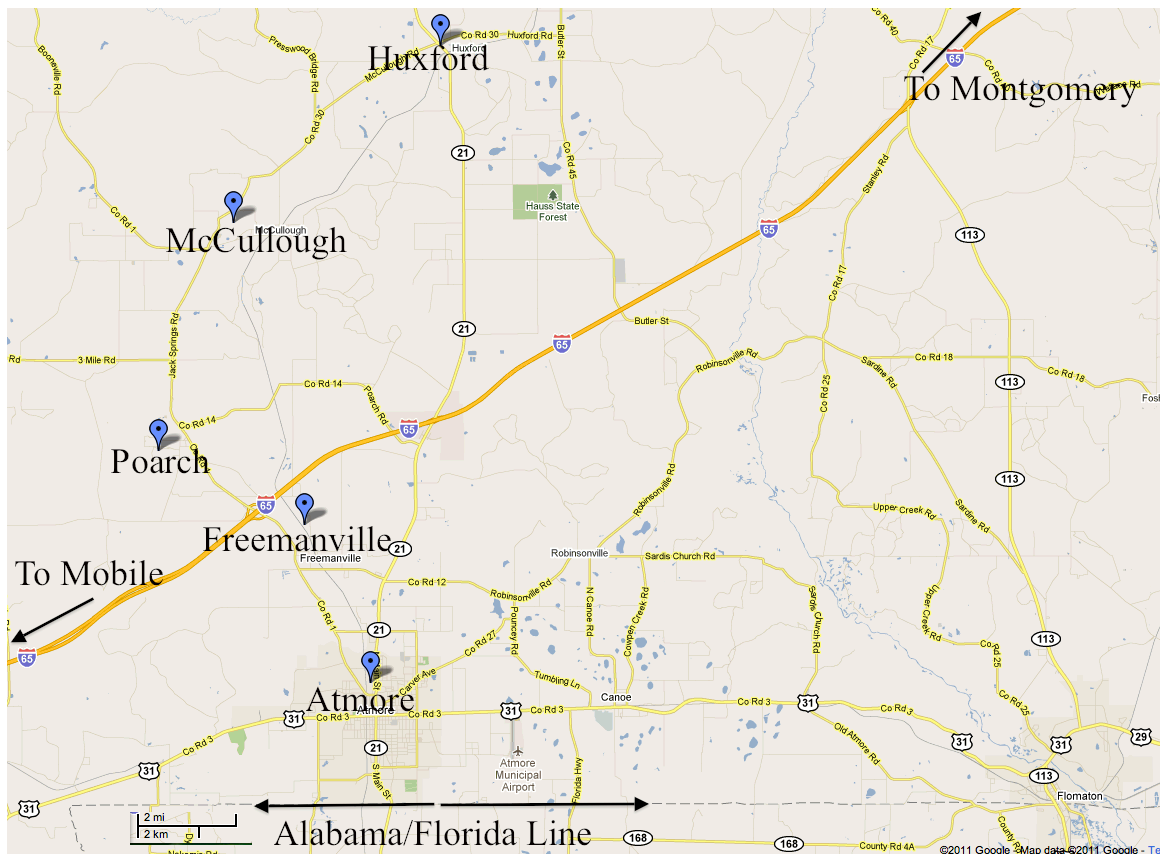
This dissertation is an exploration of what it means to be a member of the federally recognized Poarch Band of Creek Indians in Poarch, Alabama. First noted in writings by anthropologist Frank Speck (who was on his way to study the Houma Indians in Louisiana for the Office of Indian Affairs), the Poarch Creeks are part of a group granted land by the United States government. Speck described the community as “mixed culture” and “mixed blood” and doubted that any of the families had pure Indian lineages (Speck 1947, 1949). Yet, the identity as American Indian in Poarch is extremely strong and present in the contemporary community. This dissertation seeks to investigate how Poarch Creeks define themselves as Creek given stereotypes and assumptions about what it means to claim an Indian identity.

#### ***History of the Poarch Creek Indians***

The Poarch Creek Indian Reservation is located in Poarch, Alabama, about seven miles north of the municipality of Atmore, Alabama in Escambia County which borders the Florida state line. The Poarch community consists of four different settlements: Headapedia, Poarch Switch, Hog Fork, and Bell Creek. Additionally, there are small



farming communities surround Poarch that are important in this dissertation: Huxford is twelve miles northeast of Poarch, Freemanville is 3 miles southeast, and McCullough is six miles northeast. The Atmore/Poarch area is located fifty-four miles northeast of Mobile, Alabama, fifty-seven miles northwest of Pensacola, Florida, and one hundred and twenty-one miles southwest of Montgomery, Alabama. Oral tradition suggests that the people who form the Poarch Band are friendly Creeks who sided with the government during the Creek Indian war of 1813-1814 and that Lynn McGhee, considered to be the founder of the Poarch community, was a guide for Andrew Jackson (Paredes 1974).



**Figure 1: Map of Poarch with surrounding areas**

The Creek Nation in Alabama, a confederacy of tribes, began with the collapse of the Mississippian chiefdoms due to conflicts and disease that initiated contact between Natives and European explorers (Ethrige 2003:25). By the late eighteenth century, the

Creek Confederacy spanned from the Oconee River (Georgia) to the Tombigbee River (Alabama) and was divided into the Upper Creeks and the Lower Creeks (Ethridge 2003:31). These settlements contained approximately 73 towns, with anywhere from ten to two hundred families comprising a town (Ethridge 2003: 31), and a total population of approximately 20,000 people. While there were divisions based on gender, age, clans, language, pro and anti European reform, and civic divisions of Redstick towns and assimilation towns, in the Creek Confederacy, a person's primary loyalty lay with their township affiliation (Ethridge 2003:92).

In the 1790 Treaty of New York, the Creek Indians first gave the United States government permission to improve the Indian trails traversing Creek country and to encourage settlers to take advantage of Creek lands. Ancestors of the Poarch Creek moved down the Alabama River to provide services to the agents of the American government. These "friendly Creeks" also signed contracts to be employed as guides and interpreters to government agents. As traffic through the Creek territory increased, so did the amount of illegal settlements on Creek lands.

Hostilities between those Creeks who supported the United States and those who were against the encroaching government increased until 1813 when an attack at Burnt Corn (against the Redsticks) was staged in response to an attack earlier in the week by a group of Redsticks against white farmers.<sup>1</sup> In July 1813, a group of Redsticks who had been to Pensacola, in the Spanish territory, to get goods (flour, cornmeal, cloth and

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<sup>1</sup> "Modern-day Muskogee speakers refer to the historical Redsticks as *ecatēcvlke*, literally Red (*cate*) People (*cvlke*). In the Muskogee language, the war symbolism was reinforced by the double meaning of *cate* as 'red' and 'blood.' See Martin and Mauldin, *Dictionary of Creek/Muskogee*, 20" (Waselkov 2006:299n40). While "Whitestick" has been historically used as the opposite of Redstick, Waselkov argues that Whitestick does not fit into Creek worldviews, and is a problematic term for "peaceful" Creeks. In this dissertation, Redsticks, points to the group of Creeks who were actively working towards Creek sovereignty and were not attempting to maintain peaceful relationships with the United States government.

gunpowder) was intercepted by American forces at Burnt Corn Creek. At Burnt Corn Creek, Redsticks were attacked around noon just as they were about to eat their noontime meal. The fighting continued for three hours until the militia, mostly made up of undisciplined and inexperienced fighters, withdrew. While injuries to both sides were limited, Waselkov argues that the Redsticks were “at once elated at their defeat of a much larger American force...Burnt Corn Creek had certainly emboldened and provoked the Redsticks; attacks against settlements were now inevitable” (Waselkov 2006:102). In retaliation against Burnt Corn Creek, the Redstick’s attack at Fort Mims erupted on August 30, 1813. Davis (2002) argues that the attack at Fort Mims was brought on by the Redsticks against the Tensaw Creeks who the Red Sticks viewed as being too closely associated with the United States (Davis 2002:612). During this battle, the militia volunteering at Ft. Mims relaxed after eating their noontime meal. Historians agree that the militias guarding the fort were not ready for such an intense attack on its walls. The unpreparedness resulted in over 250 deaths and dozens of prisoners including women and children. General Andrew Jackson “saw in the tragedy of Fort Mims at once a national disaster and an opportunity to seize vast expanses of Indian lands by conquest. Thousands in Tennessee, the Carolinas, Georgia, and Mississippi Territory volunteered, in Jackson’s words, to ‘carry a campaign into the heart of the Creek nation and exterminate them’” (Waselkov 2006:3).

Claudio Saunt (1999) argues that the “economic Americanization” was the cause of the Redsticks attacks on Creek leaders due to their focus on destruction of property (Saunt 1999:255). After the attack at Fort Mims, the United States government became involved. During 1813-1814, American soldiers attacked Upper Creek towns, killing

over 1,500 Redsticks, 800 of those in the Battle of Horseshoe Bend (Saunt 1999:270). On August 9, 1814, the Treaty of Fort Jackson was signed, ending the hostilities between Creeks and the United States, although Saunt notes that only the United States and its Creek allies were privy to the negotiations. The treaty ceded 23 million acres of Creek lands in Alabama and Georgia to the United States government.

In the treaty of Fort Jackson of 1814, Article I states that if the tract of land ceded to the United States includes land belonging to those Creeks who supported the United States government, the friendly Creek will receive a land tract of “one mile square” which will remain his sole possession as long as he or his descendants live upon the land (Treaty of Fort Jackson 1814). The Creek Treaty of 1832 ceded all remaining lands of the Creeks to the United States (with the exception of the land grants mentioned above). The main purpose of this treaty was to remove the Creek Indians to land west of the Mississippi River, although the wording of the treaty entitled the Creeks to choose whether they would stay or go.

J. Anthony Paredes (1979) notes that as late as 1849, the annual report to the commissioner of Indian Affairs provided updates on “forty-four of the few Creeks remaining” in Alabama as well as “five hundred and forty-seven Choctaws” from Mississippi were moved to be with “their brethren west” (Paredes 1979:125). As much as the United States wanted to remove all Creek Indians from Alabama in the 1830s and 1840s, a few Creeks were allowed to remain, and some were even provided with land tracts (Paredes 1979:126). An 1836 act (6 Stat., 677) was passed to give Samuel Smith, Lynn MacGhee [later McGhee], and Semoice, all described as “friendly” Creek Indians, a section of land that they were entitled to under the Treaty of Fort Jackson, but which

had not yet been awarded to them. One of the sections that Lynn McGhee chose was a 240 acre plot near the head of Perdido Creek, which flows into the Perdido River (Paredes 1979:126). It was this land grant that became the basis for the present day Poarch Creek Indian community. This tract of land was held in trust by the United States government until 1924, when it was converted to fee-simple land to the heirs of Lynn McGhee (Paredes 1979:131).<sup>2</sup>

The Indians at Poarch distanced themselves from their neighbors due to the discrimination they faced in the South as poor Indians. Before World War I, Poarch Creeks were allowed to attend schools with whites, but only if families contributed to the payment of the teacher—something that few Poarch Creeks could afford to do (Paredes 1979:132). Speck’s observations in the 1940s are that the Indians at Poarch mostly “kept to themselves” and did not interact much with their neighbors. Paredes provides a list of jobs that Poarch Creeks held—primarily that of farm hands to local white famers and drivers of pulp wood trucks. In 1939, missionaries from the Episcopal Church opened a school for Poarch Creeks. In the late 1940s, the community began organizing for federal recognition (Paredes 1974:65). This time period also marked the “formal exclusion” of Poarch Creeks from the white county schools (Paredes 1974:68). Calvin W. McGhee, known to most Creeks as “the Chief,” began a campaign and brought a lawsuit against the school board to allow Indian children to be bused into Atmore to attend white schools. When the county school board superintendent quietly offered to allow his children and other light children to be bused into Atmore, McGhee replied “my people are all one family...we are all what you would call a Creek nation...there are many

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<sup>2</sup> Land held in trust by the United States government for Indian tribes is not available for sale, nor can it be lost through unpaid taxes. Fee simple land, however, can be bought, sold, and lost due to lack of payment of property taxes.

different families which are all Creek and all some way or another run back into the line with the others” (as quoted in Paredes 1974:70). This lawsuit marked the beginning of Poarch Creek community organizing.

On October 19, 1950, the community of Poarch Creeks held a meeting and elected a twelve-member council to guide and represent them. They took the name as the “Perdido Band of Friendly Creek Indians of Alabama and Northwest Florida,” which they later changed to “The Creek Nation East of the Mississippi” (Paredes 1974:71). It was through this organization that the Poarch Creeks were able to file, along with the Creek Nation of Oklahoma, a petition for the monies never paid for the land ceded to the United States under the Treaty of Fort Jackson. After the settlement was proclaimed, Chief Calvin McGhee attended the American Indian Chicago Conference, held in June 1961 on the University of Chicago’s campus, organized by Sol Tax, and become part of the delegation that met with John F. Kennedy in the White House to share the resolutions reached at the conference (Paredes 1974:72).

Shortly after the American Indian Chicago Conference, the tribe began organizing to petition for federal recognition with the “government to government” status that came with it. In August of 1984, the Poarch Band of Creek Indians was officially recognized, in part due to the help of anthropologist J. Anthony Paredes, the only anthropologist to conduct fieldwork in Poarch (Paredes 1992:135). Today, there are over 3,000 enrolled members of the Poarch Band of Creek Indians. The government arm of the tribe now operates a police station, fire department, senior citizen housing, and low-income single family houses, while the business arm of the tribe (Creek Indian Enterprises—CIE) operates a hotel, numerous restaurants, a casino, Muskogee Metalworks (which has

contracts with the Department of Defense), Magnolia Branch park, a set of apartments near Montgomery (Alabama), an eyeglass shop, catfish farms, and a gas station. Poarch Creeks continue to maintain their separation from the nearby town of Atmore, but many tribal governing officials also serve on boards for businesses in Atmore (namely the banks) and help out with charity fundraisers (i.e. Relay for Life). Due to the success with the casino, the tribe has sponsored many Atmore city and Escambia County improvement projects including, most recently, the purchase of new “Welcome to Atmore” signs (with “Sponsored by: Poarch Band of Creek Indians” printed at the bottom of the signs).

### ***Indians and Anthropologists***

The history of anthropology among American Indian tribes in the United States is tumultuous and marked by asymmetrical power relations. This historical relationship between American Indians and anthropology complicates any research done among contemporary native communities, particularly in the Southeast where, in many Americans’ minds, Natives do not exist. In popular culture, “the West” is the only space where Natives continue to exist. In the Southeastern United States, the study of Native Americans has been slow to materialize. Fogelson notes:

part of the neglect of the Southeast [by anthropologists] stems from the fact that this area felt the full brunt of the European invasion and was thought either to have been swept up into the dustpan of historical ethnology or radically and rapidly transformed into the liminal, if not oxymoronic, status of Civilized Tribes who were scarcely worth the attention of formative anthropology’s obsession with “otherness.” (as quoted in Paredes 2001:x)

Stereotypes about how Native Americans should look and act have resulted in assumptions that natives in the Southeast are “just not Indian enough” to be worthy of or

appropriate subjects of study. For example, groups from the Southeast and East Coast are often questioned about the authenticity of their traditions, especially given that many of them now conduct Plains-style powwows.

Vine Deloria Jr's (1969) criticisms against anthropologists can be seen as "representative of a new period of relations between American Indian people and anthropologists" (Biolsi and Zimmerman 1997:4). Deloria's main complaints in his manifesto "Anthropologists and Other Friends" were concerned with the entitlement that anthropologists felt in their "immigration" to Indian country during the summer months to conduct fieldwork that would only serve to prove their assumed correct hypotheses (This will be discussed more thoroughly in Chapter 2). Deloria argues that anthropological research had little value for the Native peoples who participated in these studies. Deloria calls for more responsibility on behalf of the anthropologist who is studying First Nations by asking for permission from the tribal council to conduct fieldwork on a reservation or in a Native community.

For the Poarch Band of Creek Indians, first described by anthropologist Frank G. Speck in 1941 (Speck 1947; 1949), and later by J. Anthony Paredes (1974; 1975; 1979; 1980; 1992), relationships between the anthropologists and themselves have been fruitful: Paredes helped the Poarch Creek Indians navigate the federal recognition process and recorded a large number of priceless interviews with elders from the 1970s. He returns on an annual basis to attend the Thanksgiving Day powwow, where he visits with old friends and makes new ones. However, the power dynamic and relationship between anthropologists and Indians still exists in Paredes writings' about the Poarch Band of Creeks. While Paredes has greatly contributed to helping the Poarch Creeks achieve



federal recognition, he problematically presents a picture of the Poarch Creeks as largely assimilated: “already by the late nineteenth century the people were largely or exclusively monolingual in English, thoroughly Christianized, often genetically intermixed with outsiders to a considerable degree, and usually bereft of obvious artistic and ritual markers of cultural distinctiveness” (Paredes 1995:344-345). Paredes claims that the Poarch Creeks were much like their non-Indian rural neighbors. He fails to acknowledge the ways that Creek people identify other Creeks through family connections and ways of being, in contrast to blood quantum, which was virtually unheard of until the federal recognition process in the 1980s. He offers no explanations for an Indian community that is supposedly “bereft of obvious” markers of cultural distinctiveness, and ignores the importance of assimilation and discrimination, even as elders and contemporary generations openly discuss the racism that they experienced growing up: which led them to act as non-Indian as possible to be accepted.

The major shortcomings of Paredes’ work, I argue, is his assessment that the Poarch Creek lacked “authentic” culture. Whether in talking about the powwow and how Poarch Creeks “imported the local color” by inviting the Mississippi Choctaws to participate (Paredes 1995) or his allusion to a Poarch Creek “invented tradition” or folk culture (Hobsbawm and Ranger 1983), Poarch Creek “authenticity” always seems to be in question. The Poarch Creek, Paredes argues, like many other groups in the Southeast, are reclaiming their indigenous identity “here and there,” but do so in a hurried quest to “leapfrog over their genuine but unexotic ‘folk culture’ past...and attempt to revivify and enshrine some version of ‘contact-traditional’ culture in their quest to legitimate their political seperateness” (Paredes 1995:345). Such an accusation is extremely powerful.

In the 1970s, Calvin McGhee began to don Plains-style dress for public engagements (such as his visit to the White House to meet President Kennedy, and in all other appearances at the state capitol in Montgomery). However, Paredes overlooks the ways in which societal notions defined Indianness during that time period. As I argue below, without dressing in Plains-style regalia, McGhee might not ever have been considered an Indian by many circles, particularly because he was from the Southeast. There is a well-known photo of Chief Calvin McGhee shaking hands with President John F. Kennedy at the White House. In the photo, Kennedy's eyes seem to be smiling. Oral narratives say that when McGhee went up to Kennedy to shake his hand, Kennedy said "I've never seen a blue-eyed Indian before." McGhee replied, without missing a beat, "Well, now you have!" Kennedy reportedly laughed as the picture was taken of the two.

In addition to Paredes (1995) allusion to the invention of culture by adopting Plains style cultural icons such as the powwow and powwow style dancing, his reference to the Poarch Creek practices being the same as the "folk culture" their white neighbors practiced ignores the prejudice and discrimination faced by the Poarch Creek in the early to mid twentieth century. Rather than look at the complete picture of Poarch Creek life, including the power relations that alter them, Paredes seems to fault this group of Natives for taking pride in their culture in the only way that they could express it during the 1970s—by holding powwows, inviting neighboring tribes to attend, or by wearing Plains-style regalia—as part of the larger political awakening in the 1970s by Native Americans.

## *Southeastern “authenticity”*

Harold Prins (2002) writes about what he terms the “primitivist perplex” wherein tribes reinforce stereotypical ideas of indigeneity. Prins begins with a picture that evokes “primitivist” imagery: “[s]triking images of tawny humans collaged with soaring eagles or some other form of wildlife, aesthetically photographed against a backdrop of pristine wilderness—such imagery is standard fare in visual representations of indigenous peoples” (Prins 2002:58). These are the most prevalent images of indigenous peoples in dominant societies around the globe. Prins points out that since the 1970s, anthropologists have been interested in analyzing the “destructive potential of such media ‘myths’ on tribal communities” as well as more recent scholarly attempts to “focus on the currency of such ideologically charged ideas in counter-hegemonic strategies of indigenous self-representation” (Prins 2002:58). Prins is quick to point out, however, there has been “too little attention given to the question of why indigenous peoples frequently collaborate with outsiders in the production of such myths” (Prins 2002:58). He goes on to say “I argue not only that indigenous peoples may recognize the primitivist formula, but also that some actively draw on it as a cross-cultural ‘structure of comprehension and imperatives for action’” (Prins 2002:58). The remainder of his article describes ways in which native people have contributed to this type of “primitivist” formula and how indigenous peoples follow the “paradox of primitivism” or the “primitivist perplex” when producing images of themselves. In thinking about how Chief McGhee used this Plains Indian stereotype to his advantage, we can understand that wearing a Plains-style war bonnet was a strategic and calculated move on McGhee’s part. McGhee (and other community members) knew that they would have to follow the

popular imaginings of “Indian” in order to be taken seriously as American Indian when McGhee was traveling around the United States on behalf of Poarch.



**Figure 2: Chief Calvin McGhee (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

It is important here to consider what Prins means when he uses the term “primitivist.” Berkhofer (1978) writes “primitivism postulated people dwelling in nature according to nature, existing free of history’s burdens and the social complexity felt by Europeans in the modern period, and offering hope to mankind at the same time that they constituted a powerful counter-example to existing European civilization” (Berkhofer 1978:72). Berkhofer also points out that this “primitive tradition did not create the favorable version of the Indian; rather it shaped the vocabulary and the imagery the explorers and settlers used to describe their actual experience in the New World and the lifestyles they observed among its peoples” (Berkhofer 1978:73). Even in more recent

times, Ward Churchill has argued that ideas the first explorers had regarding Native and indigenous people in the “New World” have survived intact to modern times. Now, the stereotypical images of Indians as primitive, noble or ignoble savages, and vanishing are common as “authentic” images. According to dominant society, the only authentic Indians are those that perpetuate the stereotypes of the primitive. Prins argues that primitivism works in two ways: “While it reduces indigenous peoples to ‘noble savage’ stereotype, it also provides them with a model of self-representation which they can (and do) exploit for their own political ends. This is the paradox of primitivism” (Prins 1997:3). Calvin McGhee used a war bonnet for his and Poarch’s political ends. When McGhee wore his war bonnet to state-elected officials’ offices in Montgomery, he received support from various members of the legislature, including George Wallace. This is especially ironic given that George Wallace was famous for his racism and stance against integrated schools in the 1950s and 1960s, and in particular, for ordering state troopers to block the entrance to the University of Alabama so that newly enrolled black students would not be able to enter.<sup>3</sup> Jack Edwards, a congressional delegate from Alabama to Washington, recalls fondly the first time he saw McGhee in his war bonnet. His reaction? To have a picture taken with the “Alabama Indian” (from speech at Poarch powwow. See chapter 6 on Federal Recognition for more details).

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<sup>3</sup> Wallace was known in particular for his inaugural speech line “In the name of the greatest people that have ever trod this earth, I draw the line in the dust and toss the gauntlet before the feet of tyranny, and I say segregation today, segregation tomorrow, segregation forever.” This was written by his speech writer, Asa Earl Carter, who under the pseudonym Forest Carter wrote *The Education of Little Tree*, claiming to be the grandson of Cherokee grandparents with the book as his autobiography and story of being raised by Native grandparents in the foothills of Appalachia.



**Figure 3: Governor George Wallace shaking hands with Chief Calvin McGhee (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

Prins makes a number of observations about why native and indigenous people would take advantage of these stereotypical images. He notes that “[indigenous peoples] use the construct of primitivism in their political efforts to stir outsiders into action on their behalf. Primitivism facilitates a quick wrapping of the ‘other’ and it has long been a defining device in European portrayals of indigenous peoples” (Prins 2002:60). Prins argues that the reason this construction of the primitive is so successful, even when used by indigenous groups themselves, is because that by evoking this type of imagery, indigenous groups are able to present an image that appears authentic to Euro-Americans because it shows a period before it was “diluted” by European society and culture. When an image of this type is promoted by the indigenous group themselves, the “other” Prins refers to is more easily identified, and therefore, outsiders are more easily persuaded that this indigenous group is “authentic”—because their culture has not significantly changed since the contact with settlers, as opposed to groups that exhibit more modern imagery of

assimilation. Groups that are pristine and static are considered more authentic than those that exhibit more modern imagery, culture change, and assimilation in dominant society's ways.

In a paper given at the 100<sup>th</sup> AAA Meetings in Washington, D.C. in 2001, Prins develops his ideas of native people as embracing this primitivist imagery and manipulating it for their own use. He argues that the only way in which indigenous people will be able to gain support from dominant society in their quest for cultural survival and native rights is by:

[identifying] one or more ideological themes which can serve as a vehicle to deliver their messages...they must identify a symbolic language and pertinent visual imagery that more or less corresponds with the ideological repertoire already familiar to the subjects of the hegemonic polity...the visual performative cannot function as a persuasive device unless it is meaningfully decoded by the targeted recipients, compelling them into action as intended by the indigenous agents seeking change. [Prins 2001:8]

Prins goes on to say that indigenous peoples can be successful in utilizing these images of themselves if they first succeed in restructuring dominant society's "ideological landscape" in which "indigenous communities have become marginalized" (Prins 2001:8). It is only after indigenous people have succeeded in reshaping this landscape that they may "free themselves from the shackles of internal colonialism and restore their sovereign status" (Prins 2001:8). Rather than doing this, however, "due to their structural weaknesses and without adequate resources, indigenous peoples have learned to exploit elements in the ideological repertoire of the dominant culture" (Prins 2001:8). Hence, McGhee's use of the war bonnet.

Thus, as many other authors have argued before (Deloria 1998; Churchill 1998; Deloria 1988; Starn 2004; Green 1988; Berkhofer 1978), the "authentic" imagery of the

“Indian” has become a sort of “fetish of American popular culture” (Prins 2001:9). This can be seen locally around Ann Arbor in the defunct Michigauma secret society (that had its members “play Indian” by acting out Indian “ceremonies” with actual sacred items from Native North America) or mascots such as the defunct Chief Illiniwek from the University of Illinois. More broadly, it can be seen within Western films, more modern “sympathetic” Western films (*Dances with Wolves* or *Last of the Mohicans* for example), Indian Princess and Indian Braves badges (sponsored by the YMCA), toys and cartoons (such as Princess Tiger Lily from Peter Pan or Disney’s Pocohontas, as well as other dolls of Indian “princesses” from The American Girl catalog or Barbie), even the names of machines (for example, the Apache helicopter, Winnebago recreational vehicles, the Mazda Navajo among others.) Prins argues that the reason why dominant society has such a fascination with Indian images is because the history of the settling of this continent is “embarrassing” because of the use of ethnic cleanings and genocide. He goes on to point out that:

This history has been repressed, cleansed and collapsed into popular myths. What the general American public now thinks it remembers is a past that never was, an imagined place once inhabited by noble savages, freely dwelling in nature according to nature, but tragically doomed to vanish. [Prins 2001:9]

Not only is dominant society actively creating this imagery and maintaining it through stereotypes and fascination with American Indians, these images conceal the actual history and guilt associated with the history of the settling of the American continent by Europeans.

Prins says that “one cannot help but ask how North American Indians can truly remember their own pasts when their collective memories have been so strongly



mediated by dominant society's imagined constructs of themselves" (Prins 2001:10). The problem surrounding Prins' theory continues when he says "[l]ong having been relegated to 'the savage slot,' American Indians have seized on the ideological theme of romantic primitivism" (Prins 2001:10). The reason given when asked why Chief McGhee wore the war bonnet, Fields McGhee says, is that "that's what we had to wear so that [the federal government] would recognize us as real Indians".

While this pan-Indian identity was the norm during the 1960s and 1970s, for native tribes today, a stereotypical imagery is not what they first feel the need to portray. George Castille argues in his article "The Commodification of Indian Identity," "[the use of stereotypical images of Native Americans] was a result of a combination of the counterculture movement and the Civil Rights movement, raising the value of all things ethnic in the symbolic market" (Castille 1992:745). Prins argues that in the 1960s while there was a crisis in American dominant society, a "new discursive space opened up for a primitivist revival" (Prins 2001:10). This led to the public encounters with more images of "the vanishing Indian" as well as the "visual legacy created by Catlin, Bodmer, and Curtis" (Prins 2001:10). Prins argues "what [the public] 'read[s]' into these images maybe romantically utopian. At the same time, however, they are visible testaments to a world they have lost, to a degree, and seek to restore" (Prins 2001:10). Prins argues that it is through these romantic images that American Indians are able to reclaim their culture.

However, Prins does not mention that Edward S. Curtis and his colleagues often staged their "authentic" images, mostly to hide modern items. If Native models sitting for portraits did not have a traditional outfit, one would be provided for them, as was the

case in hundreds of Curtis photos with men wearing the same fringe buckskin shirt. Prins also neglects to mention that when these men were “preserving” American Indian culture through salvage ethnography, including photographs and films, native groups sometimes deceived them. For example, while Curtis claimed to have filmed secret “Snake Dance” among the Hopi, he was not aware that the people involved in the dance considered it too sacred and too powerful to capture on film. Therefore, they did the dance entirely backwards. By doing it incorrectly, they were able to satisfy Curtis, but also prevented non-Hopi from seeing the dance performed. They were able to continue to protect their culture from being viewed by non-natives. By saying that Catlin, Bodmer, and Curtis are used by American Indians to help them maintain their culture, Prins plays into the idea that the modern variations of their culture are somehow “inauthentic.” Prins argues that Native Americans have internalized these ideas about authenticity, leading them to borrow stereotypical and “authentic” images to feel and be more Indian. In contrast, I argue that Native Americans borrow these images to address public perceptions of Native Americans: that Native Americans use these images as a way to address public perceptions, rather than to process their own thoughts and feelings about being Native American.

## ***Methods***

Following the suggestions laid out by Deloria (1969), I seek to overcome the power imbalance historically associated with anthropologists in Native America by engaging with the community members on their terms. Because I am conducting fieldwork among my own tribe, however, I realize that there are additional issues of

scholarly positionality involved with my work. Because I am returning home to work, I face additional responsibilities associated with writing and analyzing a community that I have participated in from childhood. The fact that many of the people I interview and write about are family members adds another layer of responsibility. There are advantages and disadvantages to conducting ethnography where I am from; when writing about Poarch Creeks, I never lose sight of the fact that I will continue to see each and every person I write about for the rest of my life. There are also aspects that make research in a home community easier. For example, because I am an enrolled member of the Poarch Band of Creek Indians, I am able to go into meetings, festivals, and events that are closed to non-tribal members. And while anthropologists entering a community for the first time are eventually accepted, I did not have to spend time creating rapport with community members, as I had been doing that all of my life. In this dissertation, I seek to go beyond simply writing myself into the text by actively experimenting with different textual styles that transition from conversations that I have at my grandmother's kitchen table to scholarly anthropological data. Anthropologists have long acknowledged the absence of complete objectivity and that politics always influences their work. As James Clifford (1986) notes, "a new figure has entered the scene, the 'indigenous ethnographer'" and while these indigenous ethnographers are able to "offer new angles of vision and depths of understanding...their accounts are empowered and restricted in unique ways" (Clifford 1986:9). While there are debates about the usefulness of the term "native anthropologist" (see Ryang 2005, Jacobs-Huey 2002, and Kanaanah 1997 for a sample) there is no question that being an active participant in the community of Poarch has made this a different field experience than if I had not grown up here. The ability to

weave through people's lives and narratives was made easier by my comfort and recognizability within the community.

I carried out the fieldwork that led to this dissertation from June to September 2005, June to September 2006, and January 2008 to August 2009. In addition to these fieldwork periods, I also held an internship in the Poarch Creek Museum and Welcome Center from May to September 2010. I used four primary methods of data collection: (1) semi-structured interviews of Poarch Creeks as well as some local non-native members of the community (Briggs 1986, Bernard 2002, Blee and Taylor 2002); (2) oral histories from Poarch Creeks and locals (Thompson 1998); (3) participant observation in religious ceremonies, stomp dances, church services, and community gatherings (Dombrowski 2001, Chafe 1960, Chidester 1996, Collins 2001); (4) historical research of the local historical archives (churches and courthouses) to determine localized Poarch history, the geography of Poarch and loss of Indian lands, and the identity of Poarch as a distinctly Indian community.

I also recorded oral histories in order to record genealogies of the major families in Poarch. I conducted one-on-one interviews with tribal members, beginning with elders and working my way to young adults. The order in which I interviewed people was established by the desire to interview as many elders as possible. When I subsequently interviewed members of younger generations, I was able to ask better questions based on observations made by elders in the community. In particular, I was interested in learning about how the members of different generations thought about kinship and kinship ties among the Poarch Creek.

Given the importance of religion on the reservation, I attended church services on at least three occasions for each “Indian church” (defined as having the majority of its members as Poarch Creeks). These churches include: St. Anna’s Episcopal Church (which I grew up attending), Poarch Baptist Church, Poarch Community Church, New Home United Pentecostal Church, and the Mennonite Church Native Assembly. I also attended a variety of services including Sunday services as well as Wednesday night services. I was also present at a number of weddings, funerals, and ceremonies that bring the community together were attended, although I am unwilling to write about these very personal subjects.

I also met with the leaders of the stomp dance movement on the reservation. Since I have attended stomp dances in the past and know the women’s part, with the permission of the stomp dance community I participated as a dancer as well as recorded observations as an anthropologist. I am interested especially in people who attend church regularly but also participate in stomp dances. Fortunately, I was able to interview a few members in this category. I was also able to interview people who do not support stomp dances and consider it a sin to participate.

The SAIL (Seniors for Active and Independent Living) Center located on the reservation offers hot lunches for elders who come to the center. There, they have a quilt loom, where they quilt blankets to raise money to go on their trips (in the past year they have visited Oklahoma, Wisconsin for a Native elders’ conference, and New York City). I took part in these quilting circles as a type of focus group activity to ask questions in a group of women, as well as various other activities they do daily: shelling peas and other

produce to sell by the bushel, and preparing food for guests to the reservation, among other things.

I would also like to note that I purposely use extended quotations in this dissertation. Anthropologists have always privileged their own meanings and interpretations to Native American stories and words. During the many conversations with Poarch Creeks invested in this project, elders I spoke with repeatedly told me that “we want our story told.” Using extended quotes allows Poarch Creeks, and these elders in particular, to tell their story in their own words.



**Figure 4: Ann Burns shells peas at the SAIL center**

## *Chapter Descriptions*

In Chapter 2, “We were poor, but we had fun”: Rethinking the Past in Poarch, I first lay out the economic conditions that were prevalent in Alabama when the missionary Dr. Robert C. Macy (and his wife, Anna) was appointed to Poarch by the Episcopal Church. Macy’s writings, along with those of Frank Speck, provide the background to the impressions that non-community members had of the Poarch Band of Creek Indians. I discuss how the elders in Poarch, some of who were alive when Speck and Macy passed through, respond to the way in which Speck and Macy write about them.

In Chapter 3, “They would hit us because we were from Poarch”: Education and Race in Southern Alabama, I trace the process Poarch went through in order to get a school for its children in the community. I also discuss the integration of local white schools with Indian children. The first children to integrate the white schools were discriminated against, and I explore their treatment here.

In Chapter 4, “Out here we just thought everybody who was a part of our family was Indian”: Race and Indian Identity in Poarch, I analyze the way in which blood quantum is and is not used as a way to identify members of the Poarch Band of Creek Indians. I also look at how legal definitions of tribal members, which equates to one-quarter blood quantum, differ from the broader Poarch community’s understanding of who belongs in the community, and more importantly, who is deserving of current tribal member benefits. In this chapter, I discuss the idea of “shared discrimination” as the way in which tribal members are able to form familial bonds without being biologically related. I trace the development of Janet Carsten’s (1997, 2000, 2004) idea of “shared substance” as a way to explain this phenomenon.

In Chapter 5, “We can remember hearing prayers echoing through the woods”:  
Religious Practice in Poarch, I examine the religious components of life in Poarch,  
including both Christian and the traditional religious practice of stomp dancing. I analyze  
why Native Christianity has become important for practicing Native Americans. In  
Chapter 6, “Without Tony Paredes, we never would have gotten recognition”:  
Anthropologists, Indians, and the Federal Acknowledgement Process, I describe the legal  
process of federal acknowledgement and the Poarch Band of Creek’s petition for  
acknowledgement that was granted in 1983.

In Chapter 7, “I never would have thought we’d have something like this  
casino...It feels like we are out of town, not in Poarch”:  
Self-Determination and Economics at Poarch, I discuss the Wind Creek Casino and Hotel, a recently constructed  
Class II gaming on the Poarch Band of Creek Indian reservation as a way to support and  
supply the Poarch Band of Creek Indians with money to be able to practice self-  
determination. In the Conclusion “Sponsored by the Poarch Band of Creek Indians”:  
Poarch Creek Pride, I discuss the ways in which tribal members are able to express their  
pride in being a tribal member, as well as the way in which the tribe has contributed to  
the surrounding community.



## Chapter 2

### **“We were poor, but we had fun”: Rethinking the Past at Poarch**

God grant that this little flock, representing a vanishing race, which has lost the arts and crafts of its aboriginal forebears—yes, lost even their ancestral language, may be given a helping hand by their white neighbors, and shown that the words of our Constitution which accord all citizens the right of ‘life, liberty, and the pursuit of happiness,’ are not meaningless words, but real promises which apply to Indian and white men alike.

-Missionary prayer for the Poarch Creek “The Indians of the Alabama Coastal Plain” (Macy 1930)

The Poarch Band of Creek Indians and its landscape changed rapidly between the time it was first written about in the 1930s by a pair of missionaries and an anthropologist and Federal Recognition in 1983. While many elders of the Poarch Creek Nation lament the passing of what they consider to be a better time, tribal citizens need and appreciate the services provided for them by the tribal government, including the health clinic (with a doctor, nurse practitioner, pharmacy, dentist and eye doctor), public safety benefits (with 2 fire stations and one police station) as well as other family and social services. Even with all of these benefits, more than one elder expressed similar sentiments: “we were a lot poorer back then, but we sure had us a good time” or “our people had a lot of love for each other back then.” Inevitably, all of my fieldwork interviews led to conversations about how the Poarch community has changed over the years. While the community is more economically stable and people have more employment opportunities

in 2010 than in 1930, many elders believe that has not always been for the betterment of the community.

In this chapter, I introduce the critique that Native American scholar Vine Deloria launched against anthropologists in 1969 in his book *Custer Died for Your Sins* along with the connection made by Sylvia Yanigasako between anthropology, colonialism, and national identity. I then relate these critiques to the earliest writings about the Poarch Band of Creek Indians in Alabama by doctor and missionary Robert Macy (with his wife Anna Macy) and anthropologist Frank Speck, who took for granted the ethnographic authority granted to men in their positions during the early twentieth century. Macy's goal is to convey the plight that of Poarch Creeks in order to solicit donations in support of programs for their welfare. Speck's goal is to record the state of affairs for the Poarch Creeks while lamenting the loss of their culture for a broader anthropological audience. Both Macy and Speck represent the Poarch Creek in ways that are framed by racial ideologies that shaped popular understanding of Natives in the Southeast as assimilated and having lost the majority of their aboriginal culture. Both writers published reports that containing inaccuracies about Poarch and its people, the intent of educating a larger audience about the Poarch Creeks contributed to larger understandings and stereotypes about Native Americans in the Southeast. Using these accounts as a starting point, I use information from oral history interviews to put contemporary elders in conversation with both Macy and Speck pointing out some of their fallacies and inconsistencies. Finally, I conclude by discussing the larger implications of Macy's and Speck's work for perceptions about Native Americans in the Southeast.



Figure 5: Dr. Robert Macy and Jack McGhee, whom Macy arranged to travel to a hospital outside of Poarch to have surgery on his legs. (Photo courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)

### *Critique of Anthropologists*

In the midst of the Civil Rights Movement occurring in the United States, the American Indian Movement, following the example of the Black Panthers, and preceded by other advocacy groups (e.g. the National Congress of American Indians which started in the 1940s) emerged to give voice to the political situation of Native Americans specifically to call into question the United States' policies regarding American Indians. At this time, Vine Deloria, Jr., an outspoken Dakota, began using his scholarship and writings as a way to combat the treatment of native peoples. His book, *Custer Died for Your Sins*, calls into question the way that American Indians have been treated

historically, not just by the United States government, but also by anthropologists. But Deloria's claims against anthropologists is now seen as a moment in which, for the first time in Native North America, a Native American was reacting against anthropologists' encroachments. This reaction from Deloria began a newer more self-reflexive period in anthropology between anthropologists and Native Americans. Biolsi and Zimmerman 1997 argue that *Custer* provided a new avenue of communication not only for American Indians in the United States, but also for "colonized peoples and the metropolis globally" (1997:4). While there were other writings at this time linking anthropology to colonialism,<sup>4</sup> Deloria's book is extremely fruitful for the discussion of the decolonization of anthropology (Biolsi and Zimmerman 1997).

Deloria's main complaints in his manifesto were concerned with the entitlement that anthropologists felt in their "immigration" to Indian country in the summer months to conduct fieldwork that only served to prove their hypotheses. Deloria argues that new fieldwork had no real relationship or value for the Native peoples who participated in their study. He presented an image of the anthropologist as an over-intellectualized hippy who comes to the Indian reservations to make observations. "During the winter these observations will become books by which future anthropologists will be trained, so that they can come to reservations years from now to verify the observations that they have studied" (1969:79).

Deloria argues that "the fundamental thesis of the anthropologist is that people are objects for observation, people are then considered objects for experimentation, for

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<sup>4</sup> Other writings of the period in which Deloria was writing that Biolsi and Zimmerman argue were important to furthering a more retrospective view in anthropology include (but certainly are not limited to): Talal Asad's *Anthropology and Colonial Encounter* (1973), Dell Hyme's *Reinventing Anthropology* (1969), and the *Current Anthropology* volume on social responsibility (1968).

manipulation, and for eventual extinction” (1969: 81). Deloria also accuses anthropologists of interfering too much in the daily lives of Natives. For example, he argues that after World War II when anthropologists came to native communities, they were “horrified that the Indians didn’t carry on their old customs such as dancing, feasting, and giveaways” (1969: 87). The anthropologists did not acknowledge that these customs had been “transposed into church gatherings, participation in the county fair, tribal celebrations, particularly fairs and rodeos” (1969: 87). What the anthropologists were most concerned with had to do with the fact that while the natives continued to do their “Indian dances,” they were not doing them as often as the anthropologists expected. Deloria blames anthropologists for encouraging natives to dance all of the time—which leaves little time for the subsistence activities that people used to take up. Deloria says “while the poverty programs have done much to counteract the situation, few Indians recognize that the condition was artificial from start to finish. The people were led innocently astray and even the anthropologist did not realize what had happened” (1969: 87).

Deloria also mentions the monetary values that anthropologists represent. One anthropologist stated that after 20 years of research with a particular tribe (of less than one thousand people) he had spent close to ten million dollars. Deloria says “Imagine what that amount of money would have meant to that group of people had it been invested in buildings and businesses. There would have been no problems to study!” (1969: 93). Deloria does use various literary strategies to get his point across, including exaggeration and irony. So while he might not have expected every anthropologist to contribute ten million dollars towards the group they worked with, this was a clear call

for anthropologists to be more aware of their affect on Native American communities, as well as a call to do research that would benefit the group itself.

Because of these issues, Deloria is delighted to report the tribal chairman of the Red Lake Chippewa tribe had an anthropologist escorted off of his reservation. It is in the last few pages of Deloria's chapter on anthropologists that his ideas about policies between anthropologists and natives emerges. Here he says that more people should think critically about anthropologists' roles on reservations (as the Red Lake band did) and that as native peoples are having more influence in their politics at the governmental level (this is, after all, the self-determination that natives are striving for through AIM and other movements), they should have more influence at a local level dealing with anthropologists. The demands that Deloria makes and argues anthropologists should abide by are not out of the ordinary by today's standards: anthropologists must seek the approval of the local tribal council before conducting fieldwork. Deloria also argues that anthropologists studying tribes would be given permission to do so only if they "raised as a contribution to the tribal budget an amount of money equal to the amount he proposed to spend in his study" (1969:95). Deloria closes his chapter on anthropologists by saying "it would be wise for anthropologists to get down from their thrones of authority and PURE research and begin helping Indian tribes instead of preying on them" (1969: 100). Deloria calls for more responsibility taken up by anthropologists who study First Nations by asking for permission from the tribal council to conduct fieldwork on a reservation or in a Native community.

Sylvia J. Yanagisako exposes the development of early four-field anthropology in the United States as being tied to American colonialism by knowing "the Native

American ‘other’” and “defining the nation-state” (Yanagisako 2005: 81). Until World War II, the main focus of American anthropology was the study of Native Americans. The attitude of anthropologists has been that American anthropology in some way “possesses” native peoples in the United States and consequently, a paternalistic attitude has been normalized as the way that anthropologists interact with native peoples (2005:90). Yanagisako’s argument that the “sacred bundle” of the four-field approach that is intact in the United States was not the only outcome of “knowing” Native Americans. Yanagisako argues that obtaining this knowledge “can be viewed as a form of establishing and legitimizing native-born settlers’ claims of succession to this legacy and their deep historical roots in the land” (2005:83). Yanagisako makes important interventions into the way in which American anthropology is usually historically constructed. Because Boas is often referred to as the “father” of American anthropology, and because of his advocacy of anti-racism, the colonial history of American anthropology is often overlooked in comparison to other anthropologically involved historical colonialisms.<sup>5</sup>

Anthropologists have incurred numerous debts to Native Americans, and there is no argument that the colonial context of early American anthropology had serious implications on the lives of natives. As the government sought to “kill the Indian and save the man” by utilizing a number of ethnocidal techniques, anthropologists were involved in the project of “salvage ethnography” as it was believed that all native culture

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<sup>5</sup> For example, it is widely acknowledged that E.E. Evans-Pritchard was hired to study the Nuer as a way to figure out how colonial forces might best control them. Ruth Benedict (1946) also worked for the United States government in writing about Japanese culture so that the government would understand them better. Yanagisako states that “Anthropological interest in the ‘Other’ was conditioned in the United States by a form of colonialism that differed from the overseas colonialism that shaped British and European anthropology. Like overseas colonialism, settler colonialism in the United States generated powerful ideological processes that motivated and shaped the production of knowledge—both bureaucratic and academic—about ‘native others’” (2005:82).

would die out in the next generation due to the success of the government's assimilation program.<sup>6,7</sup>

This is the context in which Margaret Mead conducted her study of North American natives (1932). One of her arguments in her introduction to this volume is that one may safely argue that the process of contact that occurs between “primitive and civilized man” can be developed into generalized theories that work in any situation of contact between the “primitive and civilized” (Mead 1932:8). Mead did not acknowledge, as is now a fundamental differentiation in native studies, that different tribes in the United States have had extremely varied and diverse circumstances in which they encountered Europeans and their colonial project. East coast tribes and those from the Southeast in the United States have had a much longer history of interaction with settlers, and therefore have an extremely different experience than pueblos in the Southwest or even interior native Alaskans. Another problem in Mead's work, and generally among classic anthropologists, is ethics in field methods. In the introduction to this volume, she almost brags at her ability to “dupe” the informants that she is working with. She follows Deloria's (1969) defaming prescription of an anthropologist by deciding that learning the “Antler” tribe's language is not necessary as English is spoken by most on the reservation. In addition, she says that “no notes were taken in the informants' presence” as the tribe with which she worked “believed that [she] was merely killing time in idle conversation or attendance at ceremonies” (1932:16). This is the type

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<sup>6</sup> Including, but not limited to, boarding schools, the government and Indian agents making illegal native languages, religious ceremonies, and traditional way of life.

<sup>7</sup> In many cases, tribes that were being studied in order to “preserve” their heritage did not appreciate the anthropologist trying to study and detail every aspect of their culture—particularly the religious ceremonies and rituals that may have been only for the initiated to know. This is what led Frank Cushing to go live among the Zuni, as a way to record their ways of life. Even as the Zuni repeatedly asked him to leave, Cushing altered departure dates and continued to insert himself into sacred religious ceremonies and rituals (Thomas 2000).



of arrogance and entitlement that Deloria demands be accounted for among anthropologists,<sup>8</sup> although he does not do a good job of acknowledging that in some cases, anthropologists were befriended by, and collaborated with, the very people they exploited.<sup>9</sup>

The critiques Deloria made against anthropologists can be easily applied to the way in which Macy and Speck were writing about the Poarch Creek. There is an assumption of ethnographic authority by the two authors that is common to ethnographic accounts from this time. Yanagisako's critiques that tie anthropology explicitly to colonialism fit into this discussion by sharing how Macy's and Speck's views the Poarch Creek are shaped by previous assumptions about the need for salvage ethnography. Within their writing is a belief that because the Poarch Creeks have assimilated to the extent that they have, their culture will soon disappear completely, following the path of their language.

### ***Of Missionaries and Anthropologists***

In 1930, Dr. Robert C. Macy, a medical doctor turned missionary, provided the first published work about the Creek Indians in Poarch when he wrote in the *Alabama Historical Quarterly* that he and his wife, Anna, "were surprised to hear that there was an Indian settlement anywhere near" their residence in Mobile, Alabama (Macy 1930:406). Since his wife served as an appointee to the National Board of Missions for the Episcopal

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<sup>8</sup> See also: Bourgois 1991, Schepher-Hughes 2000 [2007], Clifford 1988 [2007], and Rabinow 1977 for more current and ethical debates about fieldwork and anthropology.

<sup>9</sup> For example, the relationship between Lewis Henry Morgan and his friend and collaborator, Seneca Ely S. Parker. Also, the relationship between Alice Cunningham Fletcher and Omaha Francis La Flesche.

Church, the couple traveled to the Indian settlement to consider whether the Poarch community would be a good place for missionary work. They would need to look no further. Dr. Macy wrote:

We saw at a glance, a direful need of work there, of service which we could render, if we could but win the confidence of these people, and exert an influence over them for uplift, spiritual, moral, mental, physical, and economic. Reports coming to us from their white neighbors on every side would have discouraged us at the outset, but for our determination in advance to judge them only from experience, acquired by personal contact, before condemning them as hopeless. [Macy 1930: 406-407]

Dr. Macy goes on to provide a “brief sketch” of the natives of Escambia and the surrounding counties but acknowledges that his own skills as a historian are not the best, along with the fact that dates and chronology can not be accounted for due to the “illiteracy and ignorance” of the “Indians themselves” (Macy 1930:407). Macy attempted to write about this newly found group as a kind of anthropologist: he commented on race, religion, and the survival of traditional ways of being.

He proclaims that it is an old story which “every student of ethnology” knows: “wherever the white man comes in contact with the darker races—fraud, unjust discrimination against them in hiring them as laborers, and in payment for their produce when they seek a market for it; exploiting their women; even (we are led to believe) unfair treatment in the magistrate’s courts” (Macy 1930:408). Macy even reports cases of “peonage,” or a type of labor where creditors forced debtors to work for them in an involuntary manner (Frazer 2002), but because he does not have concrete evidence, he does not go into details.

There were few jobs in the 1930s that were available to Indians. The Great Depression made finding work difficult, and even harder for an Indian in the Southeast before desegregation laws had been passed. Alabama was particularly a hard place to find work, as during the Great Depression, Alabama's per capita income was a mere forty-eight percent of the national average (Flynt 2004:110).<sup>10</sup> Sharecropping, where a farmer usually worked a small piece of land for a share of the crop, as well as tenant farming, where a farmer paid the land owner rent for the land that he or she used to plant and financed the crops themselves, were both popular ways for families in Poarch to earn a living (1992:19). Entire families were employed by white farmers surrounding the Poarch area and families from Poarch would travel, usually on the back of a truck, to other locations where they would be paid for their labor. Household size in Poarch during this time period tended to be large, with most families having at least seven members: two adults and five children. Parents utilized their children's labor by taking them to the fields and having them help. Children and adolescents could, and were expected to pick cotton, grade potatoes, weed fields, process peanuts, and carry out many other tasks to help their father and mother earn income (Oliver 1992:19-21, Flynt 2004:109). Cotton was the most important cash crop in Alabama during this time period and one of the most grueling to pick. Many Indian families worked together to pick large fields of cotton, being paid cents per pound for what was baled. Alabama became a leading textile producer as the industry moved from New England to the South at the beginning of the twentieth century (Flynt 2004:109). After the Civil War, farmers in

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<sup>10</sup> In terms of per capita income, Alabama consistently lagged behind the national average even after the Great Depression ended. In 1930, the per capita income of Alabama ranked 45<sup>th</sup> out of 48 states, 46<sup>th</sup> in 1950, 47<sup>th</sup> in 1960, 47<sup>th</sup> (out of 50 states) in 1970, 47<sup>th</sup> in 1980, 44<sup>th</sup> in 1990, and 44<sup>th</sup> in 2000 (Flynt 2004: 111).

Alabama began to farm less for subsistence, and more for cotton and the market (Oliver 1992:18).

In addition to farming, many men from Poarch Creek made the trip to Mobile, a distance of about 63 miles (during the time before highways the trip could take most of the day) and found work at the Alabama State Docks. After World War I, the state of Alabama felt that it needed to provide adequate dock and terminal facilities for its only seaport: Mobile. It was much too expensive to ship products from Alabama out of other states' docks. Since 1826, the United States federal government had been making improvements to the docks and harbor in Mobile (Owen 1938:200-201). But while the United States government was willing to pay to deepen the channel and improve it for shipping, the state had the responsibility to develop and construct dock and building facilities to handle goods passing through the port. In 1922 the state passed an amendment that would authorize the state to borrow money to improve the docks (Owen 1938:200-201). The decision to improve the state docks that created a demand for workers, meant that the state could not afford to discriminate against anyone willing to do the work. In addition to the Alabama State Docks, men from Poarch could be found working on various tug boats that were docked in Mobile, as well as working as far away as Mississippi in the Pascagoula Ship Yard.

Yet another job that Poarch Creeks were able to find during this time is that of a pulpwood truck driver. Paper wood trucks, as they were referred to in Poarch but were known elsewhere as pulpwood trucks, were the trucks that loaded trees to deliver to the closest paper mill in Brewton, Alabama, currently the Georgia-Pacific paper mill.<sup>11,12</sup>

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<sup>11</sup> According to one interview, "only the fancy people called it pulpwood trucks. In Poarch we called it paper wood" (Interview with Ann Burns, December 14, 2008).

Eventually, another paper mill was opened and paper wood truck drivers began driving their loads to the Cantonment, Florida in addition to Brewton.<sup>13</sup> As pine trees serve as a renewable resource given their rapid growth rate, they were chosen over other species to be harvested to make paper in Southern Alabama. Workers would travel to the site where the trees were being harvested and assist in cutting the trees down. They would then saw the trees into shorter, more manageable logs, which would be stacked across the width of the truck and were kept in place by “tandem poles” (Interview with Ann Burns, December 14, 2008).

In one instance, a Poarch man saved enough money driving pulpwood trucks for other owners to buy his own pulpwood truck around 1945. He built a fleet of pulpwood trucks that employed other Poarch Creeks (Interview with Millie Jackson, November 2, 2008). While this story is exceptional, it shows that Poarch Creeks were able to run and operate their own businesses even given the economic disadvantages and racial barriers they needed to overcome at the time.

Macy claims that the Native Americans he encounters had no access to outside resources and casts them as victims without economic agency. He says that “poor white trash” can go to family members or friends and African Americans have the “tender reminiscences or traditions of ‘Uncle Dick’ or of ‘Mammy Jane’” (Macy 1930: 409). But, he concludes, there is no one to whom the Indian can turn for borrowing money or for guidance in how to bargain. Macy argues that the attitude of local whites towards the Indians at Poarch seems to be that they are “good enough to get the best of in a trade, good enough to hire at a lower wage than that which other labor demands and receives,

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<sup>12</sup> 42 miles from Poarch

<sup>13</sup> About 50 miles from Poarch

but not good enough to be given a white man's chance" (Macy 1930: 309). Oral history accounts confirm that Poarch Creek wage earners had a more difficult time finding work than other neighbors (including African Americans) and that when they were able to find work, they were hired at a much lower wage than other laborers. However, "beggars can't be choosers" was a motto that was taken up by these wage earners; if you were lucky enough to have a job, you did not complain that you did not make as much as your fellow worker (Interview with Lucy Sells, June 24, 2008).

It is apparent that Dr. Macy had a paternalistic attitude towards the Poarch Creeks, although considering the time period in which he was writing and working, his writing indicates sincere good intentions for helping the Poarch Creeks improve their position and in general, better themselves. But paternalism and the legacy of colonialism pervades his good intentions. He does not ask anyone whether or not they are interested in learning what he is teaching. He assumes that they must change in the ways he outlines so that they might better increase their chances for education and personal prosperity. The descriptions provided by Macy are very different from the how the Poarch Creeks growing up in that time period talk about their experiences.

For the Poarch Creeks, while life was hard and while they might not have had much material wealth, there was a shared idea that "we were all in it together." This was accomplished by families working together as well as neighbors helping each other out during difficult times. For example, if one family had any food to share, even if it was only a few biscuits, they would "share those with their family or neighbors, or others, so that no one would go hungry. If any family was struggling, neighbors would drop by with extra items from the garden or even a little money" (Interview with Millie Jackson,

July 15, 2008). This practice of sharing resources and helping each other out continues today. When people are sick and not able to work, especially if a hospital stay is inevitable, the Poarch community comes together in a powerful way; people who do not have enough resources for themselves always have something to help out another person in need. Churches raise money and host benefits. Tribal employees raise funds by passing a bucket around the office. Friends and other community members visit the hospital or house to visit with loved ones and give cash—from a few dollars to a hundred dollars—to the loved ones of the sick person.

Macy's plan for bringing the Poarch Creeks out of what was, in his opinion, disgraceful living, included plans for teaching hygiene (even though people who grew up during this time period remember being poor but clean), improving education (although he notes that there are already three schools in the area specifically designated as "Indian schools") and to bring in more people to help work among the roughly 600 individuals living in and around Poarch considered Indian.

The idea of teaching hygiene is a common theme in governmental programs aimed at Native Americans preceding this time period. Interestingly, the purpose of these hygiene classes was to teach the Poarch Creeks the appropriate hygiene for their bodies as well as appropriate levels of cleanliness for their homes. This was not specific to Poarch or to Native Americans, both the United States government as well as a host of missionary groups, offered cleanliness campaigns for newly arrived immigrants, African Americans, city dwellers, and Southerners (Hoy 1995). Timothy Burke explores the idea of how ideas of cleanliness and related bodily practices, which in contemporary times have been naturalized, are cultural practices that developed recently in Europe. He looks

at these in relation to Zimbabwe, but his observations about the larger colonial project are applicable to these missionaries in Poarch (Burke 1996:17-18). Burke says that these developments in the mid-nineteenth century had two important consequences:

First, images of cleanliness, appearance, and beauty were increasingly used in nineteenth century Western Europe to define social hierarchy and difference. Second, personal and social hygiene was increasingly portrayed as a key attribute of female domesticity. Both of these visions were given social power through a range of new institutions and official practices throughout Western Europe and the United States at the turn of the century. [Burke 1996: 18]

Burke's discussion of hygiene is important and relevant to discussions of Poarch Creeks at the time of the missionaries' influence. While elders I talked to openly discussed the fact that they were poor and did not have very many material goods, they also pointed out that they were "never filthy" or that even though they were not wealthy, they kept their households clean. Burke goes on to say that:

Nineteenth century European visions of difference and hierarchy were also constructed within such institutions with reference to the constant circulation and recombination of colonial and metropolitan stereotypes. When the English working classes were hegemonically portrayed to be "unwashed" or have deformed bodies, these characterizations were always dialectically related to depictions of colonial subjects as also having dirty or undesirable bodies. [Burke 1996:18]

The missionary reports do not go into detail here about dirty bodies, but the assumption one could make about the fact that there is (in the missionary's mind) a need for hygiene classes implies a certain assumption they made about the Poarch Creeks being unclean.

Macy mentions that the Creeks who live in Poarch are a "remnant of the war-like Creeks" in that they have had "very little [Christian] religious guidance." He considers most to be of mixed race. He claims that there are no people practicing aboriginal arts.



His observation is that there are a few Poarch Creeks who are farmers, with most of them remaining farm laborers who work for others. His statement on the “mixed” status of most people living in the community is interesting in that while he says that “the ‘Poarch Creeks’ do not mix socially with other races,” many have “intermarried with members of the white race of the best class” and that, in fact, there are “white families in the community of high standing who boast of their Indian blood” although “very few have intermarried with [African Americans]”(Macy 1930: 410-411). While it is true that Poarch Creeks were marrying outside of the community, when I presented this quote to elders who were alive at the time when Macy was writing, they knew of no white families around Poarch who “boasted” or even claimed any type of Indian status.

Dr. Macy’s audience was made up of upper class white people in Alabama, as his piece was published in the *Alabama Historical Quarterly*. At the end of his essay, he calls on readers to help raise funds to build a hospital for the native population, as well as to influence state officials to ensure that Indian children can go to school beyond the sixth grade, because the consolidated schools end at the sixth grade and most native students would not travel to the nearby white schools to continue their education (Macy 1930:411). Macy ends with a prayer for the Poarch Creeks quoted at the outset of this chapter. It is interesting that Macy refers to the Poarch Creek as a vanishing race and laments the loss of aboriginal art forms and language, given the project that missionary school systems had of “killing the Indian and saving the man.”



**Figure 6: Current tribal chairman Buford Rolin (left) plays with his brother on a fence. (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

While not mentioned in the article, that Dr. Macy's wife, Anna, is the person after whom the Poarch Episcopal Church, St. Anna's, is named. Although Anna's voice is silent in the article written by her husband, in the brief biography at the end of the article, Anna says that

[w]hen our Bishop realized that there were in the Diocese several hundred Indians among whom he believed a great work could be done, and asked me to undertake the work among them in Escambia County, I gladly accepted the call. I find it not only most appealing, but of vital importance, not alone to the Indians themselves, but to the white communities in which they live. While my work is primarily religious evangelical, I also work along religious social service and educational lines. [Macy 1930: 413-414]

The biography goes on to say that Mrs. Macy served as public school teacher before retiring, and that in her activities in Escambia County she led “mothers’ meetings, sewing classes, cooking classes, and gives instructions in first aid to the injured” (Macy 1930:414). Anna Macy points out, however, that she believes that the Indian women with whom she works could easily be trained to assist in the work she is teaching them to do. “She and Dr. Macy both believe that young Indian men and women among whom they are working, will at no distant rate reach the point of advancement where they can carry on among their own people the work now in progress under their leadership” (Macy 1930:414). While Dr. Macy sees the Poarch Creeks as a “vanishing race” that is already mixed in racial blood lines and adapting to white ways in terms of language and work, Dr. and Mrs. Macy both are positive that with a little work, the Poarch Creeks will be able to be fully integrated into “white society.” The naming of the Episcopal Church in Poarch St. Anna’s indicates the level of commitment that Anna Macy had towards Poarch, but it is unclear whether the Diocese named the church or if the community was able to participate in the naming as well. Tribal elder and amateur historian Lee Martin disagreed with the way that the Macys’ wrote about their appointment to Poarch. When I showed him the documents from which I got the information about the Macys, his response was that the rector of the Episcopal Church in the neighboring town of Atmore first brought the Poarch Creeks to the attention of the Bishop of Alabama. This priest, Reverend E. Van W. Edwards, is mentioned in Frank Speck’s account of the Poarch Creek.

The next written accounts of the Poarch Creeks is by anthropologist Frank Speck. Speck’s peers referred to him as “the greatest and most persistent field worker” of Boas’

students (Fenton 1991:9). Being raised partially by a Pequot in the country near Mohegan, Connecticut to improve his health, Speck was greatly devoted to the study of Native American culture and language. This is evidenced by his close relationship with his native informants as well as by the depth and variety of fieldwork that he conducted in among North American native groups. Speck, who trained with Boas before earning his Ph.D. in 1908 at the University of Pennsylvania, was traveling through the South on his way to study and work with the Houma Nation in Louisiana for the Office of Indian Affairs when he learned of the presence of a community of Native Americans near his hotel. A footnote in his article declares that he “took occasion to devote several days to a visit to the settlement of Creek Indians near Atmore, Alabama. The following notes are the result of the short survey of conditions existing in the community in 1940-1 and are published with consent of the Indian Office” (Speck 1947:195). While no one doubts his fieldwork ability or interest in Native Americans, he only spent a few days observing the community at Poarch before moving on to Louisiana. From these days of fieldwork, he published a four-page article in 1947 in *América Indígena* and a two-page article in 1949 in *American Anthropologist*.

Speck begins his 1947 article with a description of the “little-known band of Creek Indians” and where it is located in Alabama. He says that the “group of Creeks was visited for the purpose of ascertaining something of their social and economic background, and of their present social status, together with an idea of the state of education prevailing in their districts” (Speck 1947:195). He says that it is impossible to substantiate the early ethnic base of the group, other than to “validate their claim to being Creek Indians from the Lower Creek towns of Alabama, which were granted a tract of

200 acres by General Andrew Jackson about 1815” (Speck 1947:195-96).<sup>14</sup> At the time of Speck’s visit, the Poarch Creeks held about 220 acres.

The remainder of Speck’s report examines Creek life in this place as only a salvage ethnographer trained in the early 1900s could write. Rather than being interested in what remains, and what makes the culture in Poarch different from the surrounding white and African American settlements, Speck is more interested in commenting on what he thinks is missing from the Poarch Creeks. He does say that the farming of “maize agriculture now continues the only ancient subsistence economy of the Creeks, which with their small farm locations is in harmony with a long established tradition of the people” (Speck 1947:196). However, Speck is amazed at the “extreme” poverty of the people living here given the fertility of the local soil “unless it be outside social forces, restricted opportunity, lack of initiative and lowering of standards have shattered the social cohesion of the people reducing them to a state of abjection affecting the whole of community life” (Speck 1947:196). Nowhere does Speck account for the fact that as the shift from an economy based on subsistence to wage labor, the racism that existed against the Poarch Creeks was such that the only economic opportunities available were field hands or pulp wood truck drivers. In addition, Speck does not acknowledge the fact that there were a limited number of Poarch Creeks who were able to begin their own businesses.

Speck states that “no recognized leader possessing energy and experience exists (1941) to direct their efforts” (Speck 1947:196). Anthropologist J. Anthony Paredes (1979) later refers to this as ironic given the fact that in the 1940s Calvin W. McGhee, chief of the Poarch Band of Creek Indians,

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<sup>14</sup> See Chapter 1 for the history of the Poarch Creeks as it pertains to this dissertation.

initiated a suit against the county school board which would snowball into a full-blown social movement under McGhee's leadership. The movement brought educational reform, social recognition, and a renewed sense of historical pride to the Creeks of south Alabama. [Paredes 1979: 124]

Speck also identifies the last recognized chief as Ellick McGhee, the father of the middle-aged children he encounters when he visits. Speck observes that Fred Walker became a "nominal leader," but his efforts at having organized meetings were in the form of prayer meetings, as he was the exalter at the Episcopal church on the reservation at the time of Speck's visit (Speck 1947:197).<sup>15</sup> Speck does not go into detail about why he considers Fred Walker a nominal leader but points out that the Episcopal Church is raising funds to erect a consolidated Episcopal school on the "Indians' tract for which accommodations are planned for the entire child group" (Speck 1947: 197). Finally, as Paredes so poignantly points out to his reader: "despite Speck's efforts to direct the attention of anthropologists to this 'hereto unnoticed tribal group in the Southeast,' no detailed studies of the Alabama Creeks were conducted" until his own research began in late 1971 (Paredes 1979:124).

Speck believed that the Poarch Creeks were improving their economic situation, with the help of the Episcopal priest from Atmore, Reverend E. Van W. Edwards, as well as Dr. and Mrs. R. C. Macy of Atmore. He says that the intervention of these people in the Indian community "has resulted in bringing the people together with a closer feeling of unity in support of a program for their own welfare in education, conduct, health and morals" and goes on to say that "drunkenness and prostitution are gradually coming

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<sup>15</sup> The Episcopal Church's leadership model is such that the priest is the head of the church. If there is no priest, usually a member from the congregation serves as a lay reader, which gives them authority to lead certain types of services, but is not an ordained position. According to my interview with LaVan Martin, an exalter was essentially the same as a lay reader, but was reserved for people who were illiterate.

under control through corrective efforts arising within the group” (Speck 1947: 197), but he provides no evidence for these matters.

### ***Local Interpretations of Poarch Life***

While Macy and Speck give a desolate view of the way in which the Poarch community was organized and worked during their respective contact with the people who lived there, residents who can remember the time period do not have such a dim outlook on their position. To Macy and Speck, the people that they encountered were poor, and did not know how to operate in the larger white society: something that both of the writers deem important for the Poarch Creeks to know. But to the residents of Poarch, many consider that time to be the best of their lives. For while the tribe has many great financial resources because of the casino and other tribal businesses, many of elders I spoke with in this project remarked at the current lack of love and sense of community that were once characteristic of social relations in Poarch.



**Figure 7: Two men cut down a tree for pulp wood. (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

While residents acknowledge that Poarch was poor and that people did not have very many material things, Millie Jackson says that:

We were poor but we had a lot of love back then. There was love amongst our people. The settlements that we lived in weren't thick; they were scattered. The only way we had to travel was by walking...There was a few houses, that's all. That's where [my first daughter] was born. When we were smaller, we walked to Poarch [Switch] to go to school. I walked along with other girls from my community. We'd all meet and walk together. There wasn't a law telling you had to go to school, you just went if you wanted to. Late on in life we were sort of coming out of a shell.

Way back then, the road from here to that other highway [Alabama Highway 21], there was nothing but a three trail road. Two ruts for the wagon wheels and one trail down the middle for the animal



pulling you. Uncle Tom, if it rained, would go patch the road up. Big ruts in the road, and he had to make it passable. Miss Macy and Mr. Kinglo from the Episcopal Church used to come out here to teach Sunday School. They would have an A-model car. They had cars, but the models were different in town. Many people had cars then, but not people in Poarch. When we traveled, we traveled by mule and wagon. It was a luxury for us to ride in a car, even see one, really...<sup>16</sup>

A number of people commented on the existence of a “three trail” road that led from Poarch to “town” (Atmore) via what is now known as Jacksprings Road. While there was only a three trail road leading to Poarch, there were better roads leading to white communities that were further away than Poarch to Atmore such as Canoe, Davisville, McCullough, Walnut Hill, Nokomis and Huxford.

Rachel Rackard, born in 1920, is the oldest living tribal member and remembers the churches built by the Episcopal Church. While only one Episcopal Church remains standing now, St. Anna’s Episcopal Church, in the Headaperdida settlement, in the 1930s, there were at least three Episcopal churches, although having a church building was not the only way the churches functioned. Many church services were conducted under a “brush arbor” which was a frame structure built out of wood, with brush and leaves and branches covering it to allow for shade. Brush arbors were common places for community gatherings, and “the brush arbor would have a sawdust floor with blocks of wood with boards laid across them to use as benches” (Personal Interview with Lucy Sells, August 24, 2008). Mrs. Rackard says:

You used to have to go to Headaperdida for school. We called [where I live] Hog Fork, and then there was Poarch Switch. The Episcopal church here in Hog Fork was right up here where [a Holiness church] stands now. Preacher Edwards was the preacher and Mrs. Macy was the social worker. At least, she called herself a

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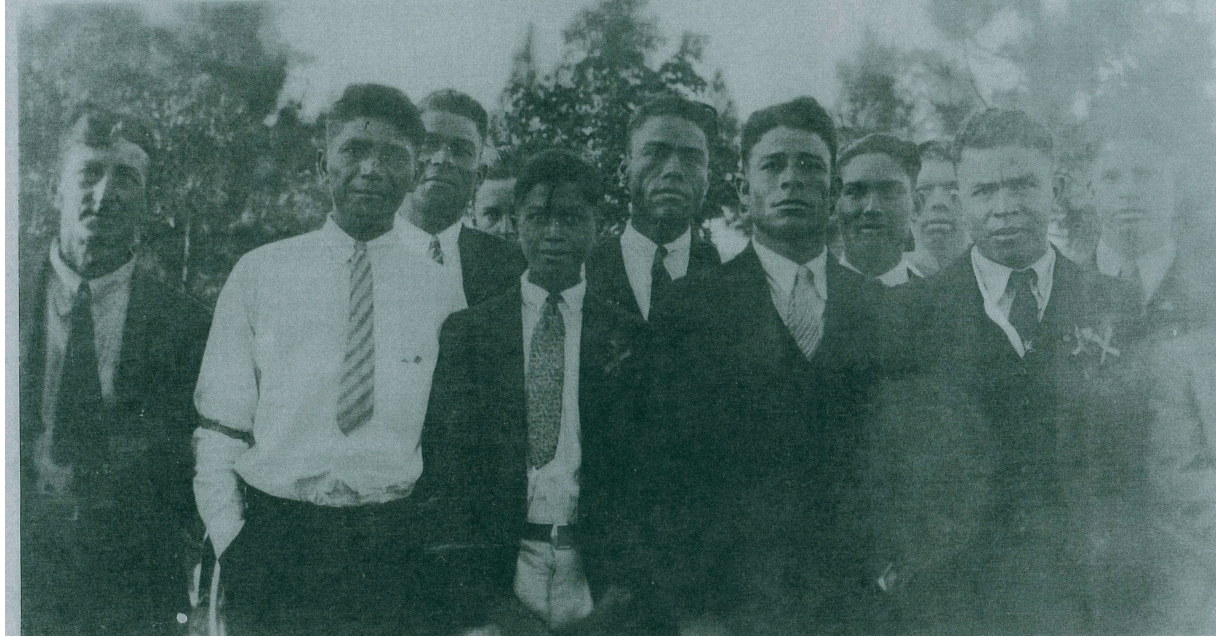
<sup>16</sup> With the exception of public figures such as the chairman, CFO of the casino, tribal genealogists, or long time tribal council members, names are pseudonyms.

social worker. Mrs. Macy didn't live long after they came in here. A man named Mr. Hicks used to live up there, and he and his wife Hattie Hicks used to drive Mrs. Macy all around to the Indian settlements. Mrs. Macy would bring us clothes and such from donations that they got in Mobile, I think. St. John's in the Wilderness was here, and St. Anna's was in Headaperdida.

While most people stayed in whichever of the three settlements that they were born into, Millie Jackson's family moved. She says:

Daddy decided that he wanted to move up here [to Headapedida from Poarch Switch] and farm. So we moved up here, right here, and there was a big old house we lived in. It had a big old well in the back. We milked cows, and when we had milk, my mama would put it down in the bucket to stay in the water to keep it cool. We didn't have electricity either. Oh, electricity went up this road, but it bypassed the Indians and went on up to McCullough [a white farming community about 5 miles away from Poarch]. My mother and daddy were born in the 1800's, and back then, and even when I was growing up, we were almost as bad [off] as those people who live in third world countries. But we always had enough to eat because daddy farmed. We made syrup, raised hogs, meat, bread, sweet potatoes, and my mama canned food.

Although Speck says that he does not understand how people can be so poor who live on such fertile land, the Jacksons, along with most Indian families at this time, took advantage of the fertile soil and raised gardens. Many tribal members say that this kept their family from starving on more than one occasion.



**Figure 8: Men from the Poarch community who helped build St. Anna's and St. John's. (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

Elders in the community discussed at length the role that the Episcopal Church played in their upbringing and schooling. Millie Jackson says:

The Episcopal Church played a great part in our life. Before them coming to this community we didn't have no schools to go to. They are the ones who started our schools. They helped us out with clothing...but I will tell you that we were never filthy. We didn't have much but it was always very clean. It was up to you whether or not you learned in school or not. We had to study by lamplights. We didn't have electricity.

Beginning when the Episcopal Church first sent the Macys to work in Poarch, every Christmas the church gave out presents for community children. These presents have been the same since missionaries first arrived: always included is a paper bag with apples, oranges, and a candy cane. Many elders say that it was the only Christmas present they ever received when growing up. This is a tradition that St. Anna's continues to the present day.

Tribal councilwoman Harriet Hallman discussed the importance of prayer and the Church and that this is part of what makes Poarch unique and special as a place and as a

people. She says:

Praying together is what makes Poarch special. Its what keeps the people together here. We can remember hearing prayers echoing through the woods. They would go in the woods and pray to the top of their lungs. God is looking over us today because of the praying of our ancestors. What makes us what we are is that we always stick together and help each other. I have seen times where we are all so poor. I might have had only one little egg and a hoecake,<sup>17</sup> but I would split it with my sisters. And they would share what they had with me. We ate a lot of beans and potatoes, potatoes and beans. We might not have had very much, but what we did have, we shared with each other.

Larry Martin, who currently serves as the senior warden for the St. Anna's Episcopal Church, traveled all over the world in his employment in the Army. He even served as a secretary to a four star general in the Pentagon as well as in the Citadel. He credits the Episcopal Church with making him the person that he is today based on the influences on his education from the church. He also serves as a local church historian. When I showed him the documents that Macy and Speck wrote about the tribe, as he was reading it, he said in response to Macy's account of how the couple began working at Poarch:

It didn't happen like that. Not exactly that way that he writes it here. The priest in Atmore, Father Van Edwards; he found that there was Indians living out here, and he wrote the bishop and said he found Indians that were uneducated and unchurched. That was the in the Diocese of Alabama [St. Anna's currently falls under the jurisdiction of the Diocese of the Central Gulf Coast, but at that point, the Diocese of the Central Gulf Coast had not been established]. And the bishop's response was, well, try to round them up and we'll see what we can do to help them. So, [Father Van Edwards] came out here to try to make contact, at the school house over there on what we called then Perdido Hill which is where Aunt Bert's house was. Where Gloria Jean lives now. That's where the school house was. See, each Indian hamlet had to provide their own school and own teachers. So, he came out here

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<sup>17</sup> A hoecake is a type of bread made using biscuit dough, but instead of rolling out individual biscuits, the dough is placed in an iron skillet and baked like cornbread.

one Wednesday and invited everyone to church. Nobody showed up. He came out the following Wednesday and nobody showed up. So somebody said, well you better go talk to the acting chief who was Fred Walker. So he did, and the third night he came out here, the place was packed. People were standing outside. So, he started having a service for them there. And then the McGhee family, which was...well not all McGhee but the main ones, they joined in and they built St. Anna's. Mrs. Macy was a missionary in Baldwin County and it was Edwards, out of the Diocese of Alabama, who got her to come up here. She and Dr. Macy. And they lived here out at the old Ewing's farm place, where that little airport used to be. They lived there...Dr. Macy started doctoring the people. Did you know Jack Rolin? He had a tubercular leg. He would not leave his family to go to the hospital. And Dr. Macy arranged so that his family got to go with him. His whole family went with him to the hospital. That was one of his first patients and that's on the wall [at the Pickrell House, where the Cultural Preservation Officer has made an exhibit with old photographs and letters from this time period].

Larry identified other inaccuracies that he found in the article by Dr. Macy. For example, under one of the pictures the caption read "Indian mother and twins" (Macy 1930: 407).

Larry says that this is incorrect for two reasons. First, the "Indian mother" was actually someone who was married to a tribal member and was not a Native American herself.

Secondly, the "twins" that are featured are not twins. Instead, one woman was unable to raise her child so the woman who was featured in the photo took the baby, since she had a child of a similar age.

So anyway, he stayed here for two years before he died. And Anna Macy stayed here til the late 30s as a missionary. Uncle Tom Tracy was her right hand, and drove her all over the place. She was finally put in a home, a nursing home, in Fairhope. But now before that, in addition to bringing in Dr. Macy and Mrs. Macy, the church built a house across from where the Tullis barn is over there, and made it a consolidated school for all of the Indians. Prior to that, each community had to provide their own facility for school and their own teachers. So the church brought in this Pickrell Mr. and Mrs. Pickrell, but they stayed for two years. The rumors are that his life was threatened...they were also out at St. John's in the Wilderness out at Poarch Switch. He was going out

there for services and someone out there threatened his life, and he sort of left. When he left, the church turned over that house and made it into a consolidated school. It was not the church, it was the farmhouse they built for Pickrell. He came here to teach agriculture to the Indians, and his wife was the social worker.

The Episcopal Church then helped turn the house they had built for the Pickrell's into the first Indian Consolidated School. Mr. Martin says:

When they left, the church turned that house into an elementary school that went up to sixth grade. This church was built in such a manner—it was the high school. For the upper grades. This is when the church got the county to recognize that the Indians needed school and needed their help. They recognized that consolidated school as an elementary school. Bates Moore was on the board on the school board and swore up and down that Indians would never go to school with the whites. So when it became a consolidated school, his wife and his brother's wife became the teachers, isn't that ironic? They had three teachers over there. And it functioned primarily as a, well later on as a high school, but the church here had classes in the sanctuary, and classes in the side, and a lunchroom. My Aunt Margie ran that lunchroom. She ran that lunchroom out there. And it has the water pump out there by it too. It functioned as a high school, but it wasn't working so well. So the church identified those who were interested in the Episcopal church and identified children to send to school. So the church came up with money, primarily from women's auxiliary. I know my money for school came from there, and I went to Patterson School for Boys in North Carolina.

The Episcopal Church continued to pay for Mr. Martin's education at boarding school, which was not a Native American boarding school. Other people from the community, many of whom were not even Episcopalians, attended boarding school with scholarships from the Episcopal Church. Poarch Creeks attended school all over the Eastern half of the United States, from South Dakota to Tennessee to North Carolina. Larry continued at Patterson School for Boys until the local schools were integrated. Then, he returned home to integrate Atmore High School.

Buford Rolin, the current chairman of the Tribal Council for the Poarch Band of Creek Indians, is also a member of the Episcopal Church and is on the vestry, the governing body of the church. He also serves as a lay reader and leads services from time to time. Until recently, he was also the senior warden for the church. Buford says:

I was raised in the Episcopal Church. They came here around 1928 and they started looking at us not only for our spiritual needs but for our health needs as well. Several of our Indian students from St. Anna's, and I'm a member of it, were sent away to boarding school on behalf of St. Anna's. It is very important that we don't forget that. I have heard and seen situations about boarding schools and what a stress and how awful it was for them...they were basically introduced into a new culture. We had that happen too with some of our children that went away to boarding schools. You hear different stories—people had different experiences with it. One person is LeVan Martin. He went on to have a very distinguished military career, but now he is back here today doing what he loves to do, and being involved and a part of this community. The Episcopal Church was also key in helping us get federal recognition. A lot of people don't know that, but the church was an extremely important piece to the puzzle of the federal recognition process.

All of the elders in Poarch who I spoke with express the same sentiment as Mr. Rolin: that St. Anna's helped the community in times of great need. The community also recognizes that St. Anna's was an integral part of the federal recognition, due to the incessant records kept by missionaries, church employed teachers, and priests.

While the Poarch community endured economic hardships for generations, stability and cohesion united and bonded the community. Many men from Poarch moved away to find better jobs to support their families, while most women stayed to sharecrop, work in fields for farmers, and take care of their family's day to day needs.

Anthropologists and missionaries alike visited Poarch for the first time, shocked to find out that there were still Indians in Alabama. Their observations included comments

about the lack of indigenous art forms. But as one person from Poarch said to me, “[i]t’s hard to weave baskets and do patchwork when you have no idea where your next meal is coming from.”



## Chapter 3

### **“They would hit us because we were from Poarch:” Education and Race in Southern Alabama**

Your uncles, they were tough. I mean, really tough. When everyone was worried about all of the different races coming together at [Escambia County High School], your uncles would walk right through without a care in the world. I remember this one time, when there was a group of black students standing in front of the doors to the school, daring people to walk in. But your uncles didn't care. They just walked right through the middle of them. That's the way the Indians had to be back then. They had to show that they weren't afraid.

The decision in the Supreme Court decision of *Brown v. Board of Education* begins with the line: “[s]egregation of white and Negro children in the public schools of a State solely on the basis of race, pursuant to state laws permitting or requiring such segregation, denies to Negro children the equal protection of the laws guaranteed by the Fourteenth Amendment -- even though the physical facilities and other "tangible" factors of white and Negro schools may be equal.”<sup>18</sup> When most people think about desegregation of schooling in the Southeast, not many people realize that *Plessy v. Ferguson*, the ruling that established separate but equal schools, not only applied to African American children in the South, but in the case of the Poarch Creek community in Alabama, this applied to Native students as well.<sup>19</sup>

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<sup>18</sup> *Brown, et al. v. Board of Education of Topeka, et. al.* 347 U.S. 483 (1954).

<sup>19</sup> *Plessy v. Ferguson*, 163 U.S. 537 (1896). Although *Plessy v. Ferguson* was about transportation as opposed to education and school facilities, this expression “separate but equal” that originated in this court case became the basis for the “separate but equal” qualifiers for racially segregated schools.

In the first section of this chapter, I will present an overview of Indian Education in the United States with an analysis of how the conditions of the Poarch Band of Creek Indians do not fit this general pattern. I will then describe the education system as it developed in Poarch. I will use interviews with elders as well as more recent graduates to describe what it has meant to attend school in Atmore as a Poarch Creek. In the next section of this chapter, I will argue that attending school brought Poarch Creeks together under the common goal: of gaining an education. Discrimination and anti-Indian sentiments in schooling has served as a way to bring the community closer together.

### ***Native Americans and the History of Education in the United States***

This section is about the challenges that Indian students faced in both all Indian schools as well as in integrated schools in the South following the decision in *Brown v. Board of Education*.<sup>20</sup> Late one afternoon, after my grandmother and I had been out visiting some of the other elders in the community to talk about schools, we settled into her swing on the front porch of her house with a big bowl of peas to shell. We started talking about the different people passing by, getting off of work, driving into town, but eventually our conversation turned back to schools. I asked her about her school experience, but she said she did not have that much to tell since she only made it through the sixth grade due to the fact that the Indian schools, established by Episcopal missionaries, stopped after sixth grade. Although she could not remember much about her experiences at school, she had plenty of stories to tell me about her own children's experiences within the school system.

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<sup>20</sup> *Brown, et al. v. Board of Education of Topeka, et. al.* 347 U.S. 483 (1954).

When her youngest son, Darryl Sells, attended elementary school in the 1960s, he was bussed from Poarch to Freemanville to attend elementary school there, as the Poarch Consolidated School was closed at that point. African American children attended the school in Freemanville as well, there was still blatant racism towards both the African American children and the Indian children from Poarch. Darryl was only in elementary school when the bus driver purposefully left him at school after he was accused of stealing a cookie by one of his classmates. Darryl had to walk the five and a half miles from Freemanville to Poarch alone along bustling Jack Springs Road. His mother was furious, and promptly drove to the school to speak with the principal about it. Apparently Darryl was not the only Indian child to have been left behind by the bus driver over the course of the school year. Even so, the bus driver was not reprimanded.

On the other hand, another uncle, Melvin Sells, was a star for the Escambia County High School Blue Devil football team. His white coach consistently made sure Melvin had all that he needed (including clothes, supplies, and tutors) and that he was performing adequately in school, although the rules about passing to play in that time period were much more lax. Their sister, Ann Sells Burns, had a difficult time in school, where many of the white students called her “nigger.” The students from Poarch tended to stick together at school; they ate lunch together, sat next to each other on the bus, and usually could not afford to participate in after-school activities.

However, the evidence that I have collected through interviews indicates that not all students were subject to racial discrimination, but instead, their treatment depended on which time period the student attended schools. In some cases, the racially diverse students were fine with a multi-racial school system, but their parents continued to

contribute to the barriers between racial groups by not allowing Native or African American children in their homes and frowning upon their children who associated with other groups. Native students experiences varied considerably by decade or historical moment. In the earliest moments, when Native Americans integrated with white students at Escambia County High School, beginning in the 1950s, these students report not having any friends beyond the ones from the reservation.<sup>21</sup> Even white students who lived near the Creek community and played with Creek friends ignored their after-school playmates in front of their white teachers and classmates. When the Poarch Consolidated Indian School was closed in the 1960s, and Indian students were bussed into Atmore for elementary as well as junior high and high school, racism was more apparent and noticeable. Instead of merely ignoring Native American students, the Creeks were subjected to discrimination from their peers as well as their teachers. Racism was at its height and at its most severe during the 1960s and 1970s. In the 1980s, students reported more indirect racism occurring, but it was still an undercurrent in school activities.

The policies aimed at education for Indian children in the United States have always worked in tandem with the policies of the United States government in dealing with tribes and Native people. When, in the nineteenth century, the idea of the “vanishing Indian” was influential, the opinion of well-intentioned humanitarians of the time was to promote assimilation for Native Americans. Assimilation was seen as the only hope for what was believed to be a dying race (Reyhner and Eder 2004:3-4). Blending into the larger society, while seen as necessary, was also viewed as a difficulty. In order for this system to work, Congress and the Indian Bureau began working towards

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<sup>21</sup> At this time, the Poarch community had an Indian school that went to the sixth grade. It was in the 1950s that students went on to seventh grade in the white community of Atmore, Alabama, approximately five miles from Poarch.

“remold[ing] the Indian’s conception of life or what came to be known as his ‘system of values’” (Szasz 2003 [1974]:8). Changing the Native person’s “system of values,” supporters of assimilation argued, would enable the Indian to become white.

Indian agents accounted for this difference in values based primarily on two things: the way in which the Natives educated their children, and the relationship Native people had to their land. The Dawes Allotment Act of 1887 destroyed this relationship to land, as it broke up communally held lands into individual plots. It was in this same decade that the United States government “began to assume responsibility for Indian education and provided the first significant federal funding for Indian schools” (Szasz 2003 [1974]:8-9). While the federal government funded these programs, in many cases it was missionaries and church groups that actually implemented schools and education systems. In 1879, Richard Henry Pratt, a United States army captain, founded Carlisle Indian School; Pratt convinced the government and the general public that the Indian was, in fact, educable based on his experience with Indian prisoners in Fort Marian, Florida (Reyhner and Eder 2004:134). With his successes, in 1882, a large congressional appropriation was given to expand off-reservation industrial boarding schools (Szasz 2003 [1974]:10).

A discussion of the problems of government-funded boarding schools is beyond the scope of this project, but I would be remiss if I failed to point out some of the troubles that came as a result of industrial boarding schools. Reports of physical and sexual abuse are common. A plethora of unmarked graves usually accompanies a historical boarding school site because of the poor hygiene and medical care available to students. Accusations, by former students in Carlisle, of “opium eaters” as teachers, an “inebriate

paleface [who] sat stupid in a doctor's chair, while Indian patients carried their ailments to untimely graves," and questions of whether "real life or long lasting death lies beneath this semblance of civilization" were brought to the attention of readers of the *Atlantic Monthly* in 1900 with an article by Zitkala-Ša in her article "An Indian Teacher Among Indians" (Zitkala-Ša 1900:385 as quoted in Baker 2010:67).

Another type of schooling that was a popular alternative to boarding schools, which were viewed as being too expensive for the number of students graduated, were federally funded reservation day schools.<sup>22</sup> In 1920, Congress declared that all non-reservation boarding schools with less than eighty students be closed as a cost-saving mechanism (Szasz 2003 [1974]:106). Therefore, day schools were becoming more popular than boarding schools because transportation costs were lower, and they did not have the expense of room and board. Families obviously preferred that their children remain at home. Day schools served many of the functions of boarding schools: reading and writing were taught, as well as activities which were deemed necessary for survival in an assimilated ideal of "white" culture. For example, boys learned how to milk cows, grow vegetables, build and mend fences, while girls learned primarily domestic tasks such as how to cook, sew, washing and ironing, and how to set a table and make a bed (Szasz 2003 [1974]:106). These schools were very modest in that most had one to two rooms with multiple ages and grades in each room. Teachers worked with parents and within the community to create better education for the students. Around 1923, the

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<sup>22</sup> Carlisle only graduated 158 students during the twenty-four years that Pratt was the director of the school. No graduates finished in 1889 and only three graduated in 1893. Part of the reason for this was the "outing system" that Pratt used to get Native students into the white world to make assimilation make more sense to them. The problem is that in many cases, Indians were employed as servants to white families. Some boarding schools, such as Phoenix Indian School, became employment agencies for white families. (Reyhner and Eder 2004: 139).

average reservation school had forty to fifty students in attendance (Szasz 2003 [1974]:107).

A third type of school Natives attended were public schools. In most cases these schools served tribes whose communal lands had been broken up by the Dawes Act, but in many cases Eastern and Southern Indians were already attending public schools. Reyhner and Eder argue that “as whites responded eagerly to the newly available leases and surplus lands of these reservations [that were broken up by the Dawes Act], they brought with them demands for public schools for their children” (Reyhner and Eder 2004:11). In 1902 Indian Agent Jay Lynch wrote from the Yakima reservation that there were:

So many white people renting land on the reservation...it was found necessary to have schools for white people renting Indian lands...Indian children progress much faster when they are thrown in contact with white children than they do when they are all kept together with whites excluded. (Jones, *Annual Report of the Commissioner of Indian Affairs* 1902: 368-369)

Even as Indian children begin to attend public schools in various areas, the policy of assimilation continued to be at the forefront of the goals for educating Native children. Richard Henry Pratt’s idea of “kill the Indian, save the man” continued to be the ideal for how to educate Indian children.

The final form of Indian schooling I discuss in this chapter is the mission school, which was the school that the Poarch Creeks were exposed to. The mission school was the first educational venue for most Native children, but these schools continued to have great success in attracting Native students in areas where boarding schools and day schools did not exist, and in places where Natives were not able to attend public schools, such as in Poarch, Alabama. Szasz says that “although mission schools did not educate a

significant portion of Indian children, they were responsible for a consistently small percentage, with considerable variation from reservation to reservation” (2003 [1974]:11-12). The continuation of mission schools’ existence may have been due to the fact that there were not enough of the other types of schools for all Native school-aged children. Szasz also argues that part of the reason why the mission schools continued to exist even after the availability of other types of school systems was because of a “tenacity” due to the fact that the mission schools had become “established institutions” on reservations. It appears more likely that part of the reason for the continued existence of mission schools was due to the “persistence of both churches and the Indians themselves” to maintain mission schools on their respective reservations (Szasz 2003 [1974]:12-13).

William M. Chapman, director of an Episcopal School, St. Elizabeth’s, on the Standing Rock Reservation argued that even though the conditions at his school were not ideal, they were still better for Indian children than the large federal schools which could house as many as five hundred students at a time. Chapman also argued that the church training that each student received was invaluable to them as they were “naturally devout” Christians (Szasz 2003 [1974]:12). Not all Native students were happy to be at mission schools, however, and in many cases missionaries were overly strict towards Native pupils with harsh discipline and punishment for those who did not follow rules imposed by the missionaries. Not only were privileges taken away from Indian children, but also, corporal punishment was common when students did not perform chores correctly or even if they were caught speaking their Native language (Reyhner and Eder 2004:122-126).



In 1926, under the direction of the Secretary to the Interior at the time, Hubert Work, the Institute for Government Research undertook a project to “to conduct a nonpolitical investigation of Indian affairs” at Johns Hopkins University in order to prevent a biased review from critics of the Indian Office (Reyhner and Eder 2004:207). This report, widely known as the Meriam Report, indicated a need for considerable improvement on the relationships between government and Indian communities; in particular, the report:

[C]ondemned the allotment policy and the poor quality of services provided by the Department of the Interior’s Indian Office, urged protection for Indian property, and recommended Indians be allowed more freedom to manage their own affairs...it documented the lack of correlation between the curriculum of Indian schools and the realities of reservation life. In addition, the care of Indian children in boarding schools was found shockingly inadequate. [Reyhner and Eder 2004:207-208]

In addition to documenting that childcare was inadequate, medical care in boarding schools was reported as virtually non-existent. The report also made clear that the way in which student labor utilized by the boarding schools was ethically and legally questionable. The report stated “The question may properly be raised as to whether much of the work of Indian children in boarding schools would not be prohibited in many states by child labor laws, most notably the work in the machine laundries” (Meriam 1928:13). The Meriam Report, while it did not cause change in all areas that it suggested, served as a wake up call for the policies that had been enacted upon Native communities by the United States government. The Meriam Report also provided evidence of physical and psychological abuse towards the students by pointing out that “almost all schools had locked rooms or isolated buildings that were used as ‘jails’ and in some schools children

were forced to ‘maintain a pathetic degree of quietness’ that might also be attributed to poor diet” (Reyhner and Eder 2004:209).

After the Meriam Report was published, the government responded to the calls to change by attempting to improve Indian education on a national level. Although boarding schools were seen as a major part of the problem, many native people who had been through the boarding school system saw assimilation as a necessary action for the continued existence of Native Americans in the United States. With the Indian New Deal period between 1933 and 1944, education policy towards Indians began to be more about educating native students in a way that would be helpful for their lives as opposed to teaching them how to work for white families. Boarding schools decreased as the number of Native students increased (Reyhner and Eder 2004:209-215). After the Meriam Report, a method of “progressive education” came to the attention of teachers in boarding schools and day schools. This method called for students to be able to continue expressing themselves in their native cultures through language and art. They would not be punished for speaking their own language, and they would be able to continue their own cultural education while also learning English.

The Meriam Report also called for Indian education to be controlled by more Native people themselves. John Collier, Commissioner of Indian Affairs under Franklin Roosevelt, was happy that he was able to help increase the number of Native people working in the Indian Bureau from thirty percent in 1933 to sixty-five percent in 1945. This was made evident in Indian schools as well where Native graduates were, in some schools, hired back to help teach in their own community (Reyhner and Eder 2004:226-229). While the Meriam Report was an eye opener for those who worked in schools and

with the Indian Bureau, many of the recommendations that were made for Indian education in the report had still not been taken seriously or fully addressed in the adopted period leading up to Indian self-determination movements beginning in 1945 (Szasz 2003 [1974]:156-159). The Poarch Band of Creeks, however, had a different trajectory with its development of Indian education.

### ***Schools in Poarch: From No Schools to the Poarch Consolidated School***

The situation in Poarch was somewhat different. The Poarch Creeks, for the most part, did not attend these same day schools or boarding schools due to the lack of visibility of Southeastern tribes in the United States at the time.<sup>23</sup> While missionary schools were limited in the United States in the 1930s, with boarding schools and day schools having the largest number of students, schools in Poarch were funded by the Episcopal Church well into the 1950s.

Because of Dr. Macy's (the missionary appointed by the Episcopal Church to serve the Poarch Creeks) article and communication with the bishop of the Episcopal church about the "uneducated and unchurched" Indians that lived in Poarch, the Episcopal church established two missionary run schools. One school was located at St. Anna's Episcopal Church in the Headaperdida settlement, while one was located at St. John's in the Wilderness located in the Poarch settlement to service children from Poarch and Hog Fork. Both were established in 1944. Before the Poarch Consolidated School was established in the 1950s, missionary schools were the only education Poarch Creeks

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<sup>23</sup> See the introduction to this dissertation for further discussion on the invisibility of Native tribes in the Southeastern United States.

could seek. While one elder reported that there were community schools for each of the three hamlets that make up the Poarch Creeks, most families were not able to afford the dollar per week required for their children to attend classes. One tribal elder said “we walked to school. [I went to school] where Bell Creek is, the Bell Creek Church. I’ve never been to a school in a schoolhouse; it was always just in the church or a dwelling house. We had a seven month school that started when we turned seven, and we walked from those woods to Bell Creek Church...about five miles.” These schools had very limited resources as the church provided all of the books and school supplies. Lucy Sells said that “the teacher, the way the church was, they’d put up a curtain down the middle of the church. And the first and second grade was over there and the third and fifth grade was on this side.” Rachel Rackard explained the school system at Poarch:

Teacher at Headaperdida was Miss Bertie Lee and out here was Leigh LaBelle Conley. And that’s where we went to school to the sixth grade, then they sent somebody from Brewton, but they give the test out at Bell Creek school. All went out there to take the test, and almost everyone passed to seventh grade, but we didn’t have no school to go to because we was Indian, and no Indians could go to Atmore school or McCullough school. And that’s when Brother Calvin<sup>24</sup> got involved and knowed we wasn’t treated right. He said when my boys get old enough, they going to school. Got in with Thompson and that other lawyer, and Calvin made no telling how many trips how he went to Washington. They got us all that we have out here today.

He’d always say—well, they told him one time when he was telling them about getting them for school. They said they’d come to get his children. Said they are white—they look white. Calvin said I am not working only for my family but for my people. I am working for my people. You are coming to get them, alright, and if you don’t be here I’d get your head.<sup>25</sup> You’re coming to get them, they are going to school, and I will let you know quicklike, I am not working only for my family but for my people.

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<sup>24</sup> Brother Calvin refers to Chief Calvin McGhee.

<sup>25</sup> “I’d get your head” is an expression similar to “I’ll have your head.”

We didn't go to church, but that was when Calvin stepped in, and built the school what's built up there now for the Indian Consolidated school. Hazel and Ruby and them, they went to that school. We used to walk to the church and that's where they had the school—that's when our young'ens got to school.

We stayed home after we didn't go to the seventh. I was getting on up and it wasn't too long before I got married---when I was 17. Between 17 and 18. When we first got married we stayed out there at Bell Creek with his mama and daddy—lived in the house with them. Until Old Man Joe Day built us a house, and we worked for him. No big pay then. Edgar used to work on WPA—that was some kind of work that back then you got paid every two weeks but it wasn't very much.

Lucy Sells, who was there when I conducted the interview, said “I can remember when the whole table was solid with papers. Calvin had to work hard for us to get what we got then. And what we got now too.” On the way to school, the children who had long walks would meet up to walk together. A conversation between Rachel Rackard and Lucy Sells:

Rachel : We'd walk out through yonder and have a meeting place. Uncle David's children would come around there from where they live. We'd meet, the first one who got there would know the others was on the way. Then we'd went to the Episcopal Church out there at Bell Creek. They would furnish the books. We didn't have no indoor bathrooms. We'd sit up for dinner<sup>26</sup> with our buckets on the bank having a picnic.

Lucille: There's no more good times though, is there? I remember having to carry collard biscuit. Whatever we had for supper we'd have for dinner the next day. Put the beans between the biscuits. Or have salt meat biscuits at school.

Rachel : you used to go to Headaperdida...remember? We called down here where we lived Hog Fork, and here was Poarch. The church was right up here where Ray Ward's church is now. The church was built and they tore it down and Alton bought the lumber out of that church and they built a new church. They built another church...Preacher Edwards was the preacher, and Miss Macy was the social worker. She called herself the social workers.

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<sup>26</sup> Dinner, the biggest meal of the day, is referred to as the noon time meal. Supper is the evening meal.

Mr. Macy didn't live very long after they came in. Mr. Hicks used to live up there, and Hattie Mae Hicks used to drive Ms. Macy around.



**Figure 9: Poarch school children at missionary school. (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

LaVan Martin, the Senior Warden of St. Anna's Episcopal Church, was sponsored by the church to attend boarding school. However, instead of attending a federally funded boarding school specifically for Indian children, he attended a private Episcopal boarding school where he was the only Indian. He explains the significance of the schools and the Episcopal Church:

[Dr. and Mrs. Macy] stayed here for 2 years before he died. And Anna Macy stayed here til the late '30s as a missionary. Uncle Tom Tracy was her right hand, and drove her all over the place. She was finally put in a home, a nursing home, in Fairhope. But

now before that, in addition to bringing in Dr. Macy and Mrs. Macy, the church built a house across from where the Tullis barn is over there, and made it a consolidated school for all of the Indians. Prior to that, each community had to provide their own facility for school and their own teachers. So the church brought in this Pickrell, a Mr. and Mrs. Pickrell, but they stayed only for 2 years. The rumors are that his life was threatened...they were also out at St. John's in the Wilderness out at Poarch Switch. He was going out there for services and someone out there threatened his life, and he sort of left. When he left, the church turned over that house and made it into a consolidated school. It was not the church, it was the farmhouse they built for Pickrell. He came here to teach agriculture to the Indians, and his wife was the social worker.

When they left, the church turned that house into an elementary school that went up to sixth grade. This church was built in such a manner—it was the high school. For the upper grades. This is when the church got the county to recognize that the Indians needed school and needed their help. They recognized that consolidated school as an elementary school. Bates Moore was on the school board and swore up and down that Indians would never go to school with the whites. So when it became a consolidated school, his wife and his brother's wife became the teachers. They had three teachers over there. And it functioned primarily as a, well later on as a high school, but the church here had classes in the sanctuary, and classes in the side, and a lunchroom.

Aunt Margie ran that lunchroom. Margie McGhee, that's Martha's mother. No, Mabel's grandmother. She ran that lunchroom out there. And it has the water pump out there by it too. It functioned as a high school, but it wasn't working so well. So the church identified those who were interested in the Episcopal Church and identified children to send to school. So the church came up with money, primarily from Women's Auxillary. I know my money came from there, and I went to Patterson School for Boys in North Carolina.

I was the only Indian there. And some...Bernastein went to St. Mary's in Sewanee. And others went to St. Andrew's in Sewanee. Later, I found out that Susan went to the Dakotas to school. Virginia Bell Godwin stayed out there and graduated, but as far as I know never set foot in the church, so the church continued to fight for the rights for Indians to go to school along with attorneys.

LaVan described his experience at the boarding school as very good for him. The Episcopal Church continued funding his education all the way through college at Auburn University. LaVan was one of the first, if not the first, person from the tribe to graduate from college. He then entered the military and remained there until his retirement.

In 1949, Escambia County, where the Poarch Band of Creek Indians reside, established a “separate but equal”<sup>27</sup> school for the Poarch Creeks to attend. The Poarch Consolidated School replaced the two missionary based schools. As this new school stopped also at sixth grade, at the community began organizing to demand middle and high school educations for community members. Under the leadership of Chief Calvin McGhee, the community worked towards Indian children being able to attend the white middle and high schools in the closest town of Atmore, Alabama. Several interviews with elders indicated that Chief McGhee was approached by the superintendent of Escambia County to make an offer: if Chief McGhee would forget about Poarch at large attending schools in Atmore, the superintendant would arrange for school buses to pick up the McGhee children *only*. McGhee turned him down.

Just as school integration in Alabama was contested by whites, as evidenced by Governor George Wallace’s symbolic attempt to block the entry of African American students enrolling in the University of Alabama (accompanied by armed state troopers as well as police dogs), so it was in Poarch as well. When Chief McGhee began organizing the community in order to allow Poarch students to attend public high school in nearby Atmore, there was contestation by local whites—even whites who were neighbors to

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<sup>27</sup> *Plessy v. Ferguson*, 163 U.S. 537 (1896). Although *Plessy v. Ferguson* was about transportation as opposed to education and school facilities, this expression “separate but equal” that originated in this court case became the basis for the “separate but equal” qualifiers for racially segregated schools.



Poarch. Millie Jackson discussed the challenges and work that went into Poarch getting a school:

I remember when they black topped this road out here [Jacksprings Road]. We thought we was uptown then. You'd have to walk to the store down here to Freemanville... When we lived at Poarch we went to a black man's store. His name was Greeley Rabb. We were going over there during World War II to get stuff with our ration stamps. Then when they consolidated the schools, I went up there to the Episcopal Church to school. They would bus young'ens—they wouldn't let us go to Huxford. Huxford was where all of the white kids from this area went. If you lived in Atmore you'd go to school in Atmore, but around here, if you were white, you went to Huxford. The bus would bring them back the kids from the consolidated school, and my daughter, Catherine, she started her first year of school right up there. They had a time getting that school. They had to go to Montgomery. Calvin and some of the parents, and they met with the governor, and that's the reason that school was built up there. I got my GED when I was 51 years. I got a chance to go that summer. Eugene Madison was my teacher. All my young'ens went to school up there at that consolidated school.

It is not unusual for elders to talk about finishing school in fourth grade or sixth grade.

Their educational opportunities were limited by discrimination. On the other hand, many of the students of the 1940s and 1950s had to drop out of school in order to do household chores as well as earn money for the family. Harriet Hallman talked about having to quit school early:

I had to quit school early to go work for Vanity Fair to make money for the family. I would leave that job, and go over to the potato shed where they graded cucumbers, potatoes, and all kinds of other vegetables for the store.<sup>28</sup> I wouldn't get home until ten or eleven at night. We had to stay there grading those potatoes until things stopped coming in from the fields that day. I didn't have a chance to finish my education until later...we had to help the family out as much as we could.

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<sup>28</sup> Vanity Fair operated a sewing factory in Atmore, Alabama until it closed in 1994 coinciding with the passage of the North American Free Trade Agreement.

Grading potatoes and working in fields were jobs that students could get after school.

Jennifer Stacey says:

When I quit school, the reason I quit school was to help my mama take care of my daddy and of the rest of the kids. And they didn't expect him to live, and then I got married in '67, and I worked down at the potatoes. I was the potato checker. And you would stand there and count them. Give them a number and they would have to do the packing.

Because of this community-level poverty, many had to drop out of school to work. This was encouraged in many cases to help ends meet within a multi-generational household.

Everyone in the community was put to work; this meant handicapped and physically disabled people as well.

The current tribal chairman, Buford Rolin, grew up in Poarch and attended Poarch Consolidated Schools. He says:

As far as my growing up, I lived in this community; I walked to public school. Sometimes barefooted: I didn't always have shoes. That's how we commuted. Poarch Consolidated Indian School. What I remember specifically about the elementary school was the fact that I was surprised by the quality of teachers we did receive from Escambia County Board of Education. One lady in particular from California, Grace K. Mayes. I remember specifically the challenges that she gave each of us. And she did it in a very kind and personal way. She always said, "you can be what you want to be but you have to apply yourself. No one can give you an education. It is you applying yourself." She just was enthusiastic about education and what it meant to her, and what she wanted it to mean to this community. She made a point, she said when she first came here and met Calvin, one of the first things Calvin talked about was having a school system that could benefit our people at home in this community.

Those three communities, Headofperdido because of the creek begins right here on our reservation. Then we had Poarch community which was where the railroad spur was, and then we had the Bell Creek and Hog Fork. And those were the three distinct communities. Ms. Mayes, working through Calvin and people like Mal McGhee, Brooks Rolin, and my uncle Dave

Presley who was married to Aunt Ollie, they were some of the leaders in the community that really worked diligently to have a chance to see to it that the children here in this community had an opportunity to get an education. Now, when I mentioned I graduated through 6th grade, I went directly into town. Years before that, some were bussed to McCullough and it wasn't a good experience. My brother who is deceased, he ... I remember him saying to my dad, who was his stepfather... if I have to go another day to school there in McCullough, I will not go to school anymore. Daddy tried talking to him and [to] instill in him the importance of an education, and he made the comment you don't know what I am experiencing. This brother of mine was very dark skinned, so he got a lot of real bad treatment from being sent to school with the other white students.

Back in those days my sister Leola, and Calvin... they went to the school board in Brewton and demanded that we have our own school. Initially we had the one room school that was set up, but Calvin and them were really adamant about having a public school for our Indian kids. The thing about it is, we got the school, but that school was built for us, it was bad. And they did renovations in the next community over, and it had the modern day conveniences. Ours had outhouses. But we were glad to have that, and we didn't complain. We were happy to go to school there. It was like [a] new day to be introduced to indoor plumbing. That was the only place you could wash your hands. Ms. Mayes saw to that—even though we had outdoor facilities, we had a place to wash our hands. This lady, she really brought a different experience to this community with her leadership. She worked through the community and the leadership that was here.

I would venture to say that Ms. Mayes was probably one of the reasons... she was the one who brought up the whole issue of federal recognition... Ms. Mayes had read an article in the newspaper about an Oklahoma tribe had received federal funding. She thought here are American Indians, why aren't they receiving assistance, why doesn't the government assist them? As far as education and health care. We knew we had health problems but the key to the success in moving forward was that we had to get a decent public school system. If we had an opportunity, we could move forward beyond our present day situations.

Other elders talked about Ms. Mayes as well. Tribal councilwoman Harriet

Hallman discussed the role of schools in Poarch:

My first memories was when Ms. Grace Kay Mayes came from California. She came to help the Indians. I was in a class of eight people. But we were in a classroom with about three different grades in it.

My teacher in the white building was Ms. Agee. She hit my sister a lot. They would hit us because we were from Poarch. My older sister couldn't learn, so [Ms. Agee] was constantly hitting her. The class then was six to eight people. Still had small classes, outdoor bathroom. It was just down from the Episcopal Church. Those weren't real happy days over there. My days of enjoying school came after the Consolidated School experience was over. Grace Kay Mayes, came and was there to help us and cared about us. One of our classmates, Earl Jr. Smith, he got thrown by a horse. He was riding and got thrown off and couldn't attend school. So she would take his homework to his house. She would bring fruit to us and let different ones walk across the thicket to get over there.<sup>29</sup> We were poor. Even a tomato would make the difference. Sometimes she brought canned tomatoes and crackers and that was a treat. Whatever she did it was always with love. Everything she did was with love because she came here to help us. In the sixth grade she came up to me, and told me that she needed to talk to me after school. I am going to take you to the dentist. She took me to the dentist and paid for whatever needed to be paid, and I had real bad infection already and had to take penicillin everyday. Then for our graduation, we were the most beautiful girls. You would not believe this was poor people. We had to pick cotton and work to get it, but we had white dresses with the white shoes and the flower in our hair. We just *had* to dress up for graduation.

I'll be 71 next month. You're going to find it was difficult except for ones that are Indians, but look like white people. If they were fair skinned enough, they didn't get treated like some of us did. My first encounter was kids coming up to me pulling my hair, spitting on me, but I fought back. It was because we were Indian, but also because we were so poor. At that time there were about eight of us. The principal was real good to me. I had to walk to town to get milk for the babies, the powdered milk. He would always let me go to town to pick up the milk. We had to walk from New Home Cemetery to where a bus would pick us up. Had to leave about six in the morning and got back about four in the afternoon. My daddy felt that we had been in school all day and should have had time to do homework while we were at

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<sup>29</sup> The thicket was a thick grove of trees in a swampy area that stood between the school and most of the student's houses.

school. When we got home, we had to work. Hard labor work. We had to do that til dark. By the time we got in, we ate supper, pumped our water to bathe. No electricity, and only an outside bathroom. Some still had outside bathrooms when I left home.

But not all tribal members went to school in Atmore. There was a sizeable population of Poarch Creeks that lived around the Florida state line in Bay Springs and Walnut Hill.

Former tribal chairman, Eddie Tullis, said that his experience in schools in Florida was not nearly as racially divided as his contemporaries in Atmore and McCullough. He says:

I went to school in Ernest Ward High School. Wasn't near as bad there as in Atmore. That was part of the motivation for my mama wanting to move to Florida. And she moved down there both for employment and for us to go to school at Walnut Hill. The reason it wasn't so bad was because we didn't have many Indians down there. My family, some of the Barnhills, Gibsons, McGhee, and so didn't have near as many Indians as they did in Atmore. There was very little blatant discrimination there. Not nearly like it was in Atmore. We liked it so much that we stayed in Florida until Edie [his daughter] graduated high school. Two weeks after she graduated, we moved. Both of my local grandsons go to school down there. Ernest Ward is a high school, it was one of the smallest high schools in Florida but always one of the top rated high schools. Reminds me of Huxford—an awful lot of experienced teachers and an awful lot of community involvement. Much better school than it was where you had less of an education.

One time, I got my haircut into a mohawk and they threatened to expel me from school if they done it again. Ernest Ward [the school] even treated the black kids, which were very few, if they were good kids, if they studied and played ball, they were treated just like everyone else. Not an atmosphere that was conducive to racial stereotypes. And it was a farming community. The last period of our day was football practice. It was so rural, and everyone had work to do when they got home, so you couldn't stay after school. So because of that, a real type of community feeling came from that school.

It is important to note that Poarch Creeks had a variety of different experiences when they attended schools in white communities. Some of this treatment depended on the historical moment (such as, some of the first to attend white schools had worse treatment than those later); other factors included teacher response to racism (and whether or not the teachers were taking part in making school more difficult for Indian children or helping them) as well as personality of the student involved.

In the midst of the Civil Rights Movement during the 1960s, the American Indian Movement, following the example of the Black Panthers, emerged to give voice to the plight of Native Americans, specifically to call into question the U.S. policies towards American Indians. While the American Indian Movement was not present in Poarch, the young Poarch Creeks at the time followed the African American lead in their push for equality in schools by not allowing white students and teachers to take advantage of them. One former student said “If they [whites] were mean to me, I would get them back one way or the other. They were a lot of people upset with us going to school with them...but they usually got along with me. But if they didn’t, they knew I would do something to get them back.” Others were not able to stand up for themselves. Pandora Andrews, who was stricken with scarlet fever in her first year of life, suffered brain damage from the intensity of the fever. Her mother reports that she almost died, several times. She said:

My science teacher made fun of me when I was in school. Cause I couldn’t learn. And my school mates. In Atmore. My whole school made fun of me, because I was an Indian and couldn’t learn. I came home from school and told mama what happened and she went and took me out.

Her mother responded:

I said I wasn't going to have my child laughed at. I don't even know why they passed her, but they did. But she was having seizures. When Pat was born she almost died and had seizures. If she gets too upset now she'll have one but she has to get real upset.

While many students of this generation received bad treatment, including being called “nigger,” younger generations begin to start taking pride in being an Indian and in being Poarch Creek.

Stephanie Bryan, current tribal councilwoman in her 40s, spoke about her transformation from being a very shy person, to someone who would stand up for herself and her culture. She says that high school was particularly difficult. In addition, something that is hard for her is people who were awful to her in high school for being Indian, but now claim to be Poarch Creek:

I began school attending head start at the tribal center—now the building on the pow wow grounds. Mrs. Catherine Sells had a huge impact on my life—teaching us that Native American, being an Indian, how important it was, because people did not talk highly of us at all. If people knew you were Indian, people would shun you or not let their kids play with you or invite you to their house...they taught us to take pride in our heritage...and remember the love. I tell people today that I would rather have dirt roads and no money because we had the love. We didn't have much growing up, no technology, we didn't sit inside and watch TV or play on computer, we were always out in the community...going to Aunt Clara's. Just those things I cherish, the elders meant a lot to me. Half Sells.<sup>30</sup> We called everyone aunt and uncle...even though they weren't, we always called them that. Those individuals...I always said if I could be half of what those elders were...just upstanding individuals in the community. That really stood out to me.

At one point, I attended head start at Freemanville my last year in head start. On year in Poarch, second year in Freemanville. Then, we went to Huxford. There, we experienced more of the individualism of your Native American, being an Indian. People didn't want to play with you if you were an Indian. That was the first time I understood it. I think that is where I first experienced

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<sup>30</sup> Half Sells is Milton Sells' nickname.

that my heritage, that people just did not like the Indian heritage. I don't know why, and I still don't know why. I would never discriminate against someone for their race. But then, from Huxford, went to [Escambia County Middle School in Atmore, Alabama]. There people didn't care if they hurt your feelings.

I explained you have good whites, bad, you also have good Indians and bad Indians. Why do your parents feel like that? One girl said, "they just don't like the Indians." If you could give me more reason why parents don't like me. There was a spend-the-night party and I wasn't invited. My mom calls the lady. Confronts her. Why wouldn't you let her go to the house? The woman said they didn't care for the Native Americans because we consider them to be black, but the woman didn't say it that nice let me tell you. My mom had a few choice words with the parent. My mom explained to them our sovereignty. She told these people that you all are the reason we don't have anything today. All of this land was our. We were treated bad and things were taken away. Don't begrudge us because of our race. They eventually invited me to come over afterwards...but I didn't go. Just after the conversation, I just wouldn't go. I held a grudge towards those individuals...but I guess I never experienced some of the things the elders got, like spitting in the faces. But after that point, eight or ninth grade I came out of my shell as far as being shy and really explaining to people that Natives are human just like they are...that no one should not want to be friends or have encounters just because they are tribal members. One son wanted to date me, and she just did not like the idea. "You don't need to like that Indian" but now she wants to come to the tribe for assistance.

Keith Martin, a current tribal councilman, explained that he was one generation removed from the really inhibitive racism that some of his elders saw, meaning that it was his mother's and father's generation that dealt with the majority of the racism and discrimination. He says that:

I am one generation removed from the really bad treatment. They were some comments made, but a lot of times we brought it on ourselves, me, Matt, and Lathaniel, if someone messed with one of us, we'd clip them. We didn't play around too much. It wouldn't be a fair fight because we stuck together. We got that mentality from the generation before us that we you had to stick together or you'd get run over. Uncle Levan talks about having to stop the



school bus. [Racism] was there, but it was like an underlying feeling rather than words. It was there. You could flirt with [white girls] at school, but it had to stay there. You had a sense that you didn't go home with them or to pick them up. You didn't go to their house. All of my friends were my cousins. I had a few white friends but more like associates. It was us and them. Even in 1984 when I graduated, it was us and them.

Recent graduates were coming of age in a time when being Poarch Creek, or Native American in general, was becoming popular. A shift in popular culture, from thinking of Natives as savage, to thinking of Natives as close to the earth, spiritual, and cool. For someone who graduated in 1986, Author Mothershed, the current CEO of the Wind Creek Casino and Hotel, he says that:

Not really any problems there. When I was in school amongst my peers it was becoming cool to be an Indian. My mom was part of that group that went to a separate school during elementary years, but when we were coming through, there were some "those Indians" or "those damn Indians," and we didn't appreciate that after our [federal] recognition, there was a lot more jealousy, and we are going through a bit more of that now. Even after we were recognized and we got some monies, but the tribe was still very poor. We had rental units and some emergency assistance. The jealousy factor wasn't there, so it was not frowned upon.

Obviously in some of our elders' times, it was not the case. Even in the white community, they still harbor resentment to the tribe for whatever reason...or maybe just pure racism. As the tribe became more successful, anti-Indian has become resurfaced. They see this beacon out of the landscape on 65 and it is hard for some of our neighbors not to be jealous.

I will address the issue of jealousy and racism further in the Conclusion.

### ***Conclusion***

Before the Poarch Consolidated School was established in the 1950s, the Poarch Creek "community" was actually a set of three hamlets (Poarch Switch, Headaperdia, and Bell Creek) that operated independently of one another. There was intermarriage

between them, but it was not until school aged children began attending classes together that strong relationships and ties were established. I argue that the consolidated school provided an arena for political and community organizing by Chief Calvin McGhee. In the next chapter,



**Figure 10: Newly constructed Poarch Consolidated School (Photo courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

I will present additional evidence of relationship making and the process of forming kin through relatedness.

The Poarch Creeks fought extremely hard and long for the right to obtain a proper education, especially given that they were struggling against Southern racism and reaction to *Brown v. Board of Education*. While Poarch Creeks at the time, including Chief Calvin McGhee, recognized that it would be a hard fight, these Creeks also saw the

benefit of a good education, and sought to achieve the opportunity for all Poarch Creek children to be able to attend school to graduation. He did not want students to attend just any school, but the schools that were operated by the Escambia County Board of Education. Chief Calvin McGhee wanted equal opportunities for Indian children. As mentioned in the Introduction, Calvin McGhee traveled to Montgomery to meet with Governor George Wallace and to Washington, D.C. to meet with President Kennedy. He also met with representatives from Alabama to Congress, all in the hope that the Poarch Creeks would be recognized as a legitimate tribe, and that schooling for Native Americans in Alabama would be on par with schooling for white children.<sup>31</sup> Schooling was an important issue during Calvin McGhee's time, as he and his contemporaries were denied any schooling and were put to work at a young age (Dees 2007). Even so, some of these Poarch Creeks continued their drive to get an education, including Millie Jackson who graduated with her GED at age 51. When I asked her why it was so important after all of those years to get her GED, she said "[w]hen you have an education, nobody can ever take that away from you. Nobody."

Persistent racism in the South made getting an education for Poarch Creeks difficult. Not only because of the anti-Indian sentiment of the local area, but also because this anti-Indianism is/was tied up in black and white relations of the time (Lowery 2010). Beyond black and Indian relationships, this racism was also about the process of making whiteness (see Cobb 2005, Feldman 2004, Hale 1998, McPherson 2003, Smith 1999 and Smith 2002). In

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<sup>31</sup> To fund McGhee's travels, the entire Creek community came together to fundraise. Whether doing cake walks (where a circle of chairs is set up and when the music stops one sits, and hopes that the number of their chair is picked so they can take home a cake), selling fish plates, or taking donations from local families, the community supported McGhee.

books and articles discussing the impact of *Brown v. Board of Education*, very few, if any, address the issue of

Brown beyond black and white. This supports the theory that Indians in the Southeast tend to be invisible, ignored, and pushed to the margins (Omi and Winant 1994; see also Starna 1991; c.f. Baker 1998, Baker 2010, Cole and Parker 2004 and Smith 1999).

However, it is also important to note the outsiders who came to the Poarch Band of Creek Indians and treated them with respect. Many helped make a real difference. From the missionaries who began funding the earliest schools for the Poarch Creeks, to Ms. Mayes who encouraged Chief Calvin McGhee to



**Figure 11: Poarch Consolidated School (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

fight for recognition and educational rights, the Creeks in Alabama took advantage of these opportunities and resources. Even now, education continues to be a subject of great

pride for tribal council members and elders. The tribe now offers a scholarship worth \$30,000 for all Poarch Creeks to use for post-secondary education. Any student who wants to attend college now has the means. This is what Chief Calvin McGhee fought for.

## Chapter 4

### **“Out here we just thought everybody who was a part of our family was Indian”: Race and Indian Identity in Poarch**

Lucy Sells, when asked about full-blooded Indians in Poarch, said:

I can't think of anyone who is really full-blooded around here anymore. We used to be considered just “Indians” until we got all of this out here [she is referring to the tribe becoming federally recognized in 1983. The tribe then built an Indian Health Service clinic and tribal government office buildings. Now a fire station, police station, four government buildings, and one cultural center are on the Poarch Creek reservation.] When they started keeping up the tribal roll, that's when some of us were told that we were not full blooded. We didn't really know what that meant—we just knew we were Indians. That's why we think of our children as full-blooded—they were raised by two Indians, but they are only considered half because they said that me and your papa were only half.

For her, defining someone as “Indian” had less to do with a Certified Degree of Indian Blood (CDIB) card than with the way in which they acted or looked. When I asked her how she could tell if someone was Indian or not, she told me that she would “see how they talked and look at how dark they are. Plus, because everybody knew everybody out here, we would know what family they were from.” Ms. Sells cites this as the reason why Poarch Creeks refer to each other as “aunts, uncles, and cousins” even though they might only be distantly related if at all. Even when one is not known, as long as people know who one is connected to, and more importantly, what family one is from, strangers become a part of the larger Poarch family instantly.

A constant theme that developed when talking with both elders and younger generations about what draws the people together was discrimination. Many of the elders discussed the fact that when Poarch did not have a school past sixth grade, Calvin McGhee united the people of all three hamlets: Headaperdida, Hog Fork, Bell Creek, and Poarch, under a unified theme of working towards the right to an education. Discrimination against Native people in Alabama at the time was similar to the type of anti-black racism that existed all over the South (Baker 1998; Smith 2002; Smith 1999; Cobb 2005; Cole and Parker 2004; McPherson 2003; Hale 1998).<sup>32</sup> Discrimination was cited as another way in which to define and identify Poarch Creeks. When schools were desegregated, Indian children in white schools were just as unwelcome as African American children. Both sets of unwelcomed students were referred to as “nigger.” Ann Burns says “I used to get called the n-word all that time. Or something else bad, like squaw.”

Lucy Sells recalls that when her children’s generation was growing up on the reservation, “my young’ens weren’t allowed to ride the school bus with the white children. Jack Daughtery used to stop the bus and force them to let his children on. One time, when your Uncle Buford was going to school, the Indian men stood across the road and would not let the school bus pass by until they put the Indian kids on it, too. It was the law. But [the whites] still didn’t want to follow it. Finally they gave us our own school bus. Dan McGhee drove it—so we had our own Indian bus driver as well.” My mother’s best friend during childhood, Sarah Wicker, is classified as being “full blooded.” My mother says, “I always felt like I was just as much Indian as Sarah, but for

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<sup>32</sup> I would not argue that anti-Native sentiment was as wide-spread or violent as that of anti-Black prejudice, there are important parallels here.

some reason they only said I was half.” So while blood quantum is the legal way in which the tribe defines a type of shared substance, and therefore, shared heritage, people were more likely to attribute Indianness to “something that you feel in your heart” as opposed to what one’s blood quantum.

Even though most of the families were poor, people in the community helped each other out when it was needed. Bessie Rollin had thirteen children, so they helped each other out with food from time to time. It was through this shared food, and the relationships formed because of shared food, along with shared discrimination, that relatedness was constructed.

It is also important to mention the Indian cemetery. Until recently there was only one cemetery (now there are two). On the left side, beneath large live oaks, and complete with gravel paths and shrubbery, the white people from Poarch are buried. On the right side, however, in a bare field with nothing but grass, the Poarch Creeks are buried. Lucy Sells explained that when the “white folks took the land, a black man gave back a piece of it for the cemetery. White people are on their side, and we are on our side. The black man who donated the land is also buried there, but I haven’t ever found the tombstone or any kind of grave marker.” Through this kind of acknowledgement, Mrs. Sells reveals how she feels about her mistreatment and that of other Poarch Creeks in the early twentieth century.

As conversations progressed, however, and with the input of other interviews, I was able to determine that Poarch Creeks defined people as kin if they were also discriminated against. People who could “pass” as whites were considered mixed bloods, while those who perhaps were not full blooded Indians, as long as they were



discriminated against, people thought of them as being full-bloods anyway. These Indians that could “pass” for whites are the ones that would later claim their Indianness, an attempt to become enrolled citizens of the Poarch Band, in an attempt to benefit from it after Federal Recognition. Similarly, a person can be considered native from a Poarch Creek’s perspective if they simply belong to one of the five main clans or families that live on the reservation. Rarely is blood quantum discussed in real, everyday conversation or interactions.

### ***Developments in Kinship: From emphasizing biology to emphasizing relatedness***

The study of kinship was “invented” by Lewis Henry Morgan (Trautmann 1987) and has been an integral portion of anthropology since the inception of the discipline. With *The League of the Ho-de-no-sau-nee or Iroquois* being published in 1851 and *Systems of Consanguinity and Affinity* in 1871, Morgan provided a method for anthropologists to collect kinship data for future generations, even if his ideas of social and cultural evolution have been rejected outright by most anthropologists. Morgan’s initial forays into kinship study involved the Iroquois, and it is their kinship system that Morgan took as the basis for comparison to the other kinship systems to which he had access. Even though some elements of Morgan’s analysis are still rejected, primarily his arguments about cultural evolution, there continues to be interest in his work.<sup>33</sup> In this section, I will first discuss the importance of Lewis Henry Morgan’s legacy in the study

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<sup>33</sup> This can be proven by the fact that Trautmann’s 1987 volume on Morgan is set to be republished by the University of Nebraska Press. Also, socialist political organizations have often used Morgan’s work as a way to exhibit the “naturalness” of communal living. See *Montezuma’s Dinner* 1950 publication.

of kinship. Next, I will trace the influence of Morgan from W.H.R. Rivers to kinship studies among Native Americans and those scholars who used his methodologies to examine kinship systems and household structures. Finally, I will examine contemporary kinship studies and suggest theoretical frameworks that are best suited for the future of kinship studies, particularly among Native American groups.

Trautmann credits Morgan with the invention of kinship based on the work he published in *Systems*. Morgan believed in the “unity of the human family” and sought to connect the various cultures for which he had data to prove their connection (Trautmann 1987:8). The *League*, Morgan’s first book, was the place where he first published his use of philology. However, the word lists in *League* that Morgan later became famous for in *Systems* were shorter, and he only lists them in a footnote of the text (Morgan 1851 Book I:82). In *League*, Trautmann argues that Morgan takes for granted the “unalterable natural categories” of the English terminology describing particular relationships (Trautmann 1987:57). For example, in *League*, Morgan uses the “natural” categories of “uncle” instead of mother’s brother or father’s brother. By the time *Systems* was published, Morgan was more explicit in the kin terms he recorded. Because some cultures differentiate between elder sibling and younger sibling, Morgan began to expand his initial word list used in Iroquois and develop it for collection of kin terms worldwide rather than simply take for granted European categories of kinship. It is this genealogical chart that Rivers reproduced (1910:4-5), although Rivers advocated a different collection method. Although rejected by linguists, Morgan’s main use of these kinship terminology charts was to philologically to compare kin terms and trace the origin of Native Americans to their Asiatic roots and ultimately to demonstrate, the unity of the human

family (Trautmann 1987 and Bouquet in Carsten 2004). A popular view at the time of the origins of Native Americans was that they were one of the lost tribes of Israel (see Kirsch 1997 for a discussion of the European myth model of lost tribes).

Although Morgan's ideas about the evolution of culture were rejected soon after by Boas and his students, a number of his ideas and methods used by anthropologists studying kinship. In *League*, which was one of the first ethnographic accounts of kinship, Morgan worked closely with Seneca Ely S. Parker to write and publish a book that detailed the kinship and political systems of the Iroquois.<sup>34</sup> One of the most important finds from *League* were the rules of exogamy in which Morgan described the fact that regardless of which tribe in the confederation one is from, the members of the same clan may not marry. Morgan observed that clan membership was in some ways more important than tribal affiliation as clan members would always help each other regardless of tribal membership. Morgan also found among the Iroquois that the line of descent passed along the female line. When Morgan had the business opportunity to travel to Michigan's Upper Peninsula in July of 1858, he encountered there a number of Ojibwa. While there, he collected kinship terminologies and determined that while the Ojibwa were patrilineal, they also retained a system of clans. The Ojibwa system of classificatory kinship was identical to that of the Iroquois. These kinship terms form semantic patterns, and Morgan realized that their patterns are not restricted to Native North America. Upon these findings, Morgan sent a number of kinship schedules to trusted scholars, and took two fieldtrips west of the Mississippi to collect more data (see Elizabeth Tooker's "Introduction" to *Systems* 1997 and Feeley-Harnik 1999). It was this research that would become the tables included in *Systems*.

From *Systems*, Rivers lauds Morgan on his distinction between two types of kinship: classificatory and descriptive. Descriptive types of kinship refer to systems where kin terms such as father and mother, husband and wife (among others), which were

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<sup>34</sup> It is important to note also that Morgan was extremely excited to meet Ely S. Parker as he and some of his friends had organized "The Grand Order of the Iroquois" (see P. Deloria 1998, Feeley-Harnik 1999, and Trautmann 1987). Morgan and his friends wanted to gather "accurate" data about how the authentic Iroquois ceremonies were carried out so that they, too, might imitate them. Deloria (1998) even discusses the importance of the type of Indian "uniform" that Morgan sought to encourage his fellow organizers in wearing (1998:86-87).

“restricted to the primary sense in which they are employed” (Morgan 1871:11-12). This was unlike the classificatory system, which referred to a general category of kin as in which the mother’s sister is also a mother or the father’s brother is also a brother. Morgan defined classificatory systems as those which reduced “consanguinei to great classes by a series of apparently arbitrary generalizations...and applying the same terms to all the members of the same class” (Morgan 1871:12). The development of the theory behind the classificatory kinship system was unprecedented and would be invaluable to future kinship theorists around the world.

Morgan’s interest in houses began with the study of the League’s longhouse. It was through the study of the Iroquois longhouse, which actually is mapped out onto the territory of the Iroquois confederacy that Morgan was most interested. For the Iroquois, the Confederacy took the shape of an actual longhouse (see *League* Book I: 38, 90, 97, 133 and II 215 and 301).<sup>35</sup> “Montezuma’s Dinner,” published first in 1876, begins Morgan’s interest in correlating house structure and kinship organization. *Houses and Houselife of the American Aborigines* (1881), which was originally intended to be a fifth portion of *Ancient Society*, focused on Morgan’s development of cultural evolution

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<sup>35</sup> I think Morgan’s passage describing this phenomena is important enough to quote at length here. “The Long House was not only the mark of society of the grade to which the Iroquois had raised themselves. It was in itself the perfect similitude of the Iroquois social and political organization. To the Iroquois the League was not like a Long House. It was a Long House, extending from the Hudson to the Genesee, in which around five fires the five tribes gathered. The Mohawk Wolf-clan kept the eastern door, and the Seneca Wolves, the western. At each fire the sachems like pillars upheld the roof, the chiefs were the braces that fortified the structure. It was rather in literal than in metaphorical speech that in 1652 the Mohawks, jealous that the Canada trade should go direct to Onondaga by way of Lake Ontario instead of paying toll in their valley, warned the French, with a threat that the simile employed rather emphasized than hid. “Is not the door the proper entrance to the house, and not the chimney or the roof of the cabin, unless the visitor be a thief and wishes to surprise the people? We constitute but one house, we five Iroquois nations, we build but one fire and we have through all time dwelt under the same roof. Well, then, will you not enter the cabin by the door, which is on the ground floor of the house? It is with us, the Mohawks, that you should begin. You would enter by the roof and by the chimney if you begin with the Onondagas. Have you no fear lest the smoke may blind you, our fire not being extinguished? Do you not fear to fall from the top to the bottom having nothing solid whereon to plan your feet?” (quoted from *League*, Book II Page 301-302).

through correlating houses and social organization. The major shortcoming of this work is the influence of Morgan's cultural evolution theory. In his Introduction to *Houses*, Paul Bohannan (1965) argues that even though Morgan misinterpreted the social structure of the Mayas and Aztecs as well as that of the Mound Builders from the Ohio Valley, there remains value in the study of households and the relation to the social organizations that use particular types of structures.

British anthropology esteemed Lewis Henry Morgan's kinship work much more than that of the American school with its foundation in Boasian theoretical training. Meyers Fortes says that Rivers "restored [Morgan] to his rightful place in the main stream of anthropological scholarship—and this was the beginning of a method and theory of research which took deep root in British anthropology" (1969:3). Since Boasian students held the majority in anthropological positions in the United States, Morgan's influence was not as strong as there as it was in British anthropology circles. Rivers does not follow Morgan's evolutionary theory but does take up his scientific method of collecting kinship in his article in *The Sociology Review*. Four years later in his *Kinship and Social Organization*, he praises Morgan for the discovery and study of the classificatory system of relationships (Rivers 1914:4).

It was under the direction of Rivers that A.R. Radcliffe-Brown left experimental psychology, economics and philosophy and came to study anthropology with Rivers and Haddon among others.<sup>36</sup> Radcliffe-Brown utilized the genealogical method outlined by Rivers, and found great use of the classificatory kinship system first observed by Morgan. In 1935, when E. E. Evans-Pritchard became a lecturer in African Sociology at Oxford,

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<sup>36</sup> W. H. R. Rivers, Alfred Haddon, and John Myers were influential in persuading Radcliffe-Brown to pursue anthropology. Radcliffe-Brown's *The Andaman Islanders* is dedicated to Haddon and Rivers.

he came into close contact with Radcliffe-Brown, who heavily influenced the theoretical frame in which he was thinking. Evans-Pritchard's study of the Nuer's kinship and political system was an important contribution to lineage study and political anthropology, although feminist anthropologists have critiqued a number of his theories. For example, Gough (1971) looks at the data collected by Evans-Pritchard and reaches different conclusions through the examination of the role of women in the Nuer.

In Radcliffe-Brown's edited volume on *African Systems of Kinship and Marriage*, he credits Lewis Henry Morgan for developing the study of classificatory systems, which he utilized, along with the matrilineal descent theories, in his work in Africa. Later scholars such as Levi-Strauss (1963 and 1969) critique functionalism and shift away from the functionalist paradigm that kinship systems can only be understood within the total societal organization from which they come.<sup>37</sup> After multiple field trips and teaching assignments, Radcliffe-Brown went to the University of Chicago in 1931 as a professor in the anthropology department. It was there that he would influence two students renowned for their work among Native American communities: Fred Eggan and Sol Tax. Fred Eggan would go on to do the equivalent of the Nuer studies of Evans-Pritchard among Native peoples, while Sol Tax would be heralded as the one of the first practitioners of "action anthropology" and is famous in Indian country for organizing the Chicago American Indian Conference in 1961 attended by Chief McGhee.<sup>38</sup>

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<sup>37</sup> Levi-Strauss argues that kinship systems are based on the perpetuation of themselves through particular marriage practices. The idea is that because of the incest taboo, a family can not have a beginning without a transaction involving women. A man must obtain a woman from another man. This idea was heavily critiqued by feminist anthropologists (see Rubin 1975).

<sup>38</sup> It is also interesting to note that even though Sol Tax is credited with being one of the first "action" anthropologists, Lewis Henry Morgan also worked quite extensively on behalf of the Iroquois in land rights cases in New York (as he was a trained lawyer).

Eggan's work in the edited volume *Social Anthropology of North American Tribes* (which is solely on the topic of Native Americans and was inspired by Radcliffe-Brown's students who worked in North America) was important because it is "Radcliffe-Brown's conceptual framework and analytical methods [that] are tested out in an ethnographic area that was particularly Morgan's" (Fortes 1969:17). Eggan's work on the Cheyenne and Arapaho revolves around the analysis of the classificatory system, which he describes in many of the same ways as Morgan, and includes a kinship schedule similar to the one that Morgan utilizes in *Systems* (Eggan 1937:45). He is in discussion with Morgan surrounding the classificatory relationship of both of these tribes as he points out inconsistencies with Morgan's work from systems and the correct kinship terminologies for particular relationships.<sup>39</sup> Eggan discusses household and houselife, to a limited extent, in his essay. He describes family organization in terms of a father, mother and children constituting a single tipi and eat together. The extended household that is the primary economic unit that includes both families of orientation with families of procreation and are matrilocal.<sup>40</sup> Eggan argues that this extended household was adapted for "uncertain Plains life" (1937:82-83) and sought to support the family in the event of the death of one of the members or divorce. Eggan's work on households connects structural-functional theory inspired by Radcliffe-Brown to the ethnographic research

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<sup>39</sup> Eggan is interested in how "cousins" are classified in Cheyenne and Arapaho. For the Cheyenne, Morgan used his connections to a French trader married to a Cheyenne to get a list of terminologies. He assumed that since his informant did not provide a word for cousin, that the cousin would be classified as either uncle/nephew/mother/daughter. Eggan says "This, of course, does not take into account the possibility that cousins were classified as siblings" (1937:46). Eggan argues that cousins are considered to be brothers or sisters.

<sup>40</sup> Families of orientation is the family that one is born into. Families of procreation are families which one starts with a spouse.

inspired by Morgan.<sup>41</sup> Although most of the authors in the volume dedicated to Radcliffe-Brown do explore both the classificatory kinship system as well as the study of houses and households, the emphasis is on the former with primarily descriptive text about the household. There were certainly other kinship theorists involved in Native North American studies at the time, but they were not following Morgan's lead. For example, Alfred Kroeber, famous for his work on kinship terminologies in California, argued that kinship terminologies are "linguistic phenomena" that should be analyzed as "psychological categories" and which have no possible connection to "sociological correlates" (Eggan 1966:15 and Kroeber 1917).

One of the problems with grounding kinship studies being in North America is that while this model was relevant and applicable to the African systems that Radcliffe-Brown, Evans-Pritchard, and Fortes (among others) studied, they were wrongly applied to societies in New Guinea.<sup>42</sup> In 1962, J.A. Barnes noted that "Highland [New Guinea] societies fit awkwardly into African moulds" (1962:5). While in the beginning it was advantageous for anthropologists working in New Guinea to be able to refer to work that had been done among African societies, "it may be disadvantageous if this African orientation now prevents us from seeing distinctively non-African characteristics of the Highlands" (1962:5). He argues that cross culturally, differences have often been overlooked in favor of making comparisons within regions. Barnes presents a number of topics in his article that he argues should be required for a detailed comprehensive comparison, including descent, bounded and unbounded affiliation, and social division as

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<sup>41</sup> For other similar approaches using Morgan's theory see Radcliffe-Brown's other students that work in North America: Sol Tax, J. Gilbert McAllister, Morris E. Opler, William H. Gilbert, Jr., John H. Provinse, and Philleo Nash in Eggan 1937.

<sup>42</sup> Some contemporary anthropologists would reject this assertion, such as Gough who uses Evans-Pritchard's own data and formulates different conclusions about lineage and kinship.



condition or process (Barnes 1962:5-9). Anthropologists writing before contemporary critiques of kinship erred by attempting to analyze dissimilar kinship systems using kinship theory derived from the study of Native Americans.

In the 1970s, David Schneider who was based out of the University of Chicago, traced a biological basis in the study of kinship back to Morgan's *Systems*.<sup>43</sup> Schneider (1984, 1972) has argued that kinship as a system is built upon many Western cultural assumptions—especially that kinship is always reckoned through biological relationships. The assumption is that there is “universal utilization of biological relations among people as the basis for ordering their social relations” (Holy 1996:13). For Morgan, Schneider argues, kinship was “about marriage, about the facts of procreation and conception, about blood-ties and genetic relationships as they could be known or were knowable, about the ties that arise out of biological facts of human reproduction” (Schneider 1972:35). Since Morgan, Schneider argues that anthropologists have in one way or another privileged this biological above anything else and assumed that “genealogical relations are the same in every culture” (1982:174). Schneider's critiques, among others such as Needham (1962), led to “the rejection of structural-functional understandings of kinship as a core social structure” (Franklin and McKinnon 2001:3). Collier and Yanagisako take the critique further by offering an analysis of gender issues in traditional kinship studies. Collier and Yanagisako argue that the taken for granted “naturalness” of “universality of the family,” the “mother-child bond,” among other issues are all “rooted in assumptions about the natural characteristics of women and men and their natural roles in sexual procreation” (Collier and Yanagisako 1987: 32). Franklin and McKinnon relate Schneider's critique of

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<sup>43</sup> Schneider's critiques come from the same department less than twenty five years after Eggan.

kinship with a broader theme in anthropology at the time—that of self-critical and self-reflexive approaches (Franklin and McKinnon 2001:3).

Since the critiques of the seventies and eighties, kinship studies have undergone major deconstruction and theorizing. Contemporary kinship theorists offer new and exciting ways to examine kinship—theories that seek to incorporate all types of reckoning of relationships. Janet Carsten, Sylvia Yanagisako, Sarah Franklin, and Susan McKinnon have all contributed valuable pieces to the newly formed study of kinship. Carsten explains that “rather than taking the content of ‘kinship’ for granted [new scholars of kinship] build from first the principles of a picture of implications and the lived experience of relatedness in local contexts” (Carsten 2000:1). In the volume, Carsten rejects the notion of a universal “kinship” system and instead calls for “relatedness” to be studied through comparative “indigenous statements and practices” (2000:3). It is the concept of “relatedness”—of a process of making relations—as the way that current scholars are being called by Carsten to think about kinship: not in terms of what is “given,” but instead in terms of what is “made” (Carsten 2004:9). This is especially important in light of the new reproductive technologies. There is usually a divide between the “traditionalists” on the one hand and the “revisionists” on the other; issues dealing with Western societies such as the reproductive technologies tend to be taken up by the revisionists. The traditionalists tend to stick to non-Western societies. It is this trend, with few exceptions, that has kept revisionist kinship studies out of the domain of Native North America (see also Turner-Strong’s article in the Franklin and

McKinnon volume for a discussion of constructing “relatedness” among Native American adopted children).<sup>44</sup>

Janet Carsten’s study of relatedness (1997) explains the way in which the Malay in Langkawi kinship and personhood are to be understood in “processual terms” (Carsten 1997:4). Identity and relatedness are not a given when a child is born. Instead, identity is “constantly fluid” since it is “both given at birth through ties of procreation, but perhaps more importantly, it is also acquired throughout life by living together in one house and sharing food” (1997:4). Also important to note is the process of “incorporation, of making people similar.” In her fieldwork, Carsten discovered a variety of backgrounds from which her informants came, but it was through this “incorporation” that led to “conformity in patterns of behavior” (1997:4-5). She argues that it is this “erasing of difference, the construction of similarity” that forms the basis of the symbolization of kinship in Langkawi (1997:14).

Following Morgan’s understanding of houses as a way to understand social organization and social life, Carsten describes the house and its importance to the Langkawi construction of relatedness. For the Malay, the process of eating together forms relatedness, but beyond eating together, the food must be cooked in the same hearth (Carsten 1997:49). The construction of the house is based on an extending of this hearth—the word for hearth, *dapur*, is extended to mean the kitchen and a living area. Children are thought of as being anchored to the house and its hearth because of the practice of burying of the afterbirth under the house (cf. Schwarz 1997 for an example of Navajo “anchoring” of the afterbirth/umbilical cord in the land). The construction of

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<sup>44</sup> See Dombrowski 2001, Bodenhorn in Carsten 2000 for examples of contemporary “relatedness” studies in Native North America, both from Alaska.

relatedness is therefore intimately tied to eating from the same hearth and being anchored to the structure of the house itself (Carsten 1997:84 cf. with Cattelino's 2006 study of Seminole housing which she argues types of houses can construct sovereignty in the Seminole nation).

Consuming and sharing food cooked on the same hearth creates shared blood. While individuals are thought to be born with blood, blood has the ability to change throughout the lifetime. With this change in blood there is the possibility of the change in kin (Carsten 1997:107) through the sharing of food (particularly rice) that is cooked on the same hearth. With an emphasis on shared substance—in this case, blood—Carsten argues that “siblingship, houses, and hearths are central to the way shared substance is conceived” (1997:108). Children who drink milk from the same woman are considered to be kin because milk becomes blood; these children would not be able to marry (1997:109). Relatedness as a form of “shared sustenance” is an important aspect of reckoning kinship. Carsten's theory can be expanded to include issues that I have described in my own field site; sharing food, and even shared discrimination are ways that create kin ties are made among the Poarch Creek. It is also important, however, to understand the legal way in which Poarch Creeks make relationships as defined by the Bureau of Indian Affairs model that defines membership based on the notion of biological race through blood quantum.

### ***Racializing the political through blood quantum***

The concept of blood quantum has been around for almost as long as non-natives have been settling this country. Terms such as “mixed blood,” “half-breed,” “mestizo”,

among others, were commonly used in everyday interactions since colonists begin mixing with Natives in the “New World” (Domínguez 1986; Thornton 1987). Although in 1846 federal judges used both culture and blood to determine “Indianness” (*United States v. Rogers* [1846] the courts decided that a person must meet both requirements to be judged an Indian) it was not until the Dawes Allotment Act of 1887 that these terms identifying how much Indian blood a person had were recorded by Indian agents of the Bureau of Indian Affairs and therefore made it commonplace (Wilson 1992:117). At the center of many other provisions, the Allotment Act of 1887 took communally owned Indian lands, divided them into 160-acre chunks, and distributed them among heads of households (according to Anglo-American definitions). The Dawes Act significantly decreased the land base held by most tribes at this point. The act imposed a divisive, biologically-based definition of Indian identity, differentiating between “full bloods” and “mixed bloods” (Turner-Strong and Van Winkle 1993:16). This terminology, used by the Federal Government, allowed its agents to determine the “trust status of the land allotments” (Sturm 1998:240). If a person was one-half Indian or more, then their land allotment was held in trust for them by the federal government and restricted from sale or taxation. If, however, a person receiving land was less than one-half Indian, whether mixed blood by intermarrying with Whites or a freedman (which is the term used for slaves formerly kept by Native Americans), then “they had to pay taxes but were free to sell their allotments if they so desired...The justification for this division between ‘fuller bloods’ and ‘lesser bloods’ was based on notions of competency assumed to be in direct correlation with degrees of race mixture” (Sturm 1998:240; Hagan 1985). Modern biology obviously has more complex definitions of heritage. The historical explanations for these ideas are

closely connected to nineteenth and early twentieth century ideas of race as introduced by Euroamericans (Garrouette 2003:42). Garrouette says that:

These theories (of which there were a great many) viewed biology as definitive, but they did not distinguish it from culture. Thus, blood became quite literally the vehicle for the transmission of cultural characteristics. “Half breeds” by this logic could be expected to be “half civilized,” i.e. partially assimilated, ways while retaining one half of their traditional culture, accounting for their marginal status in both societies. [Garrouette 2003:42]

It was these turn of the century theories about race that came up with the specific way to talk about degree of ancestry and culture in blood.

Terry P. Wilson cites the history of the White Earth reservation in Minnesota to make this point. When the 1887 General Allotment Act was implemented between 1906 and 1915, Ojibwe who were considered full blooded were deemed legally incompetent. Mixed bloods, on the other hand, were allowed to handle their own affairs. In the White Earth case:

Physical anthropologists were used as expert witnesses in federal court proceedings in land allotment fraud cases after Congress passed legislation in 1906 and 1907 allowing the sale of mixed bloods’ allotments. Full blood was designated as one-half or greater Indian heritage and the anthropologists were to design a “scientific” means of determining this. That the Chippewas used a cultural standard to define statuses (those who lived with the tribe were considered Indian and those who lived among Whites were considered mixed bloods) was largely ignored in favor of physical tests. [Wilson 1992:121]

These physical tests usually consisted of hair samples (where indication of curly hair was taken as evidence of mixed bloodedness), feet measurement (larger feet indicated mixed bloodedness), and chests scratched (mixed bloods’ reactions had more long lasting and intense “reddening”) (Beaulieu 1984:298 and Wilson 1992:121).

Virginia R. Domínguez (1986) has written about these types of “blood politics” regarding Creoles in Louisiana and their classification as either black or white. She says that “The history of changing legal definitions of racial identities has an unbelievable ring to it: legislatures, not genes, determining boundaries; individuals finding themselves “white” one day and “colored” the next; scientism serving the interests of a legacy of racism” (Domínguez 1986: 56). While most of her arguments are about racial classification in regard to social and economic classes as well as inheritance rights, she notes that:

Bans on interracial marriage, efforts to limit the incidence of interracial cohabitation, clauses that deny nonwhite children the right to seek acknowledgement of paternity from their white natural fathers, and the establishment of categories of illegitimate children with unequal rights to inheritance all amount to legal efforts historically to ensure that relationship by “blood” does not entail equality of status through equality of status equal to property. The implication, of course, is that without laws to the contrary, consanguinity implies both a sharing of social identity and a sharing of the spoils. [Domínguez 1986:89]

This idea of relationship by blood can be applied in the Cherokee case as well, since there are a number of African American Cherokees who are being denied their right to participate in the Cherokee government as well as the right to be included on the tribal rolls, even though they, as the Cherokee Constitution calls for, can trace ancestry to the Dawes Rolls (Strum 1998). Domínguez argues that there are implicit assumptions about blood: “that identity is determined by blood; that blood ties, lineally and collaterally, carry social and economic rights and obligations; and that both racial identity and class membership are determined by blood” (Domínguez 1986:89). These ideas that Domínguez lists regarding the Louisiana Creoles are also what end up being associated with “Indian blood.”

Today, the Bureau of Indian Affairs, as well as local tribal governments, continues the use of this racial criteria to deal with Native Americans. The CDIB—Certified Degree of Indian Blood—is what is commonly used to identify a person as a tribally enrolled member.<sup>45</sup> Even after the 1934 Indian Reorganization Act, in which many tribes took a major step towards running their own affairs, many tribes continued to use the exact criteria that had been used by the government because of the long history of bureaucratic relations that these Native groups had with the federal government. Thus, even though tribal governments are no longer controlled directly by the BIA, most tribes continue to use blood quantum requirements.

About two-thirds of federally recognized tribes in the United States utilize blood quantum as the way in which to define citizenship on a tribal roll, with one-quarter being the most popular minimum for inclusion into a nation (Garrouette 2003:15). The remaining one-third of Indian tribes do not require a minimum blood quantum, and mostly require that new enrollees be able to trace their ancestry directly to another tribal member (Garrouette 2003:15). Krouse (1999) argues that higher rates of intermarriages, and thus, high rates of mixed bloods occur more frequently in urban areas than on reservations.

### ***Continuing Significance of Blood Quantum***

“Blood quanta are putatively tied to questions of culture and degrees of acculturation and assimilation” (Wilson 1992:109). Wilson says that with blood quantum

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<sup>45</sup> This is opposed to what Rayna Green calls a “wannabee,” which are people who claim Indian ancestry with no proof (Green 1988; Starna 1991)



comes certain expectations of “Indian-ness” and Indian identity. “Those whose physical appearances render their Indian identities suspect are subject to suspicious scrutiny until precise cultural explanations, especially blood quantum, are offered or discovered” (Wilson 1992:109). Many times degrees of blood quantum and “Indian-ness,” according to those who question whether or not a person has too little Indian blood, are correlated. Many scholars, however, have noted that “the ahistorical aspect of linking blood quantum to Indian identity and deplore references to ‘meaningless’ percentages of ‘blood’ in determining membership and inclusion on official tribal rolls” (Wilson 1992:109). The attribution of this network can be traced to the imposition of governmental, i.e. non-Indian, “racial (and racist) assumptions into Native American thinking” (Wilson 1992:109).

“Mixed blooded” individuals from the United States continue to experience uneasiness about the status as Indians from both sides: Indians and non-Indians (Wilson 1992:122). Wilson points out that in the nineteenth century, mixed bloods were thought of as being “social and psychological misfits, caught between two cultures, and frequently betrayers of their Indian heritage by participating in and profiting from the exploitation of their tribes’ posterity, especially land and mineral resources...at best these mixed-race children were ‘marginal people of minor significance’” (Wilson 1992:122). This is an overly general statement, especially for the early Creek Nation where some of the most important leaders had Native mothers and in many cases Scottish or other European fathers. For example, Red Eagle (born as William Weatherford) was an important leader of mixed Creek and Scottish ancestry.

Continuing this legacy of blood quantum, mixed bloods are sometimes seen by full bloods as being “nontraditional, culturally suspect, and possibly fraudulent” (Wilson 1992:123). Full-blooded people have been known to discriminate against mixed blood Indians regarding their sometimes small amounts of “Indian blood.” Full bloods may “[question] motivations for [mixed bloods] identifying as Indian”, as well as question mixed bloods “lack of culture” (Wilson 1992:123). Also, given the perpetuation of stereotypical images of American Indians by non-Indians (Castille 1992; Green 1988; Deloria 1998), reinforces this idea of “authentic” looking Indians. This leads to many mixed bloods accepting that they are somehow “second class” Indians (Wilson 1992:123). Many times people who are identified as mixed bloods, because of the legacy of their blood quantum, will accept that their status means that they possess a lesser degree of Indianness (Wilson 1992:123). Fogelson (1998) cites blood, relationship to the land, and kinship as being the defining characteristics of Indian, so recently a trend to define Indianness outside of blood relations has begun. (DeMallie 1998 also stresses the importance of kinship in construction of Indianness).

Garrouette notes that “biological ancestry can take on such tremendous significance in tribal contexts that it overwhelms all other considerations of identity, especially when it is constructed as ‘pure’” (Garrouette 2003:41). Scholars have pointed out that most people would consider a full-blood Indian as an Indian, even if they had been adopted out of the tribe and raised by non-Indians, never having even met another Indian (Garrouette 2003:41). The problem is that those with mixed ancestry do not get the same benefit of the doubt. Garrouette humorously says “Is the amount of ancestry ‘enough’? Is his ‘Indian blood’ sufficient to distinguish him from the mixed blood

individual spotlighted by the old adage: ‘If he got a nosebleed, he’d turn into a white man’?” (Garrouette 2003:41).

The Federal government usually identifies a minimum blood quantum when defining Indianness—somewhere between one-fourth and one-half (Garrouette 2003:16). It is important to note, that many times when the Federal government is dealing directly with American Indians, it is because of legal ramifications of treaties and dealings on a government to government basis (Turner Strong and Van Winkle 1993). “Benefits available to those who can satisfy federal definitions of Indian identity are administered through a variety of agencies” (Garrouette 2003: 16-17). Other reasons why the Federal government needs to identify and define Indianness are based on the fact that in many places Native people, as members of particular tribes with particular treaty rights, are not subject to the state hunting or fishing regulations, and more importantly, in the determination of Indian parental rights in the Indian Child Welfare Act (ICWA) of 1978, which was evoked to keep Indian foster children in the homes of Indian foster parents, as opposed to the thirty-five percent or greater Indian children who were being taken out of the homes to live with non-Indians (Garrouette 2003:17).

One major reason to define Indianness also has to do with religion and spirituality. Consider the fact that American Indians were not granted the freedom of religion (even though this is protected in the Bill of Rights) until the 1978 American Indian Religious Freedom Act (Public Law 95-341, 42 U.S.C. 1996 and 1996a). This act states:

On and after August 11, 1978, it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native

Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

This is because certain American Indian religious objects are protected by various measures by the Federal government. For example, you must be an enrolled member of a Federally recognized tribe to own eagle feathers, which are used in various prayers and ceremonies. Non-Indians, on the other hand, are not permitted to own any part of this endangered species (Garoutte 2003:17). Also, Native American Church members, who utilize the hallucinogen peyote, are allowed to use it in ceremonial ways, but for non-Indians it is illegal to possess (Garoutte 2003:18).

Another particular instance when federal recognition of Indian status is important is for NAGPRA (Native American Graves Protection and Repatriation Act of 1990). This Act allows for Federally recognized tribal groups to reclaim items held in federally funded museums for display or study (Garoutte 2003:18). An additional way in which blood quantum is utilized as a way to define someone's livelihood is with the Indian Arts and Crafts Act of 1990 (Hoerig 2003; Garoutte 2003; LaVelle 1999). The Indian Arts and Crafts Act of 1990 started because there was a belief in Congress that "authentic" Indian artwork by "real" Indians was worth more and should be more valuable than those native-themed objects produced by non-Indians. The Indian Arts and Crafts Act put specific limitations on who could make art and label it Indian. Any artist who is not from a federally recognized tribe cannot mark his or her art as "Indian produced" (Garoutte 2003:18). The penalty for doing this is a large fine plus jail time. Interestingly, the Palace Portal in Santa Fe, New Mexico, requires that not only the artists who participate

in the program be federally recognized Indians, but that they also demonstrate that they themselves are the people producing the art they sell (Hoerig 2003).

The final major way in which blood quantum has significance in the daily lives of American Indians is through “Indian preference” rule. For many years after its establishment, the Bureau of Indian Affairs was governed by non-Indians. Occasionally native persons would be employed there, or even serve as commissioner, but they were the exception, not the rule. Because of this, the Bureau of Indian Affairs as well as the Indian Health Services are:

[P]ermitted a bias in favor of Indian applicants... This policy has helped to ensure a significant presence of Indian employees in those government bodies that are primarily responsible for administering tribal programs... The courts have ruled that Indian preference does not imply racial discrimination because “Indian” refers, in this context, to a political rather than a racial status. That is, it refers to rights and obligations vis-à-vis the United States that an individual possesses not by virtue of his specific biological characteristics but by virtue of his meeting a particular set of legal criteria. [Garoutte 2003:18]

Blood quantum today is an important aspect to many facets of a Native American’s life. Blood quantum can determine whether a person can hunt in a place where only federally recognized Indians can hunt or fish, ensure that if a child is taken away it will be in foster care with Indian parents, assure a person of his or her right to religious practice—through eagle feathers or with peyote, control a person’s livelihood and the types of goods marketed as “Indian produced,” or give a person a step above the competition with “Indian preference” hiring practices. Law and blood quantum are tied together; neither look like they will disappear soon.

## ***Federal and Tribal Requirements for Blood Quantum***

The Poarch Band of Creek Indians in Poarch, Alabama, have very different standards regarding blood quantum from other tribal governments. This is possible because of the 1978 court case *Santa Clara Pueblo v. Martinez*. In this case, a Pueblo woman sued Santa Clara to allow her children onto the tribal rolls so that they could gain access to Indian Health Services because the children did not qualify for enrollment onto any tribal rolls, even though they were full blood Indians. The children's father was Navajo, which is a matrilineal society, and in order to be on the Navajo tribal roll, you must be born into the clan of your mother. Santa Clara is patrilineal, and in their clan system, a child can only be on the tribal rolls once their father's sister names them. The courts ruled that they had no jurisdiction over the matter—and left the burden of tribal enrollment solely to the tribes themselves. Tribal governments were happy with this decision, of course, because it furthered their call for tribal sovereignty. But what about the children involved in the Martinez case? The verdict in this case did nothing to help them in their quest for tribal enrollment.

Because of the decision in *Santa Clara Pueblo v. Martinez*, there are a variety of ways in which tribes have chosen to utilize blood quantum. Sometimes, these classifications get complicated. For example, an Oklahoma Indian whose four grandparents were all full-bloods, describes himself as “mixed blood full blood” because he is not enrolled as full blood on any of the various tribal groups he is enrolled in (Wilson 1992:121). Furthermore, most tribes require that in order to be a member on their roll, one must not be the member of any other federally recognized tribal group.

Wilson gives some examples of this as he notes a case of eight siblings, all with the same mother and father, “with five different Indian blood percentages” (Wilson 1992:122).

The Three Affiliated Tribes: the Mandan, Hidatsa and Arikara based in the reservation of Fort Berthold have a one-quarter blood quantum requirement (Parker 2011). Some tribes require that the Indian blood come from a certain parent. The Santa Clara, as we have already noted, maintain that the Indian blood must come from the father while the Seneca tribe from upstate New York requires that the Indian blood come from the mother. Interestingly, the Tohono O’Odham in Arizona will only consider someone as being a member of their nation if they reside on the reservation. The Western Cherokee, on the other hand, have about 175,326 living members. The blood quantum of these tribal members ranges from “full blood” to 1/2048.

For Poarch Creeks, membership is based on having at least a quarter blood quantum. The constitution states that Membership of the Poarch Band of Creek Indians shall consist of all people listed on three particular Indian census rolls dating from 1850 as well as living descendants of the people listed on the Indian censuses with at least one-fourth degree Indian blood, and all children of at least one-fourth degree of Indian blood who are born to a Poarch Creek. As a result, there are approximately 2,000 Poarch Creek members who live on the Poarch Creek reservation or in the surrounding counties. Now, rather than merely counting tribal membership, there is a movement to offer certain benefits to “First Generation” descendants. This refers to children whose parents are tribal members, but who do not have the blood quota necessary to be included on the tribal rolls. This began with inclusion of First Generation descendants in the health clinic. Now, there are also scholarships available to First Generation descendants for

college costs. The thought from the tribal council in making this recommendation was that tribal members would be responsible for the costs incurred in both health and education expenses for their children, whether or not the children were tribal members. This acknowledgement encouraged the tribal council to allow these benefits.

Quotations heard around Poarch:

“I don’t know nobody when I go to the health clinic anymore. They are all strangers. I don’t know who they are. What I do know is that I saw \_\_\_\_\_ in the clinic the other day. I almost fell out. Don’t you remember that he used to call us names with the other white folks? What’s he doing over here?”

“I can not stand the fact that all of these people...people that used to be mean to us because we was Indians...I can’t stand the fact that they are now applying to get on the rolls. It really gets me. People we knew who was our cousins who wouldn’t claim us in public. Now look at ‘em. Greedy. They were too good to be Indian then, but you see ‘em lining up to cash that check now.”

While the history of Native American education in the United States is diverse, the location of the Poarch Creeks has meant that the tribe has avoided some of the major educational trends with which many tribes west of the Mississippi had to contend. With the racism that existed, and continues to exist, in the Deep South around which Poarch is situated, it is not surprising that Native American children were not allowed to attend white public schools until after a protest in the Poarch community led by Chief Calvin McGhee. While there are a variety of experiences that pupils had in their respective lifetimes, the theme that emerges that before federal recognition, the vernacular way in which Poarch Creeks identified each other beyond simply living in the same community, was by who was being discriminated against in a similar way. The idea of “shared substance” introduced by contemporary kinship scholars can be taken here as shared discrimination, as well as shared food and resources, leading to the development of



kinship bonds within the Poarch community. In contrast, the “official” way of reckoning membership within the Poarch Band of Creek Indians is through a biological class system in which blood quantum takes precedence over community involvement and shared substance. While one could argue that the shared substance of blood is what makes these kin relations, I argue that this is not the case, as if it were, tribal members would about inclusion and exclusion from the community based on this racial evidence as opposed to shared discrimination, shared food, and being present members of the community, as they do.

## Chapter 5

### **“We can remember hearing prayers echoing through the woods”: Religious Practice in Poarch**

Back then, mama wouldn't ever let us miss a Sunday of church. She was a hellcat until she got saved—drinking all the time, smoking. But after she got saved, the Lord made her good. She never missed church. So on Sunday, and sometimes on Wednesday night for church or on Friday or Saturday night for a revival or singing, we would walk over to Poarch to go to Uncle Mace's church. It's about five miles each way, I think. But it didn't matter. Rain or shine, mama and all of her kids were there.

Sunday morning in Poarch is one of the busiest times on the reservation. One Sunday morning, while sitting on the front porch of a house centrally located on the reservation, at 7 a.m. the stomp dancers were going home from an all night stomp dance, some going home to change before going back out to their respective church services. At 9 a.m., the Episcopalians were going to St. Anna's. At 10 a.m., the Holiness were showing up next door for Sunday school before their regular service at 11. Other members were heading to Poarch Switch for Friendly Holiness, to Atmore for Atmore Apostolic Church, or to Hog Fork for Pleasant Grove Baptist Church. There are tribal members who go to white congregations either in Atmore or in another community, but for the most part, the people who live within the community of Poarch, attend religious services with other Poarch Creeks. The breakdown is usually familial. Whichever church one's mother and father attended tends to be the church that one attends as an adult. Of course there are

exceptions, particularly to those who grew up attending the Episcopal Church at St. Anna's.<sup>46</sup>

The service at St. Anna's Episcopal traditionally began with a bell being rung about fifteen minutes before the service began. In the past, when St. Anna's was the only church in the community, this bell would indicate to the congregation that there was, in fact, a priest there on this particular Sunday, and that there would be a service. There was no schedule of services; if the priest showed up, he would ring the bell. Otherwise, people went about their daily routines. Many elders in the Episcopal Church today speculate that if there had been more regular services in Poarch, more tribal members would be Episcopalians today, instead of the overwhelming numbers who identify as Holiness, Apostolic, Baptist, or non-denominational.

Faith, church, and belief in God are serious subjects in Poarch. In conversations with people in Poarch, particularly with older generations, speech is peppered with religious expressions: Amen!, Lord have mercy, I'll pray for you, Please pray for me, Lordy Jesus!, Lordy mercy, Lord have mercy. With the influence of the Holiness church, not only is faith in God taken seriously, but Sunday is considered a day when one should honor God and keep the Sabbath holy. In a conversation with Lucy Sells, she tells about the day that she began believing in keeping Sunday as God's day. She says:

But you know [even with all the bad things that are going on in the world], God is above all. And we know better now. What we did one time, before I knew about keeping Sunday for God. Me and Carrie [my sister] and Frank [my brother-in-law] were out fishing. And up come the blackest cloud you have ever seen. It was on a Sunday. I promise, it was the worst looking cloud I had ever ever seen. Carrie was praying. I was praying. The cloud scattered.

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<sup>46</sup> In some cases, families may break away from St. Anna's to attend a church that includes youth group, choir, and other activities for young people. St. Anna's does conduct a Vacation Bible School every year, and also has Sunday school occasionally, but there are no ongoing youth activities.

God heard our prayers. We were in the water, in a scary place, but we were headed in. That broke me to fishing on a Sunday! I ain't been fishing no more on a Sunday, that's for sure! God is good, you just can't realize that until you've been through it.

These stories of miraculous events are not uncommon. When a tribal member is sick, he or she immediately goes onto a number of “prayer lists” at various churches so that members of the congregation say a special prayer for the sick at an appointed time. With familial relationships permeating community life in Poarch, once a person is put onto one prayer list, not long afterwards, the person's name is on all of them. In some cases, a person can ask for “unspecified” prayers—meaning that the person can ask for prayers from others without having to explain something that is too personal.

In this chapter, I will first review scholarship that analyzes Native Christians and native participation in churches. I will review the main theological components of the churches to which the majority of Poarch Creeks belong while analyzing the significance of these denominations within the Poarch community through a series of interviews from my fieldwork at Poarch. In addition, I will use interviews conducted in 1972 by the anthropologist J. Anthony Paredes. The movement by a core group in the community to reclaim stomp dance religion is gaining popularity on the reservation, so I will also provide a description of the stomp dance, both historically and contemporarily, and review its contemporary significance in Poarch. Stomp dancing has been controversial for some conservative Christians on the reservation, but there are those who balance and practice both stomp dancing and attending church services regularly. I allow these who move in both religious circles to explain why they find themselves participating in both. Finally, many of the people involved in the stomp dance religion are also working to reclaim Mvskoke, the Creek language. I conclude by discussing the influence of

Mvskoke language classes, patchwork classes, and other classes sponsored by the tribe, as well as the Poarch Tribal Youth Council and Creek Life 101, on the future of religion in Poarch.

### ***Native Christians***

In Andrea Smith's recent book, *Native Americans and the Christian Right: The Gendered Politics of Unlikely Alliances*, she argues that one of the problems in romanticized views of Native Americans is the inability to see contemporary Native Americans as actors with agency to follow a diversity of belief systems. She says:

Would-be allies join indigenous struggles with a romanticized view of Native resistance and quickly drop out when we fail to meet their expectations. They often have a particularly difficult time dealing with Native peoples who do not fit their image of a 'traditional Indian'—for instance, Native peoples grounded in conservative Christianity. [Smith 2008: x-xi]

The observation of Native Christians as not being “Indian enough” in some way pervades imagery of Native Americans in all parts of the United States. While there is a history of boarding schools sponsored by various churches (see Chapter 3 on Education), the idea that Native Americans are also Christians may be an oxymoron for those who categorize Natives as “other.” The traditional view has been that in order for Native people to be “authentic” then they should practice their own distinct Native spirituality. A fellow Native graduate student related this story about visiting the on-campus Counseling and Psychological Services (CAPS):

I went to the Union to the CAPS counselors because, well, because it was free. The woman I was assigned to seemed cool enough. While we were talking about the issues that I went there to discuss, she asked me if I was religious. I replied, well, I was raised

Episcopalian. She replied: “Well, I don’t know anything about being Episcopalian. But I do know about Native spirituality. So why don’t you just take your problems...and just take them to the Universe.” “The Universe?” I asked. I was very confused at this point. The Universe?! She obviously had a lot of misconceptions about what it means to be Native, and what it means for Native people to have religious beliefs that aren’t traditional.

Assumptions such as these have tended to be normalized in a time when people still think of Native Americans as exotic, and not able to be both Native and Christian.

Native American Christians have, for a while, escaped the notice of anthropologists and historians. While Native American religions have been studied since the inception of American anthropology (Yanigasako 2005), the Native American Christian, like Native Americans in the Southeast, does not seem “authentic” enough to warrant the study by anthropologists. For Native Americans, it has been important to retain separate and distinct religious identities (Dombrowski 2001). Native Christians have been widely ignored in anthropological literature, with few exceptions. For the most part, Native Christians have not been considered “exotic” enough for anthropological study. Natives Americans who had converted to Christianity were seen to have given up their nativeness. This can be argued as a central pillar of the “kill the Indian, save the man” missionary campaign, of which an important component was the conversion to Christianity. Government and church sponsored boarding schools also emphasized the importance of assimilation by conversion. Christianity and the project to “civilize” Native Americans were equated in these early interventions. Kidwell, Noley and Tinker (2001:6) write “converting the Native people of North American to Christianity was a major objective of European colonizers.” Because Natives were drawn into trading with European forces, “[t]he Protestant ethic of hard work, thrift, and

industry complemented the secular motives of traders and exploitative government agents” (Kidwell et. al. 2001:6).

In *Native Americans, Christianity, and the Reshaping of the American Religious Landscape*, Joel Martin and Mark Nicholas argue that missionization, in and of itself, has been called a tool of conquest, that was used to wage war on the identities of Native people (Martin and Nicholas 2010). They argue that writing about Native Christians as “inauthentic sell outs” or “powerless victims” in the process of converting to Christianity ignores native agency and the way in which “actual Native people” handled missionization (Martin and Nicholas 2010:4). These historians offer the stance that in the twentieth century:

[S]cholars and the lay public had little to say about Native converts, preferring instead to cast their attention toward Native Americans who seemed outside, or in opposition to, white society. Tenskwatawa the nativistic prophet, not Tenskwatawa the saint; Black Elk the shaman, not Nicholas Black Elk the Catholic catechist: these were the preferred subjects written about by modern professional scholars. When it came to Native religion, scholars were drawn to prophets such as Handsome Lake and Neolin, not to the preachings of Samson Occom, the prominent Mohegan tribal leader and Presbyterian minister who was a celebrity in his own time. [Martin and Nicholas 2010:13-14]

They go on to argue that this attitude of scholars carried over into the popular imaginings of Americans. That is, Americans “preferred to think of Native Americans as if they inhabited a different world and a distant time uncontaminated by contact with whites and Christianity” (Martin and Nicholas 2010:14). Native Christians were assumed to be too much like mainstream Americans and therefore were not representative of Native Americans. “[H]istorical Native Christians were viewed implicitly as less than authentic, as negative examples, anomalous, sad cases trapped between ‘two worlds’” (Martin and

Nicholas 2010:14) Though a part of ‘two worlds,’ these Native Christians were “[n]ot worthy of study on their own terms” and “were understood to be the crushed victims of colonialism, from whom one could learn nothing very important about authentic Native cultures themselves” (Martin and Nicholas 2010:14-15). Malinda Maynor Lowry also writes about the questioning of Lumbee “Indianness” in relation to African American church music. She argues that even though most Lumbees are Christians, they maintain a distinct Lumbee style in the way in which they practice Christianity. From preaching style and the rhythm of speech to the rhythm and types of songs used in church services, Lumbees practice a type of Christianity that is distinctly their own (Maynor 2002).

In his introduction to Swanton’s *Creek Religion and Medicine* first published in 1928, James T. Carson points out that Swanton “worked backward and forward to fashion a Creek culture that was in his mind pristine” (Carson 2000:vi). Swanton was very much interested in seeing an uncorrupted version of Creek religion; that is, a version of Creek religion with no influences from Christianity. Swanton was trained by Franz Boas, and as a student of Boas, saw the need for salvage ethnography: ethnography produced with the idea that native culture was disappearing. In Boas’ “The Methods of Ethnology,” he laid out his ideas for how quickly culture changes. He says that “[w]herever primitive conditions have been studied in detail, they can be proved to be in a state of flux...periods of stability are followed by periods of change” (Boas 1920:317). There was not a denial that cultural change occurred by Swanton either. Rather, that culture was changing too quickly. He wanted to capture Creek culture in as pristine a form as he could find. Because of this goal, he refused to acknowledge any adaptation of European culture within Creek culture. In fact, Carson points out, “in one case he



doubted certain Creek beliefs about the moon because they ‘smack[ed] of white acculturation’” (Carson 2000:vi).

In *Against Culture: Development, Politics, and Religion in Indian Alaska*, Kirk Dombrowski begins his book by telling the story about the burning of Indian regalia in a bonfire outside of a Pentecostal church hosting a revival in Southeastern Alaska. These were considered “non-Christian” items and were burned in order to “demonstrate their new membership in the church and their ‘spiritual rebirth in Christ’” (Dombrowski 2001:1-3). Dombrowski acknowledges that as far away as Seattle there were reports that native regalia and other Native items had been burned in the bonfire. The leader of the Alaskan revival, Flo Ellers, said that she had come to understand some elements of her native culture as “barriers on her path to salvation” (Dombrowski 2001:2). This was controversial in Alaska, to say the least, as it was reminiscent of anti-native culture crusades that were brought against Native culture by Christian missionaries and the United States government.

Dombrowski opens with a thorough examination of why people join religious groups. He explains that in Alaska, people “join churches to save their souls” but that they “join traditional dance groups to discover their identity” (Dombrowski 2001:9). He says that joining in these activities cannot be reduced to the question of “political or economic gains and losses” as “studies that have concluded this are generally misguided and wrong” (Dombrowski 2001:9). He points out that church membership and religious conversion in the context of Native Alaska is not a way to understanding existential meaning. Rather, people join these religious groups after they have “learned the language and way of viewing the world practiced by the group” (Dombrowski 2001:9).

Once the language used by the group is learned, a person is able to decide whether or not this new way of viewing the world “makes more sense than the way they had seen it before” and it is from there that they make a decision whether to believe (Dombrowski 2001:9). Once this decision is made, “it makes not joining the group or subscribing to a particular worldview seem foolish and nonsensical. Belief and affiliation come, it turns out, at the end of conversion, not at the beginning” (Dombrowski 2001:9). Dombrowski argues that:

What makes culture and religion intrinsic to the local and large divisions that we usually call political economy is that none of these things—belief, identity, cosmology—is ever something that can be had entirely individually. In contrast to the popular assumption that issues of conscience are entirely personal, belief and cosmology are always social entities. They always involve acting with, upon, or against others...this is because they are taught to and learned from others. But more than this, it is because each of these things is framed by signs and processes that do not operate according to the easy categories of individual and social. [Dombrowski 2001:9-10]

Dombrowski goes on to explore the categories of culture and personality. While anthropologists and psychologists have long used the term culture as something that is agreed upon and shared whereas personality dictates what a person does not share with those around them, Dombrowski argues that these categories are overly simplistic and do not reflect the way in which people “make meanings...and come to be subject to meanings made by others” (Dombrowski 2001:10). Instead, he argues that people choose conversion because religion and culture provide elements that “come to be part of specific social strategies, strategies of making the world meaningful and thus liveable: strategies that necessarily involve and invoke action on, with, and against other people”

(Dombrowski 2001:10). Questions of culture, he argues, inevitably involve questions of power as well.

Dombrowski contends that Natives have only been able to participate as “natives” in the American political economy if and only if they have “maintained a clear and organized cultural distinctiveness” (Dombrowski 2001:12). This can be exemplified by the Poarch Creek situation: from Chief Calvin McGhee’s donning of a war bonnet to meet with state and federal leaders, to the question of authenticity that Poarch constantly is compelled to answer. Gerald Sider (1993) and James Clifford (1988) write about the same problem in the Lumbee and Mashpee cases, respectively. Because of this, Native Americans have been required to “maintain a very different relationship with ‘their culture’ than have other subordinated peoples in the United States” (Dombrowski 2001:13). In order for Native American groups to be defined as Native, they are required to create definite borders between their own Native culture and that of “mainstream America.” Dombrowski says that:

While Protestant churches can become a mainstay in African American subculture, these same churches have never been seen as part of Native American culture—even in congregations composed entirely of natives and led by a native preacher...not even by the native members of these churches. [Dombrowski 2001:13]

Thus, Dombrowski points out, the Pentecostal practice involves “the adoption of an entirely new language and way of seeing the world—one in which being a Native American has no significance” (Dombrowski 2001:15). In many cases, this includes an active denial of Native American culture, as exhibited with the bonfire Dombrowski describes, as Pentecostals not only reject Native American culture, but are against all culture. The denial of culture has significance to “people whose particular culture has

become unbearable, unavoidable, undifferentiable burden” (Dombrowski 2001:15).

Comparisons of African American Christians and Native American Christians can not be made as the way in which they are written about varies drastically. Martin and Nicholas point out that “non-Native critics tend to discount Native American Christianity in ways that they would not discount African American Christianity” (Martin and Nicholas 2010:10). They continue to say:

Indeed, it is telling that scholars of all backgrounds have little problem imagining African American Christianity functioning as a cultural resource to strengthen community and empower political agency. In contrast, most non-Native scholars have tended to assume that the expression and practice of Native Christianity represents loss, suggest cultural capitulation, and expresses inauthentic identity, as if one could not truly be both Native and Christian. [Martin and Nichols 2010:10]

In Poarch, many community members feel that attending church with fellow Native Americans influences and supports their identity as Native Americans.

Community members in Poarch, the churches that operate on the reservation, or those that are off of the reservation but include a majority of tribal members, see a direct supporting role in relation to the tribal government. When the tribal government needs to bring people together to help a particular cause, they do so through the churches. At the recent United South and East Tribes (USET) meeting that was sponsored by the Poarch Band of Creek Indians in June 2010, the tribal government turned to the churches to help prepare food for the “cultural night” held on the powwow grounds. The tribe bought all of the food that was to be used, but the churches provided the woman and manpower necessary to cook for the hundreds of visitors who would be eating in Poarch. This has been the case historically in Poarch. Churches have helped provide for families and individuals before the tribe was fiscally able. When Calvin McGhee needed money to

travel to Washington, D.C. to work on behalf of the tribe, it was the churches that came together to sponsor fish fries, sold chicken plates, or used a love offering (an offering collected during a church service that goes to a particular need to contribute to, i.e. a plate is passed around the congregation with the specific purpose of going towards a particular community need) to contribute to McGhee's travel expenses. Much of the tribal government leadership overlaps with church leadership. The tribal chairman, Buford Rolin, is also a lay reader and member of the vestry at St. Anna's Episcopal Church. In many cases, church membership and loyalty suggest bonds as strong as familial bonds. For example, Larry Martin, Senior Warden at St. Anna's Episcopal Church, told me of a time when a person from St. Anna's was petitioning the Poarch Housing Board, on which he and Susan Wicker, another member of St. Anna's, serve. The board asked the Larry and Susan to excuse themselves from the vote because they attended the same church as the petitioner. The only other case in which a person must excuse herself from the vote is when the petitioner to the board is in the family of a board member.

As with the Alaska example, Pentecostal membership is relatively recent phenomenon in Poarch. Dombrowski points out that "it has found special appeal among those made marginal by the history of colonial expansion and by the continuing ebb and flow of capital penetration" and has in many cases "inspired in many of its converts distinct anti-cultural feelings" which enable these Pentecostal converts "to look with great suspicion on the native cultural practices engaged in by their neighbors and kin" (Dombrowski 2001:181). This will be exhibited in the case of Pentecostalism in Poarch as well, from some of the earliest leaders such as Mace McGhee, to contemporary members of Pentecostal churches. For example, the Holiness and Pentecostals are the

tribal members who have been most vocal about opposing the casino and the practice of stomp dancing.

Dombrowski argues that the way in which Native church members operate against culture and reject political and social strategies does more than simply “advocat[ing] a particular theological stand or their own moral superiority” (Dombrowski 2001:182). Rather, he says: “[t]hey advocate a strategy of collectivity over one rooted in difference. They advocate collective practice over individual belief in a way that insists upon the mutual interdependency of collective representations, that is, all collective representations” (Dombrowski 2001:182-183). In Poarch, when it comes to systems of belief, this is also can be seen to be true. However, there is more of a pull by the community to come together for important events without denominational or religious boundaries becoming an issue. This can be seen during marriages, births, and deaths. When a person is sick, as suggested by my experience, congregational boundaries are blurry. Even with very different belief systems, churches and their members come together to support members of the community during times of need. When there has been a house fire, hurricane, or other natural disaster, community members come together to donate clothes, toys, books, and even money to those affected.

Most of the community members that I interviewed in Poarch only recognized Christianity as the “traditional” Poarch religion. Debbie McGhee told me “until those missionaries came, we were in a religious vacuum. We didn’t have anything to believe in. That’s why we accepted Jesus so quickly.”

## *Religious Worship in Poarch*



**Figure 12 Poarch community members prepare for baptism by immersion in local creek. (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

In contrast to the church services found in Holiness and Pentecostal churches, the church services in the Episcopal Church are very formal. The Anglican Church of England was established by Henry VIII, and while the service has changed in minor ways, the basic format of the service mirrors the Catholic Church service. The Book of Common Prayer, published by the Episcopal Church and most recently revised in 1979, is used for each service, with directions for the congregation at each juncture, is also very

orderly and hierarchical in its process.<sup>47</sup> Directions such as “the people will stand” or the responses that the congregation is directed to give are all listed in the prayer book of the Episcopal Church. For example:

Celebrant: The Lord be with you.

People: And also with you.

Celebrant: Let us pray.

*The people will stand or kneel.*

These directions are found throughout every portion of the service. The Bible is referenced many times throughout the service with one reading from the Old Testament, the New Testament, the Psalms, and the Gospels. The service begins with music from an organ and songs from the Episcopal Church Hymnal, approved and accepted in 1982. The music is provided by a lone organist, who has been with the church for many years. The organist plays for St. Anna’s, then quickly heads to Atmore to play for the First United Methodist Church there. An acolyte, the person who assists the priest during preparation for communion, leads a procession down the center aisle. A lay reader, the person who helps the priest with reading of the Old and New Testament and other parts of the service, follows. The priest comes in last. They proceed down the aisle to the altar, where they take their seats. The people stand with the entrance and the exit of the leaders of the service. After everyone is in place, the people open their Book of Common Prayer books, and the service begins. Including communion, the service lasts for a little over one hour. Afterwards, parishioners gather together in the brand new parish hall to

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<sup>47</sup> The Book of Common Prayer also calls for the governing body of the Episcopal Church. The word Episcopal means “of bishops” meaning that each local governing body of the church, the diocese, is led by a bishop. The national church is led by the Presiding Bishop (the United States version of the Archbishop of Canterbury). This Presiding Bishop is elected every nine years at the General Convention of the Episcopal Church, where each diocese sends a delegation. The General Convention is made up of two houses, much like that of the United States: the House of Deputies and the House of Bishops.



visit and have breakfast.<sup>48</sup> Services at St. Anna's are once a week on Sunday morning only, with the exception of the Lenten season (the forty days before Easter) during which the church also has a Wednesday night program. There is no Sunday night nor Wednesday night service.

Even though St. Anna's in Poarch belongs to a conservative diocese of the Episcopal Church of the United States of America, the leaders in the church tend to be open minded and welcoming to people from all different backgrounds and walks of life. For example, when a priest at the white Episcopal Church in Atmore, Trinity Episcopal, became involved in questionable activities, three families from Trinity joined St. Anna's. These non-Indian families participate in all of St. Anna's activities, including moving their own holiday plans so that they can also contribute to the biggest fundraiser at the Thanksgiving Day Powwow that is sponsored by the tribe. When discussing issues that the Episcopal church is facing on a national level, the senior warden at the time, Buford Rolin (who is also currently the tribal chairman), stood up to explain to the congregation what was going on in regards to the church and same-sex unions. He explained that the national church was in favor of same-sex unions, but that the much more conservative Diocese of the Central Gulf Coast refused to acknowledge same-sex unions and was against the national church having a service dedicated to this. When this meeting happened, in the middle of a church service I was attending, I braced myself for remarks

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<sup>48</sup> The parish hall at St. Anna's contains a full kitchen, large dining area with tables and chairs, the church office, the church bathrooms, and a few small classrooms that are utilized for Sunday school, when it is being taught at the church. The first parish hall at St. Anna's was the Pickrell House, built for a missionary and his wife. When they left, the church turned the house into a school. After Escambia County built the consolidated school for Poarch, the church used the Pickrell House as a parish hall. This is where it stayed for decades, until a few years ago, the tribe moved the parish hall onto the powwow grounds. Tribal historian Robert Thrower has utilized the space to provide an exhibit on the Poarch Creeks. St. Anna's then borrowed money from the Diocese of the Central Gulf Coast to build a new parish hall.

that would comply with the Diocese of the Central Gulf Coast's view on homosexuality. However, the people who did speak in the service were not anti-gay. Most took the view same-sex unions certainly did not hurt the church, so they supported the National Church over the local Diocese. My experience was that the Episcopal Church in Poarch, while mostly traditional in terms of the church service, is actually quite liberal in other ways.

Larry Martin, senior warden for St. Anna's, says that

I am not a traditionalist. I am more of a change...if I had my way about it, we would be singing renewal songs at church a lot. And...but I try to meet the happy medium between those who want to be strict with the songs out of the 82 Hymnal and those who want to once and a while hear the old timey songs. Like Charles Wicker told me one time: "my goodness! You turned us into Baptists this morning!" I said, no, the songs are just good old gospel songs. It doesn't turn you into Baptists! See, I've seen the Eucharist service with guitars all around the altar. And tambourines and things like that. And I think you will find some of that in Indian country. But the Eucharist is the center of the whole thing. And as long as you keep the Eucharist in the center, you can praise the Lord anyway you like. That Eucharist we did today [at a Native American Episcopalian gathering church service] certainly is not in the prayer book.

Just as the Pentecostals define themselves through a particular style of worship, so too do the Episcopalians want to maintain a separate style.

Larry Martin was put through boarding school and through college by the Episcopal Church. About the church, he says:

I'll just tell you—the Episcopal church would do things for people in Poarch that we never thought was possible. Remember Lunie Mae? Do you know who I am talking about? Marie's mother. They had a brother, Clifton, and he was in California. And something happened to him, and he died. And Mr. Merkel scrapped the money together and flew Lunie Mae and another out to California to pick up the body and bring back the body to bury. That's the kind of thing that the Episcopal Church did for the community.

Larry was the senior warden for a while when he was still finishing high school. In order to combat young people leaving the reservation and going into Atmore to drink, he began holding dances at St. Anna's. He says:

The house that I was telling you about that was consolidated into a school...this is another interesting thing. I tried to live alone in that house when it was vacated. And I did live there for about six months while I ran the church services. I had Richard McGhee and Earl Jr. would all hang out with me over there. The church finally...well, Mr. Merkel did, bought us a record player and a lot of records, so I started having dances every Saturday night for the youth. And the reason I was doing that was because so many youth were going across the line. Because if you went across the line in Atmore, in those days, was like going to a Christmas party. There were so many bars, and it all lit up, ya know, with neon signs, and things of that nature. And there was no control over anyone's drinking liquor. So, they'd go across the line. So I set up those dances on Saturday night to combat going across the line. We were successful. That's how we got the nickname of those awful Episcopalians up there dancing. But, it didn't bother me, and it didn't bother the others at all. But Lizzy Pearl and Carrie Jane, they came to church with me on Sunday mornings. Their mother, Vi, Vi came up from Bay Springs and she had all of those children. And she had a hard time with those children. I mean feeding them and all. Because there was Johnny, Faye, Earl, you know Earl. But she never came to church at St. Anna's. She would always hike it out to the Pentecostal Church. By this time we lost St. John's in the Wilderness. And Alton Jackson built his first house, Alton Jackson who was one of her sons, built his first house out of the lumber from St. John's in the Wilderness. So the church has been good to us. We had the Pickrell House. We had a caretaker's house. Do you remember the caretaker's house by chance? Where Buford lived? And after Uncle Tom moved out of there, I think Lena and Dan lived there. They took care of the church. Yes, there was a house there. And they rented it to the tribe, and of course termites got to it, and when the tribe moved out...the house...we had to burn it down. That house where the army workers stayed. But Mr. Merkel helped us. Every Saturday when we went to Atmore, we'd have to go see Mr. Merkel for something or another because he would give us money to do things with, ya know, and things like that. If anyone got into trouble or things like that, that's the first person we called on to get them out of trouble.

Many people recall how the Episcopal Church got started in Poarch. The story was repeated, as explained more thoroughly in Chapter One, about Fred Walker, who supported the church and became a member of it.

I vaguely remember [the priest] Van Edwards. I remember Fred Walker more than I remember Van Edwards. Fred Walker was the one who was in charge when Van Edwards came through. Well, the chief was Alec Rolin. And he was 97 years old and he could not perform his functions as chief, so Fred Walker, who was the acting chief, is the one who got everyone together and built St. Anna's. And he built St. John's. He was going to all of the conventions with Anna Macy, and he memorized the liturgies. She helped him to memorize the liturgy so he could do Morning Prayer without even having a prayer book.

Fred Walker, who could not read or write, is reported to have memorized most of the Prayer Book. He was made a Psalter in the Episcopal Church. Most of Poarch Creeks who were alive when the church was established were baptized and confirmed in St. Anna's. These Episcopal rituals did more than help build Poarch community, they also provided evidence in a matter which they were hardly intended. These records of marriages, baptisms, and confirmations, were what helped Poarch receive federal recognition when it was applied for in the early 1980s and finally achieved in 1983. This will be discussed more thoroughly in Chapter 6.



**Figure 13: Photo of Fred Walker (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

When discussing the poverty that existed in the community as the Episcopal Church came in, over and over I heard the stories of everything the church did for the community during that time. Hattie Knowles remembers they gave every student fifty cents per school semester (after the students began being bussed to Atmore to attend classes) for school supplies, so that the children would have what they needed to start school. Clothes were shipped in from various places in Alabama, and many charitable organizations from Alabama and as far as Washington, D.C., sent donations to the priest in charge at Trinity in Atmore to care for the “Indian mission.” When asking elders about Christmas, most do not remember ever getting Christmas presents, except for getting fruit from St. Anna’s. Ann Burns says:

Christmas presents? Oh no. The only Christmas presents we got was from the church. They gave us an orange, and an apple, and

some candy in a brown bag. It's a tradition that we keep going at St. Anna's. If you ever at St. Anna's at Christmas time, we have our Christmas party, you'll get a bag with some apples and oranges and candy in it. Go home, and sit by the fire, and open that bag with candy in it. And enjoy an apple or an orange.

Whether or not Poarch Creeks are members of the Episcopal Church, everyone who I interviewed discussed the impact of the church on their lives and their everyday well-being. Schools were established. People began understanding what going to church meant, with missionaries and priests there to teach about the Bible and the church. And the church took care of many of its members. However, not everyone was happy with the way in which they were being spiritually tended in the Episcopal Church. Many times throughout the years, there was no priest to run the service at St. Anna's and at St. John's in the Wilderness. Eventually St. John's closed, and a Holiness Church took its place. The Holiness Church provided a more stringent and more demanding dedication of its congregation.



**Figure 14: Poarch Creek child playing with missionary's child. (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

While the Episcopal Church was the first church to send missionaries to Poarch Creek, it was soon followed by Mennonites (who have since left) as well as Holiness, Pentecostal, and Baptist missionaries and preachers. According to the *Evangelical Dictionary of Biblical Theology*, the American Holiness Movement began in the 1840s as a way to “propagate John Wesley’s teaching on entire sanctification and Christian perfection. Wesley held that the road from sin to salvation is one from willful rebellion against the divine and human law to perfect love for God and man” (Elwell 1996:899; see also Brasher 1994 and Synan 1971:13). Originally Methodist, the Holiness movement spread to a Mennonite group as well as into independent preachers teaching Holiness religion. Holiness preachers emphasized that the process to receiving salvation from God involved two crises: conversion, meaning that one is freed from any and all sin that he or

she has committed in her lifetime, and entire sanctification, that one is liberated from her natural state that causes her to sin (Elwell 1996). The Pentecostal movement is an offshoot of this original Holiness movement.



**Figure 15: St. John's in the Wilderness, Episcopal Church that no longer exists in Poarch Switch (Photo courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

In an interview in 1972, Tony Paredes was working on documenting Southeast Indian oral histories for the Doris Duke Oral History project out of the University of Florida. One interview by Paredes was with a renowned preacher from the Friendly Holiness Church, which still operates today in Poarch Switch.<sup>49</sup> Many Poarch Creeks attend this church. I include a lengthy section from this interview because of its historical value. The Episcopal Church originally operated St. John's in the Wilderness at the current location where Friendly Holiness Church is located.

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<sup>49</sup> Paredes recorded this interview and has given his permission to use it here.



Tony Paredes: I understand that at one time there was an Episcopal Church [where your church is now]. Could you talk about that?

Mace McGhee: Let me see... Ms. Mayes and Preacher Edwards. They the first ones brought the church here and built the church and built the house. Atmore Relay Company gave the land, and if the church went down and never had no more service, then the land went back to the Relay Company. So after the church went down, Alton Jackson bought the building. See he went ahead and bought the building. His dad in law was a bishop of the church, and so he had to change at the church house, so he goes ahead and buys the church. But then it goes back to the Relay Comanpy... It's a big timber company, used to be Carney Mill Company, but it went into Atmore Relay Company, and that what is mostly goes in right now, Atmore Relay Company.<sup>50</sup> Our church went and seen Mr. Patterson and them. We told him what we wanted the piece of land for. He said, well, it was give for the church, so we just as soon give y'all the land and let y'all use it. And if it ever goes down, then it goes back to the company. But this year, we goes ahead and fix it where we could have it individually, ourselves. The church as a whole. It belongs to the Friendly Holiness Church now. The Atmore Relay Company is out of it.

Mace McGhee, or Brother Mace as he was mostly known around Poarch, has since passed, but people still refer to Friendly Holiness Church as “Mace’s Church.” Mace was also the brother of Calvin McGhee—the man who led Poarch to get equal education rights as well as towards the federal recognition process.

Mace McGhee, like most Poarch Creeks at the time, was baptized in the Episcopal Church. Soon, however, he knew that church was not fulfilling his needs. More specifically, there were people in the community who did not like the fact that the Episcopalians only went to church on Sunday, and that they were allowed to drink and smoke and still come to church.

Tony Paredes: What happened that the Episcopal Church went down over here?

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<sup>50</sup> Carney Mill Company is a company that was sued by Poarch Creeks in the early 1900’s due to theft of timber off of Native lands. It was this timber case that would be used by federal recognition petitioners to help with the federal acknowledgement claim.

Mace McGhee: Well, I think its just that most of the members found out it wasn't really on the foundation that they seen. And it made no change in the lives. You could drink and just do anything you want to, and run on back to church. But now in [Friendly Holiness Church], we don't like that.

At one point in the interview, Mr. McGhee refers to the reason why he himself quit going to the Episcopal Church. He says that the priest at the Episcopal Church “would give cigar smokes...my mama and daddy taught me better than that. Not to fool with such thing as a cigarette. Cause they would hurt ya in the long run.” He continues, “after I got into this church, they just kept on and kept on [trying to get me to smoke], and I just decided then that the best thing to do was to get out of [the Episcopal church].” With the influence of Holiness preachers, many Poarch Creeks who had embraced the Episcopal Church when it first arrived, now began questioning the doctrine it supported. Many, like my great-grandmother, chose to hike five miles each way to Poarch Switch, with children in tow, to attend Holiness services rather than Episcopal services held in her own community of Headaperdia.

According to Mace McGhee, the Holiness Church began to develop a following soon after the Episcopal Church arrived. When asked by Dr. Paredes how the Holiness religion came to be in Poarch, Mr. McGhee says:

Mace McGhee: Well, way back that in that time, when there weren't no Holiness around here, Rev. Raymond Coon came in and he was a free Holiness. And he didn't have no place to preach, so we built a arbor over here at Bell Creek...so that's where we come in contact with Holiness, and from then on, we made us some arbors, and made an arbor right back here in the field.<sup>51</sup>

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<sup>51</sup> Also known in the community as a “brush arbor.” This was a makeshift building built by cutting down trees. A log frame was constructed. Limbs (with leaves and pine needles) were placed overhead to provide shade. Logs were cut long ways to provide benches that sat over two stumps on either end. This was a popular way to have large gatherings at that time. Church services took advantage of these before

Tony Paredes: About what year Reverend Coon come?

Mace McGhee: It was way back in the 20s.

Tony Paredes: And could you explain what an arbor looked like for those of us who haven't ever seen one?

Mace McGhee: An arbor is nothing but a place to fixed up, and posts is put up, and a framework is put over it, and brushes. And that's what you call a arbor. And that's all that holiness really had when it first come to this [Poarch Creek] country, that's what it really come under, the holiness, was the old brush arbor...Next buildings was built, I imagine, in the 30s. We built a church then down at our New Home Cemetery. My dad, he hauled timber out of the woods, all the framing. Wasn't no sawmills. He hauled them out of the woods. Brother Levi, the oldest boy, he could too, and they all got out there and squared them up, and built the church...The next church was built about 200 yards from here, where Sister [Rachel ] Rackard's house is in now. That's the foundation of the church we was in today.

So while the Holiness church began in Poarch with the brush arbor, soon after the people from the community were better able to provide a more stable building for the church. Friendly Holiness Church is now an icon in the Poarch Creek community and remains an extremely important part of religious activity in Poarch. The church is now built of concrete bricks that have been painted white.

As far as the actual practice of Holiness and Apostolic religion, Brother Mace McGhee explains that to Tony Paredes in a series of candid responses about his beliefs and religion.

Tony Paredes: I have to confess my ignorance. I don't know much about the Holiness religion. So maybe you could just tell me a little about the Holiness religion?

Mace McGhee: Do you believe in being saved? Now saved means having new life in Christ Jesus. Being borned again, that's what it really means. When we repent of our sins, well then, we come to

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actual church buildings could be constructed. Brush arbors are also important on stomp dance grounds. They are used at the stomp dance as a place for shade as well as a place for rest.

find out that Christ will forgive us of our sins, and make a new creature out of us. So we don't walk in the same ruts we used to walk in. We don't want to fool with the world, and the things of the world. Like we used to.

Tony Paredes: Can a person change but still not be saved?

Mace McGhee: Yes sir, he certainly can.

Tony Paredes: How does that work? If you change your living ways, how is it you aren't saved?

Mace McGhee: Well, if you change your living ways, and then go back on the Lord, then we know you aren't saved. See, the Bible teaches that you can backslide. And a lot of people don't believe. Now the Baptists, they don't believe you can back slide. They believe that you once saved, always saved. But I can't believe that. Because the Bible don't bear it out, because Peter, he backslid. He denied the Lord. He swore and cursed that he didn't know Jesus Christ. So that's how he backslid.<sup>52</sup>

Tony Paredes: So to be Holiness, you have to continue working.

Mace McGhee: That's right. Continue working. Continue going forwards.

Tony Paredes: Would it be possible for someone who had been acting in sinful ways, to not act that way anymore but not be saved?

Mace McGhee: That's right. Yes sir. I got a boy today, my oldest boy, only boy I got. He's just as good a boy, well he's a man now. But he's just as good a man as the country formed anywhere. I've never heard him cuss, I've never heard him use a backyard word, I've never seen him smoke a cigarette, take a beer in his hands no way shape or form. And he really obeys me when he goes home. And yet and still, he will be lost if he doesn't repent of his sins.

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<sup>52</sup> Backsliding is a popular term across the Holiness religion that is defined as "a temporary lapse into unbelief and sin following a spiritual conversion" (Demarest 2002: 127). While most believers do not believe that a backslider is completely lost to sin, they do believe that it sincerely displeases the Lord (Demarest 2002:127). Causes for backsliding include: "God forgetfulness, unbelief, bitterness, preoccupation with the present world, love of money, and seductive philosophies" (Demarest 2002:127). The actual term "backsliding" is not found in the New Testament, but there are many examples within that show the act of turning away from God, including but not limited to the example that Brother Mace gives of Peter denying Jesus Christ three times. Backsliding can be prevented by "abiding in Christ, praying constantly, and maintaining a good conscience" (Demarest 2002:127). See also: Poloma and Hood (2008), Jacobsen (2006), Kostlevy (2001), and Brasher (1994).

Tony Paredes: So it takes leaving a sinless life

Mace McGhee: That's right, repenting of our sin. We are born with a sin from back under Adam. Adam and Eve. And that's the reason we don't have to teach a child when he comes to responsibility of age. He knows all these things. That's a sin. That is an inbred sin that we have inherited from Adam.

The point that Brother Mace makes is extremely important to Holiness and Pentecostal churches: even if one does not partake in what is deemed by them as sinful activities, one must be saved, repent of her sins, and follow Jesus Christ.

Unlike in the Episcopal or Catholic Churches where a priest is expected to attend seminary to study to be a priest, Holiness and Pentecostal churches believe that God calls on a person to become a preacher. No school is involved, and there are no bureaucratic rules limiting when and where a person may preach or perform church services, although there is a requirement to be licensed within those denominations. Brother Mace McGhee discusses his call to be a preacher:

Tony Paredes: When did you become a preacher yourself?

Mace McGhee: Well, I came...God called me to be a preacher, I'd imagine, about twelve years ago.

Tony Paredes: How did you know that you had been called?

Mace McGhee: Because he continued to deal with my heart and life. And I couldn't think about so many different things about the Bible, and it would be true. I could turn over there to it, and it would really be true. He had really brought it to my mind. So one Sunday at 11 o'clock, he just...I just obeyed him, and I got up there, and he just give me some things to say. And from then on, he just continued to give me things to say. And I said, well Lord, if you want me to continue to decipher you, there ain't but one thing I know to do, and that's just to preach what you give me to preach. That's why I know God called me to preach. Because no man...I don't have the education to lean back on. I just have up to the sixth grade. I got to the sixth grade. Because back then, they

didn't like Indians. We got a lot of people around here who just don't like Indians at all. Still today.

Tony Paredes: How do they show that?

Mace McGhee: 'Cause, way on back then, they wouldn't let our children go to school. You can tell in different ways and going to different places that they got a different working in them in amongst different people. There's supposed to belong to the Baptist Church.<sup>53</sup>

Tony Paredes: Who was preacher at time you were called to preach?

Mace McGhee: We were first in the Pentecostal Church, but Brother Capers and Brother Tatum, they stayed with us. But then a split happened within us. A fellow named T. M. Dunkins came out of Mobile. He came in here with the Fire Baptized Holiness Church. That's what this used to be after he got it all split up. It went that way for a pretty good while. Well, I got my license. With the Fire Baptized at that present time. And after it went on for a while, he pulls out of it. The same man who done all this splitting up. He pulls out and goes into what they called Emmanuels Holiness Church. Well, then he wanted us to go out of the Fire Baptized Holiness Church and go with him. But we wouldn't do it. I said if we move out of this church anymore, we'll go free and we'll be free til the Lord comes back for us. And that's why we are free Holiness today. The New Home Cemetary, that's where originally the church was. But it was Pentecostal Holiness Church. New Home... [Emmanuel Holiness Church] originated from Frisco City. Just on overhead after you pass Frisco City, to the left, is the Emmanuel Holiness Church. There was never one in the Poarch area...Free holiness, and the name that we carry is Friendly Holiness Church, but it is a free holiness [denomination]...

Tony Paredes: When you had the call to preach, it might be possible that God would be talking to them and just be really call for the person more Christian and not necessarily preach. How do you tell the difference?

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<sup>53</sup> Mr. McGhee is explaining that the people in the community who are anti-Indian are also Christians that belong to the Baptist Church. Many of the most racist, the white farmers who employed Poarch Creeks, attended Judson Baptist Church, located in the midst of the other Poarch Creek settlements. It is this church which required Indians to be buried on a separate side of the cemetery than the white people of the community. It remains a segregated cemetery, even now.

Mace McGhee: Well, if you out there, and you ain't meant to preach, then you won't have that calling upon your heart. But if you have the call to preach, then you still have a calling that continues to ring. That you oughtta do more, that you oughtta do more for the people. That is the only thing I can realize is that God really calls a man to preach when he just continually shows him what to do.

Also unlike the Catholic and Episcopal priests, preachers in the Holiness and Pentecostal churches are not usually paid by the church. In Brother Mace McGhee's case, the church offering went to help out a community member who attended the church and worked there as a secretary.

Tony Paredes: Does the church provide for you?

M: Well, see, back here, before the Lord really dealt with Sister \_\_\_\_\_, well she says the Lord called her to work for him. Well, I told her if the Lord called her to work for him, then we would do everything that we possible could to make it happen. And I said if you want to continue to work in this church, and if you want say-sos in the church, then we'll just let you have say-sos and whatever is made up. She is a widow woman. Her husband left her for a woman down here in Mobile. He stayed with her, and had one child with her. And he was staying with another woman and run off and left her. She ain't got no other way, only the church, and the Christian people helps her. She works with me in the church. And all the donations and offerings and tithes that different people pays in, like when we take up offering on a Sunday morning, then we give that to her, to help her.

This practice of helping out people within the church who can not help themselves or who do not have the means or the family to help them is not uncommon in the Poarch community. In many cases the community came together, through the various churches, to organize fundraisers.

When questioned about the ways in which so many Holiness churches came to be in the Poarch Creek community, Mace McGhee spoke of fractures in leadership and fissions along different types of Holiness churches: Free Holiness, Fire Baptized

Holiness, Emmanuel Holiness. But also, he describes the other different Pentecostal movements that began in Poarch around the same time. Brother Mace McGhee describes the split that caused his church, Friendly Holiness, to separate from the “mother church,”

New Home Holiness:

Well, they called for a new preacher. And conference sent them the same preacher back.<sup>54</sup> Back in that time, they would have a preacher call they'd call it. One day they'd vote a preacher. And whichever one got the most votes would take over for another year. So they voted for another preacher, but when they had conference, they sent the same preacher back. So that put a division amongst the church at New Home. And that division was when the Friendliness Holiness started. That was in the forties.

Well, the Church of God of Prophecy started about two years ago. The same girl that brought the Church of God of Prophecy into this community got saved in our church. Her mother got saved at our church. She goes and marries a man down here close to Perdido. And while she was down there, this Church of God of Prophecy fellow, run a revival. Nothing for her to do then, but to bring him up to her dad's house. So he got sort of good friends with her dad. So they had a meeting around there to his house, and after they had a meeting around her house, the preacher, he says that the people who really wanted the church up here, and he would help them build the church. And that is why the Church of God of Prophecy is here. Now this man over here, Noah McGhee, that rented the place to him, now he belonged to our church. Until he backslid. After he backslid, he went and let them have this little building that he has over here.

Tony Paredes: How do you feel about Church of God of Prophecy?

Mace McGhee: Well in one sense I believe that part of it is, but I certainly don't believe that it's the only one that is right. That is what their doctrine is. Their doctrine is that if you don't belong to the Church of God of Prophecy then you aren't right. But you don't find that in the Word of God. Because Jesus said, in the word of God, on this rock. He didn't call no kind of name. He

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<sup>54</sup> When choosing a preacher, Holiness churches surrounding Poarch put the preacher up for a vote. If the majority choose that person, then he (I have known of no women preachers in Holiness Churches surrounding Poarch) will lead the church. After each year, the church goes to conference to talk about whether or not the preacher is doing a good job, and whether or not they want him to stay.



didn't call no kind of organization. He said on this rock I shall build my church and the gates of hell shall not prevail against it.

Tony Paredes: So this means that you don't think that the holiness church is the only way.

Mace McGhee: No sir! I believe a man can live holy whether he goes to my church or not, if he wants to live holy.

Tony Paredes: it is easier to live holy in some churches than others?

Mace McGhee: Yes sir! It certainly is. It's easy to live Holiness in that one, in this church down here, than it is in my church. They carry on in a lot of worldly outfits that I don't carry on in my church<sup>55</sup>. These ball games and things like that, on a Sunday. I don't let them play ball up there on a Sunday on that acre of ground that is give to the house of God. Because I realize that ain't nothing else but sport, because his name, the sport, it goes in that category. I used to play when I was a sinner.<sup>56</sup>

Tony Paredes: Sports are sinful in themselves?

M: Yes sir. He said "love not the things of the world, neither the things that are in the world. If the love of the world is in you, then the love of God is not in you."

So within the church grounds of the Friendly Holiness Church, women do not wear make up or pants, and no sports are allowed on church grounds. While most of the congregation does partake in sports in some way (either by watching the University of Alabama dominate on the field, or by allowing school-aged children to play tee-ball or baseball), Sunday is the Lord's day, and no sports or other ungodly activities are allowed at any time on that day. While Mace McGhee's reports of his beliefs and guidance at Friendly Holiness Church may seem old fashioned and extremely conservative, the Holiness churches in and around Poarch continue this strict belief system that leaves little

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<sup>55</sup> For example, women do not wear pants or makeup.

<sup>56</sup> Synan notes that in Holiness churches during this time, "in the holiness system of values the greatest 'social sins' were not poverty, inequality, or unequal distribution of wealth, but rather the evil affects of the theater, ball games, dancing, lipstick, cigarettes, and liquor" (Synan 1971: 58-59).

room for individual interpretations. For example, a tribal member recently donated all of her pajama pants to a yard sale fundraiser. Her explanation was that while her church only allows women to wear skirts, she had been using pajama pants to sleep in until her preacher had preached about the ungodliness of any pants on women during one of his sermons.

Given that Mace McGhee is Calvin McGhee's brother, when asked about Calvin's activities within the tribe, Mace had a lot to say about his actions. Chief Calvin McGhee had recently died the year before this interview in 1971. Dr. Paredes asks of Mace McGhee:

Tony Paredes: I wanted to ask you about something you said in Sunday School. Could you tell me what you feel about your late brother Calvin's activities?

Mace McGhee: Well now, I'll tell you. I've told him, and I'll tell you just like I told him. In times, it would have been fine for Brother Calvin...Brother Calvin had great knowledge and understanding with only a third grade education. But he had it. He had something that lawyers didn't know that he had. I told him. I said, Brother Calvin, it is fine to work for these things. And I enjoy seeing you do these things. But when it comes the Lord's Day, you need to put everything aside. I said, don't go on and carry on. Lay these things aside and go to church! And serve the Lord on that day, and then the Lord will bless you in getting out and doing and carrying on the work that you have been appointed to carry out. But I said, if you take Sunday, just like any other day, then you are absolutely going wrong. You cannot be a good Christian and don't honor God's holy day.

Tony Paredes: What about the wearing of Indian feathers, and dancing. What did you think of all of that?

Mace McGhee: Well, I'll tell ya. I don't approve of it. Because the Bible says as I said a while ago, come out from among the wolves. And be a separated people. Now I could have been with him. He asked me, he begged me, a lot of times to go with him. To preach. With these Indian feathers and things on. Now my forefather, he didn't come up with all of that. It just come along

when they time had come when we could sue the government for taking the land from our forefathers. That's when all that come along.

Tony Paredes: What was the life of your forefathers like?

Mace McGhee: Well now, there was good going, church going people. And they knowed they was an Indian, but they didn't know nothing else but to go on and serve the Lord to the best of their knowledge.

Tony Paredes: And that for this Indian community, that is the old Indian way?

Mace McGhee: Yes sir. I have tried my best since God saved me over 27 years ago. I have tried my best to live according to his word.

Tony Paredes: You grew up in the Holiness church.

Mace McGhee: Grew up among the holiness people, but as I said before, I grew up going to the Episcopal Church. Me and my wife both. It took a young man. When God hadn't done nothing for him, and he didn't know about what places to move into. When I was a young boy before I was even married, that is where I got up with my wife. Was at the Episcopal Church.

While at this point Poarch Creeks belong to different denominations, I heard from many about their original attendance at St. Anna's.

The Episcopal Church service, as described above, is quiet, with only the organist accompanying the songs sang during the service. Prayers are read from a book, responsively, so that a priest says his or her portion, followed by the congregation's response. There is a script that is to be followed; the entire service is scripted. There are never any surprises. The service lasts for an hour, including communion, or can be shorter during mornings without a priest. On the days without a priest, a lay reader will usually lead the congregation in the Prayer Book's Morning Prayer service. While St. Anna's has a priest on most Sunday mornings, the service is led by a supply priest from

Pensacola. St. Anna's does not have its own priest. St. Anna's is a mission church. This means that it cannot afford to fund a priest on its own. The diocese helps fund St. Anna's operations.

In contrast, the Pentecostal and Holiness services can last much longer. There is no time limit placed on the church service, but rather, the church services goes as one attendee of Friendly Holiness says, "as long as the spirit allows it to continue." Music and songs are entirely different. While during the Episcopal service the only music is from a traditional organ, music at Southern Baptist, Pentecostal and Holiness churches can (and does) include guitars, drums, microphones, and ragtime piano playing. Rather than pray responsively with the preacher, these services allow the congregation to shout out prayers, speak prayers to God while the preacher is leading the larger prayer, and throughout the entirety of the church service. Speaking in tongues, long considered to be a spiritual gift by Holiness and Pentecostal occurs during almost every service and from multiple sources (see Poloma and Hood 2008, Jacobsen 2006, Kostlevy 2001, and Brasher 1994). In contrast to the Episcopal Church where the entire service is scripted, the Pentecostal and Holiness services are based on how the Spirit (as in, the Spirit of the Lord, or the Spirit of God, or the Holy Spirit) moves the congregation to worship on that particular day.

At the end of the Holiness or Pentecostal service, particularly when there are visitors at these community churches, there is what is locally known as an "altar call." During this portion of the service, the preacher prays for those who have not been saved. As he does so (again, all of the Pentecostal preachers I have seen have been men), he also gives an invitation for those in the congregation who would like to be saved. These altar

calls are full of emotion, with emotional prayers being said not only from the stage, but also from within the congregation itself. When a person who generally does not attend church comes to a service, these altar calls can go on for long periods as the preacher tries to seduce the newcomer into accepting the call from God and coming down front to the altar to give his or her life to God. This is what the church refers to as someone “being saved.” These are extremely emotional events. The person who answers an altar call is asked to completely give his or her life over to God, and then the whole church prays for this person. In many cases, the laying on of hands occurs. This means that multiple members of the congregation, usually members who are thought to be the strongest in their faith, touch the person in some way as they pray for him or her. It is generally difficult to describe a Holiness or Pentecostal service in that while they usually have some similar aspects, much of the service is different depending on the day, the preacher, and how the Spirit moves the congregation on that particular day.



Figure 16: Baptism by immersion with Reverend Merkel (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)

### *Feeding the Community: Literally and Spiritually*

While some of the beliefs of the Episcopal Church and Holiness/Pentecostal Church have been documented here, it is important now to address the way in which people identify as being Poarch Creek through their respective churches. When asked what makes Poarch a special place, Harriet Hallman says:

Praying together. We can remember hearing prayers echoing out through the woods. They would go in the woods and pray to the top of their lungs. God is looking over us because of our praying ancestors. What makes us what we are is that we always stick together and help each other. I have seen times when I had one

egg and made a little hoecake and split it with my sisters.<sup>57</sup> We ate beans and taters, taters and beans. We have took up collections for each other. We needed a collection for Earl Jackson and his family. And we took up over \$600, that's why we have made it. Our oldest sister and our only brother, when we lost them, people came together. As soon as we said we needed help, and that's the way people are around here. Not everyone will help...but they aren't really from our time. They aren't our people. The people that we pray with, that's who is our people.

When asked about how worshipping at Poarch Holiness Church allows her to identify more closely with tribal members, Vice-Chairwoman of the Poarch Creeks, Stephanie Bryan, says that:

I am in the transition of attending Ray Ward's church. Poarch Holiness. I think that the reason why people from Poarch tend to stick to churches where other Creeks are has to do with the fact that we just go where we feel more comfortable to worship among our own family. I've attended other churches. Years ago, my mom told me to go where you get your spirit. If you aren't feeling the spirit, don't go there. Go where you feel the spirit and where you feel comfortable. I went to [a non-Indian church], but it's a different atmosphere to worship if you are amongst your family—I mean, tribal member family. I have been to other white churches, and there are white people that attend [our church], but I feel more comfortable as far as worshipping with other tribal members on a smaller scale.

From the Episcopal Church as well, many Poarch Creeks talk about not feeling comfortable in churches outside of St. Anna's. For example, unless there is a Native Episcopal gathering, most congregation members at St. Anna's do not attend local diocese wide events due to the fact that there are no other native participants.

Every interview from a church attending community member included a discussion of the specialness of Poarch. In addition to the familial bonds helping to maintain and assert religion in Poarch, it is the making, sharing, and giving of food that

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<sup>57</sup> A hoecake is biscuit dough that instead of being separated into individual biscuits, is cooked in one large pan the way that corn bread is cooked.

has its roots in the Poarch churches. From the beginning when the Episcopal Church missionaries provided food for the Poarch community, to Episcopal teachers giving canned goods and fruit to their students, the giving and sharing of food has been associated with religious belief in Poarch. At various times throughout the year, churches usually host a “Homecoming” where all members who have belonged to the church are encouraged to come back to the church, even if they have moved or if they are attending another church at this time. With St. Anna’s, the homecoming usually coincides with the visit from the Bishop of the Diocese of the Central Gulf Coast, the governing body of St. Anna’s. Other churches pick dates depending on when the church was founded, or other important occasions. Almost all churches have “dinner on the grounds” for Easter.<sup>58</sup> Food is usually prepared before church and reheated (or not) after church for the “big dinner.” In many cases, churches use church funds to buy fried chicken from a local grocery chain to keep the workload to a minimum on Sunday. Women do a lot of the organizing of these events, but men participate in the cooking as well. For example, at a fish fry, the men generally fry the fish, while the women get the side dishes ready and organize the plates and drinks.

Current policy at the powwow is that only churches from the area (with the majority of the members being Poarch Creek) are allowed to serve food at the powwow. There are requests for the powwow committee to allow for others to operate food stands, but current policy is that only tribal member churches are allowed. In most cases, this does not pose a problem, as the majority of tribal members attend the powwow instead of sharing the traditional Thanksgiving meal. In addition, since tribal employees are mostly tribal members, if a tribal employee is not working for the tribe during the powwow, they

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<sup>58</sup> Dinner on the grounds refers to having a meal after church on the church grounds.



will be working for their respective church booth. At the powwow, where Poarch Creek community churches all participate in providing food, the men generally grill and fry while the women work the preparation area, and take the orders from the front of the booths. This sharing of food does not only include the churches, but the stomp grounds as well. At a stomp dance, families cook food together, and share with all who come to participate in the stomp dance.

### ***Reclaiming Culture: Stomp Dancing***

Stomp dancing started becoming more visible to Poarch Creeks, after a period of dormancy, when Larry Haikey, assistant to anthropologist Tony Paredes, began conducting research for his master's thesis in Poarch. Haikey was an Oklahoma Creek of the Muscogee Creek Nation; he eventually married a Poarch Creek, Juliette, and they now reside in Oklahoma. But for many years, long after his master's research had concluded, Haikey worked for Poarch as a grant writer, even before the tribe was even federally recognized.

The stomp dance is a form of religion traditionally practiced by the Creek Nation and continues to this day. John Swanton, an employee of the Smithsonian Institution's Bureau of American Ethnology for over forty years, published *Religious Beliefs and Medical Practices of the Creek Indians* in 1928 in the forty-second report of the Bureau of American Ethnology. According to some scholars, this report has had "an enormous impact on how historians have written about the Native South" (Carson 2000:v) with many scholars writing about the Creek basing their interpretation of Creek religion and medicine ways on Swanton's text (Debo 1989; Hudson 1976; Mooney 1992; Wright

1981; Green 1982; Martin 1991; Braund 1993; Moore 1987). Although Swanton's work was treated as an authoritative account of stomp dance religion and medicine by many scholars, it has been criticized by contemporary scholars for portraying Creek culture as "tainted" instead of acknowledging cultural change over time. His goal was to write about and describe what he considered to be "pure" and "authentic" Creek culture. He discounted many of his informants' testimonies due to the fact that he felt that "white acculturation" was infused in their beliefs. According to Carson, he "worked backward and forward to fashion a Creek culture that was in his mind pristine...[b]y refusing to accord any importance to cultural change over time, Swanton misconstrued living Creek culture as irredeemably tainted" (Carson 2000: vi). Given these problems with Swanton's work on the Creeks in the Southeast, one could easily discount his writings. Given the issues presented, however, Swanton's writings give a much needed ethno-historical account of the Creek religious ceremonies of stomp dancing, particularly that of the Green Corn ceremony, what Swanton calls the "Great Annual Ceremony or Busk." This ceremony also indicates the start of the Creek new year (Swanton 2000) but is now exclusively referred to by both Poarch Creeks and Oklahoma Creeks as the Green Corn Ceremony.

The ceremony celebrated the first corn that appeared on the stalks. Because corn was a staple of Creek diets, the celebration of the first young ears of corn was meaningful to Creeks: failed crops of corn indicated a bad year ahead. The ceremony meant more than the celebration of new corn. According to Swanton, not many elders could remember why the ceremony was practiced, but a few told stories of Ibofanga (The-One-Above) were told in which Ibofanga gave the ceremony to the Creeks when he made the

world. According to this tradition, it was said that “all would be well so long as [the ceremony] was kept up [in the way the Creeks were instructed]” (Swanton 2000:546).

Stomp dancing is widely practiced by a number of Poarch Creeks. The tribal council has even designated a portion of tribal land for square grounds for stomp dancing to be practiced. The square grounds consist of a designated space for the fire around which stomp dancing occurs, brush arbors for families to rest and sleep, and a place for cooking to occur. In the stomp dance ceremonies, the dances and songs are prayers. As men and women dance around the fire, the songs that are sung are literally sent to up with help from the smoke produced by the fire. Dancers may also fan their arms up to help the prayers up. The ceremony starts with a man calling for the leader of a particular dance. The leader goes out to the fire first, and given the gender balance in Creek tradition, the line of consists of alternating genders. The men sing the songs, but to complement the songs, the women keep the rhythm through the shaking of turtle shells or cans filled with river rocks attached to both legs. While women are not allowed to sing, they are equally important to the ceremony in their keeping of the rhythms through shaking shells.



**Figure 17: Stick ball games in 1970s (Photo courtesy of the Poarch Band of Creek Indians Museum and Welcome Center).**

Stomp dances are traditionally held throughout the night. All night, the men will sing, the women will shake shells, and when the morning light comes in, the dance will break. In some cases, in addition to stomp dancing, stick ball games are played as part of the ceremony. Now, stomp dances and stick ball games are held as something that brings the community together, not just as religious ceremonies. The religious ceremonies, held at the stomp grounds set aside on the reservation by the tribal government, there is no electricity. The only light available is the light of the central fire, around which the stomp dance occurs. Alex Alvarez, cultural educator who works for the Poarch Creek Welcome Center and Museum, commented that the dance occurs around the fire so that

the smoke will take the prayers up to the Creator. As the prayers are being lifted by the smoke, the song leader may begin waving his hands in an upward motion, also encouraging the prayers to reach the Creator. Not every participant has to dance and/or sing the entire night. Because there are so many singers and shell shakers, people can take breaks when they need to. But participants are expected to stay at the grounds for the entire night.

At these ceremonies, family camps are maintained with families sitting together and cooking and eating together. There is a community based feeling to these ceremonies. Some participants are from neighboring tribes: Alabama-Coushatta, Houma, Mississippi Choctaw, even some Oklahoma Creeks. The majority are from Poarch. And while this is a religious ceremony, there remains a lot of humor, laughter, and good times when eating and sharing food.

In contrast, there are also stomp dances that are held in the Poarch gymnasium or on the Powwow grounds that are less about ceremony, and more about practicing culture. These dances are, in many cases, sponsored by the Poarch Band of Creek Tribal Youth Council—a group started by Alex Alvarez as a way to get more youth involved in cultural activities. These dances are much less formal, and Mr. Alvarez encourages the youth to not only call out the next dance, but also lead the singers in the dance. Shell shakers and singers are mostly middle school and high school aged youth. These dances are much more widely attended by community members who do not agree with the religious aspects of stomp dancing. Even as there are many Poarch Creeks who do not wish to participate in stomp dancing because of their Christian beliefs, there are also a

number of young Poarch Creeks that believe absolutely in the religious aspects of stomp dancing. But most do not.

A poignant interview from a Poarch Creek woman named Denise Young exhibits a number of points that recurred during my fieldwork. A lot of Poarch Creeks feel that Christianity and their faith in Jesus prohibit them from participating in stomp dances.

Denise says:

I feel that as a Christian, and if you are truly a Christian and really desire to please God, that he is going to let you know when you're too far. As far as the stomp dance and the traditions, it does embrace who we are natively and culturally as Creek people. And that was of our history. It's the way they worshipped. I feel that before the influence of Christianity, before this higher being was named as Lord and Jesus Christ, I feel like Creek people worshipped God, but they just didn't have that name attached to that deity that they were worshipping. The practices and the ways that they held as a people just scream Christ-likeness. The sharing, the compassion. The way the tribal towns were set up—if someone didn't have enough food there was a common place to have food and share food. Those cultures are something I want to know because it is a part of who I am. But stomp dance is just a tradition, and I feel that, I don't treat it as, my form of religion. I look at it as I want to participate but it doesn't take the place of going to a church and hearing a preacher preach from the Holy Book. I have never participated in Green Corn ceremony, but my daughter has, and we wanted her to have that experience. I don't feel it is necessary to purify with the scratching.<sup>59</sup> I have a Savior who purifies me. I do not embrace that practice. I did allow my daughter to do it. I can understand the practice, but for me it is not necessary. It conflicts with my beliefs.

So while Denise believes in the tradition of the Green Corn Ceremony, she does not practice the religious aspect of the ceremony. She says:

I just know that when you pray and when you have the Holy Spirit within, that God is going to let you know. I don't want to

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<sup>59</sup> Scratching is a purification rite that happens on during the Green Corn Ceremony. Sometimes it is referred to as a rite of passage as well, but the purification that comes with the blood letting is about renewal and purifying oneself for the upcoming ceremony and New Year. Scratching is performed by a medicine man, usually with a chicken foot (with talons).

contradict the word of God. I can understand the practices years ago, I don't feel it applicable to my life today. I want to learn, I want to know. There is a balance. I think that people that say no language or no stomp dancing, I feel that they are narrow minded because we have members that are very negative about cultural aspects. That saddens me.

I think that a lot of it stems from their particular denominations. And some denominations are closed and narrow-minded. Lean toward legalism, customs that have been handed down that I feel like is fear. And maybe being disobedient to God, and to me that just stems from not finding that relationship individually. If you have that personal relationship...there are a lot of things that you are going to unravel yourself. You all have different convictions that mandate what we can and can't do. Some of the members that are so closed towards those kinds of things, it's because they don't know, it's foreign, it's just fear. I hope that some of that may change because we're Native. And that's part of who we are. And I feel like if a person just completely throws that away, or chooses to ignore it, there is going to be something in there that will be void.

Really I think a lot of the culture is just because it is foreign. People aren't comfortable. Like the language. And trying to learn and speak. You have to begin with step 1. And step 1 is infancy. As an infant, you will fall and stumble, but you keep trying. It's the only way we are going to gain what is lost. Not really lost, but uncover it and cultivate it and help it flourish. The language is difficult and I have found myself being very intimidated trying to speak the words.

There was one phrase that was "to read" or to something, I could not for the life of me get that right. I would try and try and try. You would think I would have never forgotten it. I think that it would be awesome to go to Church and be surrounded by the language. [My daughter] has been able to do that. The grant we had worked on, that was what some of it would accomplish would be him getting more training. In order to get the language out, we have to get more teachers. One more aspect of this grant is to get more. And also put the language on CDs. And trying to reach more households. Make it more of a family project instead of just individual projects...Get families committed to learning the project. If we could just practice speaking in Creek. We're never going to not know what English is, so if we could just to a place of trying to say things in Creek, I think that would be instrumental. It is such a difficult task. It just stems from that you don't use it.

Even Creeks in Oklahoma. It's dying there. They are not embracing the language. I truly feel that we have got to...we say we are Natives but it is time to stand up and start acting like it. Learn more of our history.

At the end of Denise's interview, she talked about how some of the Poarch Creeks have recently been critical of stomp dancing in Poarch. Recently there has also been a surge of people who question why the language is being taught in Poarch. "We never talked like that," one young woman told me, "so why should we be trying to learn it?" Denise's observation about this issue are applicable:

What is really absurd to me is some people feel that our culture and our traditions only go back to when this community—they want to pick a certain point in time. They don't want to say that the 1600s and 1700s—they want to deny that we stomped dance. You can't pick and choose what defines you as a tribe. It's because it's foreign to them.

With the building of a museum at Poarch, the community is waiting to see exactly what the most popular points of Poarch history are and how they will be exhibited. While many do want to acknowledge the religious and cultural traditions before the Episcopal missionaries came to Poarch, Denise is right in that the community has complicated the issue by having portions of the community claiming that the only religion that Creeks have ever had was Christianity. This is in contradiction to what Prins (2002) argues. Rather than participating in the "primitive perplex" in that indigenous groups reinforce stereotypical ideas of indigeneity, some Poarch Creeks reject any stereotypical ideas of religious worship and cling to the religion of the missionaries—the opposite of the notion Prins evokes in "primitive perplex" ideology.

Along with the reclamation of stomp dancing, the language is important in the practice of the religion. Because many of the calls to start the dancing are commands in



Mvskoke, it is important to have a working knowledge of the language to fully participate in the stomp dances. The Mvskoke language has been taught on the Poarch reservation for over fifteen years. In the 1990s, the Poarch tribal government brought in Sam Proctor, elder and fluent Mvskoke speaker from the Muscogee Creek Nation of Oklahoma. He says that he has been in contact with Poarch for decades. Sam Proctor told me that his family had land in Alabama. He and some of his family members had traveled down to Alabama to check on the land in the late 1960s. As he was riding down the road, he passed through Poarch. He told me “I knew as soon as I saw the women walking on the side of the road...I knew that they were Creek women.” When questioned about how he knew, his response was that “I just knew. They dressed like Creek women. They looked like Creek women. I knew they were my family.” His fluency in the language meant that once he made connections with the Poarch community, the now defunct Poarch Creek Arts Council invited him to teach the language in Poarch.

When the tribe hired Alex Alvarez as a cultural educator, they also got someone who was more familiar with the language than any other tribal employee. Alex now teaches Mvskoke in the local school systems at the elementary, middle, and high school levels. In addition, Alex is the founder and leader of the Tribal Youth Council and the Powwow Club. He works tirelessly with the youth and young adult members of the tribe to encourage language and culture. Through the work of Alex and his wife Amber, they also do a Creek Life 101 workshop with youth every summer. In this workshop, they divide the youth into boys and girls to demonstrate the balance evoked with the gender division of labor. The boys go with Alex to the creek to talk about hunting. The girls

stay with Amber and learn how to cook on an open fire in the traditional Creek way. They also learn to cook traditional Creek foods: grape dumplings and sofkee among others. Alex also offers language classes to adults (and any young people interested) in the evenings. In taking one of his classes, not only is the language taught, but also much of the culture and Creek ideology of speaking. In their positions at the Poarch Creek Museum and Welcome Center, both Alex Alvarez and Amber Smith are able to work with the Cultural Authority Board to bring in excellent teachers of Creek traditions to share their skills. For example, Mary Smith, a renowned basket maker from the Muscogee Creek Nation, came back to Poarch to teach Poarch community members a specifically Creek style of basket making. Beyond teaching how to weave baskets, Mrs. Smith taught Poarch community members how to harvest river cane, the traditional medium of Creek baskets, as well as how to process the cane. The result from one summer was a number of young people and adults learning Creek basket making skills. In addition, a Creek style basket made from cane harvested by Poarch Creeks was made to display in the newly designed Poarch Creek museum. Other classes that have gained popularity in Poarch also include: Creek style patchwork classes, shell carving, basket making, quilting, beading, Creek hymns, and Creek cooking.

These cultural activities, while seemingly superficial compared to the stomp dance ceremonies, are experiencing resurgence in Poarch precisely because there is a reclamation of Creek stomp dancing in Poarch. In particular, the Mvskoke language is in the process of being reclaimed by the community in part because of its importance to stomp dancing. There is a symbiotic relationship between the popularity of these language and cultural classes with the increase in stomp dances in Poarch. The

relationship that Dombrowski observes in Alaska about Christianity and Native culture being mutually exclusive does not apply in Poarch. In Poarch, the church that a person



**Figure 18: Scrapbook collected by Episcopal missionaries. (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

attends contributes to their identity as Poarch Creeks. Most Poarch Creeks attend churches that are composed mostly of other Poarch Creeks and are found either on the Poarch Creek reservation or very near. The feeling among many Poarch Creeks is that their church makes them connect more with their sense of Indianness.

## Chapter 6

### **“Without Tony Paredes, we never would have gotten recognition:” Anthropologists, Indians, and the Federal Acknowledgement Process**

Without Tony Paredes we would not have been recognized. I used Tony Paredes [work] to the point that people would say, Eddie, how can you prove some of this stuff because there is no academically acceptable way to do it...I have heard that phrase so much. My whole point is that oral narratives didn't count in that process [of Federal acknowledgement]. In order to get around that, so many things you need to check. So many things that need to be put in their proper perspective that all tie together. But I am now at the point that I can't put them in order. But Tony could do that. And we ended up getting recognition because of it. [Interview with Eddie Tullis]

The Poarch Band of Creek Indians recently held its 40<sup>th</sup> annual Thanksgiving Day powwow, attracting about ten thousand visitors for this homecoming event. Similar to a church homecoming in which all members of the church, including those who now live elsewhere, return for this service, the Poarch Creek powwow has consistently served as a homecoming for the community. Family members from across the United States, and as far away as Germany, return to Poarch every year to celebrate the powwow. Since Federal recognition in 1983, other events also play a similar role for tribal members and immediate families including Calvin McGhee Memorial Day as well as the “Celebration for Survival” held in August of each year. Although these events are well attended by tribal members, the powwow continues to be the major family gathering in Poarch. It was at the Poarch Creek powwow, of November 24, 1983, that the tribe learned it had finally received federal recognition. After decades of organizing, the tribe had finally

won approval from the Bureau of Indian Affairs in Washington, D.C. The approval of Federal acknowledgement for the Poarch Band would mean increased access to Federal grants and programs, as well as access to major funding sources for health care.

Congressman Jack Edwards delivered the address to the crowd at the Poarch Creek powwow. In his speech, he acknowledged how cold it was, and how people must be shivering with their hands in their pockets. But he reiterated again and again the importance of this particular Thanksgiving Day, and why the Poarch Creeks had reason to celebrate beyond the custom of the powwow. He began his address by explaining the amount of time and energy that people from the community had put forth in obtaining federal acknowledgment:

I remember in 1965, when Chief Calvin McGhee showed up in my office in Washington and acquainted me with the Creek Indians. I didn't know much about 'em, this was not in my district, I stopped over there at Mobile Bay line back in those days. And I didn't know a whole lot about Poarch, and the problems of the Creeks, and what you were striving for and the things you were trying to do. And I will never forget standing there in my office, and the chief had his headdress on, and we got the cameras out, and I thought what a great media event this is for a young congressman to have his picture taken with a fellow with a headdress on. And then when the picture taking was over, we sat down and we started talking about the problems of the Creeks. And from those, from those early days in 1965, I've taken an interest in what you do here. And then fortunately for me, in 1972, this became a part of my district. And ever since that day, we have had an extremely close association. We've all struggled together to try to find the proper recognition that this band of Creeks deserve in this country. And we've all struggled together to try to find a better way of education for these people who live in this community. We've all struggled for the day when Indians all across this country could take their place in this land and be solid citizens. And I can tell you, that it's been a struggle. It has been a struggle of love, though, from my part.

After recognizing the struggles that Creek leaders, especially Calvin McGhee, had in Washington, Edwards continued with a few stereotypical insights regarding Native Americans and Thanksgiving. He also reminded the people in attendance of both his own and George Wallace's contribution in working towards getting the Poarch Creek recognized:

Yes, it's Thanksgiving Day, and to me one of the great blessings of life has been to have the opportunity to get to know these folks here in Poarch...to get to know the leaders of the Creek Nation East of the Mississippi. To get to understand what they believe in and what they stand for and to understand that all of us share in this great day called Thanksgiving. This great time in our nation's history where we can look back and give thanks for all that God has given to us and done for us in this short history of over 200 years existence in this country. Well I know that some of my ancestors came over here on the boat and I'm not sure, but I suspect some of them came right out of the prisons of England. But they were met on the shores by the solid citizens who were here for generations.

Congressman Edwards, while referencing the arrival of colonists, also refers to the fact that Native Americans met those colonists on the shores. Edwards compares relationships between early colonists and the Native Americans that met the boats with Edwards' relationship with the Poarch band leaders like Calvin McGhee, Buford Rolin, and Eddie Tullis.

And I'm proud to come here today and tell you that I count you as friends, I count you as people that I enjoy being with, and enjoy working with. And I think of about the great future of the Poarch community and the Creek Indians here in this area. I think about the interstate that is going to have the interchange out here just a few miles south and I can see a great tourist attraction. And I can see people from all of the country coming here. To see what's going on in Poarch, Alabama, to see what is going on with the Creek Nation. So I am very proud of that.

And I want to thank an awful lot of people today, and I know that is a dreadful mistake, a trap to fall into, when you start trying to

call names. Well I can remember, it seems to me that George Wallace has either been governor or running for governor all the twenty years I have been in Washington, and I can recall way back there when George and I used to work together in one of his early terms, and I don't remember now which one it was, starting to try to move towards the day when this band of Creek Indians would be recognized as a tribe. And working with the state and trying to have land set-aside for the band of Creeks here at Poarch. And I think that George over the years has been steadfast in his effort in trying to help build this community and to do all he could. And I think about Calvin McGhee, and I think about Eddie [Tullis] and Buford [Rolin], and all the folks, and especially the folks who got up here today; who were the original council, back in the forties. People who have worked hard and long for many years to try to bring us to the point where we have the recognition here that we deserve.

In the middle of his speech, he finally read the letter, addressed to Eddie Tullis. People in Poarch remember the Thanksgiving at which this happened. It is something that people recall vividly. For example, I remember sitting on my father's shoulders as a little girl waiting for the Poarch Creek princess contest to begin. An elder who helped research for the petition, Gayle Thrower, remembers waiting in anticipation since no one but Buford Rolin and Eddie Tullis knew what was coming. Congressman Edwards continued:

And so to me, this is a great day for Thanksgiving. Because I bring to you, Eddie, a letter from the Interior Department that I want to read to you. And if you'll stand up here beside me. And I want you to listen to this folks! This may be the most important day in the nation, among the Creeks. It's addressed to the Poarch Band of Creeks, care of Eddie F. Tullis.

"This is to notify you that the Poarch Band of Creeks petition for Federal Acknowledgment has been reviewed in accordance with the acknowledgement regulations, Title 25 of the code, of Federal Regulations part 83." Very technical. "After careful review of the research of Poarch, I have directed the federal acknowledgement staff to publish a finding in the federal register that the Poarch Band of Creeks meets the seven criteria for acknowledgement set forth in section 83.7, of the regulations. And that the existence of the group as an Indian tribe with a government to government

relationship with the United States be acknowledged.” [cheers from crowd]

This is a great day. And I hope all of out there can appreciate what this means to these folks who have struggled so long, so many years, under great leaders, banding together to come to this day. Now technically, this has to be published in the Federal register, it has to go through a 120-day response period. And after the responses are reviewed, then there is sixty days in which the Interior has to deal with it. But I’m telling you, we are over the hurdle and it’s something we’ve been working for, I’ve been working for, for over twenty years. And folks up there on the platform been working for it for forty years or longer. And I want to congratulate all of you. Eddie, I am going to give you this letter. I hope that you frame it on the wall in the office here. And I hope you’ll all come by tip your hat to Eddie and all of these folks, the work they’ve done. This is a great day for the Creek Indians. Thank you so very much. [Applause]<sup>60</sup>

With this speech, the federal acknowledgement of the Poarch Band of Creek Indians was secured from the Department of the Interior, with Congressman Jack Edwards hand delivering the letter to the Poarch leadership.

Federal recognition has long been a source of pain for native tribes in the United States.<sup>61</sup> While federal acknowledgement make certain resources available to those tribes, many tribes who were terminated during the termination era of United States Indian policy towards tribes, as well as those who were never had treaties with the federal government, have had a hard time gaining that special “government to government” status of what Chief Justice Marshall called the “domestic dependent nation” of Indian tribes (from the 1831 *Cherokee Nation v. Georgia* decision 30 U.S. 1). Termination was the policy that the United States held until the 1960s—that Native Americans would be better off if they assimilated into “mainstream” American society. In order to help this

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<sup>60</sup> Recorded by J. Anthony Paredes on November 24, 1983. Used with permission.

<sup>61</sup> Federal acknowledgment is the legal term used to define tribes, but in everyday conversations, federal acknowledgment is used interchangeably with federal recognition.



process, the government severed treaty rights and the government-to- government status that tribes had been privy to prior to termination. “I will never forget that day,” Poarch Creek Tribal Historic Preservation Officer Robert Thrower says. “I looked over at my mother [long time tribal archivist Gayle Thrower], and she was smiling the biggest smile I have ever seen her smile. And you know my mama. She don’t smile that much!”

Federal recognition was something that the Poarch Band of Creek Indians had been working towards since Calvin McGhee began organizing Creeks in Alabama in the 1950s and 60s to take advantage of the land claims money that would eventually be distributed to all Creek Indians. Calvin McGhee would never see the fruits of his labors—neither the checks that the tribe received from the Indian Claims Commission on behalf of his work (amounting to a one time sum of about \$113 per person), nor the day that his tribe would be acknowledged by the federal government.

Federal recognition changed many things for Poarch. From the services to infrastructure, where new buildings including health clinics and fire departments have been erected, to infrastructures where roads were paved, wooden bridges were replaced with steel and concrete, or stream crossings were crossed by bridges. Educational opportunities became available with GED programs in Poarch (as opposed to the nearby town of Atmore) where Poarch community members, once denied an education, could earn a high school diploma. One elder earned her diploma at the age of 55 through that program. A health clinic was built in Poarch, which allowed community members to receive local access to healthcare rather than traveling to Atmore eight miles away. With federal acknowledgement also came the opportunity to apply for governmental grants and other Federal programs. The Poarch Creek Arts Council was created not long after

federal recognition to promote Poarch Creek culture and traditions. The improvement in the quality of life in Poarch provided by federal recognition cannot be overstated.

In this chapter, I will first explore the process of federal acknowledgement from the Office of Federal Acknowledgement's requirements. I then examine the process at Poarch through interviews with three of the tribal members who were instrumental in the process of federal acknowledgement of the Poarch Creek Nation. I also draw on several interviews by J. Anthony "Tony" Paredes, and examine Poarch's petition for acknowledgement. Finally, I conclude the chapter with a discussion of Renee Ann Cramer's book *Cash, Color, and Colonialism* as it pertains to recognition at Poarch and her allegations about Poarch's involvement in "blocking" other Alabama tribes from recognition.

### ***The Federal Acknowledgement Process***

Federal Acknowledgement has long been a source of problems for the Bureau of Indian Affairs, and has been "as much a means of domination and subjugation as a means of protection for tribal sovereignty" as its "appeal to tribes has ebbed and flowed with shifts in federal Indian policy and race relations in the United States more generally" (Klopotek 2011:3). Klopotek argues that while federal acknowledgement leads to a trust status and government-to-government relationship status, it is this relationship that both "recognizes tribal sovereignty and asserts its lack" and that "seeking federal recognition suggests tribal resistance as well as tribal acquiescence" (Klopotek 2011:22). Why would tribes continue to attain federal recognition if there was an element of giving up portions of their sovereignty? Recognition allows tribes the opportunity to gain "funding

and social services and protects tribal political authority and trust land against state and local government intrusion” which in turn allows the people of a particular Indian community to “live decent lives in their home communities, maintaining important relationships with other tribal members” (Klopotek 2011:22). With recognition comes the responsibility of tribes to act in a way the federal government deems acceptable: this “diminishes the tribe’s ability to make culturally appropriate decisions” in addition to “hav[ing] less flexibility in determining community membership” (Klopotek 2011:22). On the other hand, non-recognized tribes have “little formal recourse” in the protection of their “culture, values, or sovereignty aside from whatever internal authority they can exert. They have fewer resources to be able to fight social ills, and they have trouble maintaining organizations and securing and maintaining a land base” (Klopotek 2011:22). Even while getting recognition from the federal government does cause a seemingly decrease in tribal sovereignty, “the negative effects of recognition on a tribe’s internal sovereignty and cultural integrity, along with the inherent acquiescence to federal authority, are often forgotten in the effort to secure funding for health, social, and economic programs” (Klopotek 2011:23).

There are currently over two hundred groups attempting to become federally recognized under the process found at the BIA (Miller 2004:3). Even as the BIA becomes more involved in determining federal acknowledgement, the processes guiding the method by which tribes are listed as federally acknowledged are fraught with difficulties.<sup>62</sup> The BIA method has become “increasingly controversial and contested

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<sup>62</sup> Before the BIA developed the process for federal acknowledgement, it was done either through a Legislative or Executive Act. Even now, Congress may decide federal acknowledgement for a tribe. With the process in place since the late 1970s, Congressional acknowledgements are not common, although they still occur occasionally.

terrain for determining Indian authenticity” (Miller 2004:3). Miller goes on to describe the process of federal acknowledgement as contentious “precisely because it involves definitions of what constitutes an Indian tribe, who can lay claim to being an Indian, and what factors should be paramount in the process of identifying Indian tribes” (Miller 2004:3-4).

Miller argues that since its inception, the federal acknowledgment process has been an “inherently ambiguous endeavor because of the fundamental concepts used in determinations are extremely contested terrain” (Miller 2004: 5). The vocabulary and concepts that are used in federal acknowledgement cases are, in many cases, borrowing anthropological concepts from the 1960s including discussions of what constitutes a ‘proper’ or ‘authentic’ Native American tribes, and even the definition of “tribe.” James Clifford (1988) discusses the differences between Eastern groups, including the Poarch Creek, Lumbee, Mashpee, etc., and how they differed from Native American groups West of the Mississippi. Eastern groups were not given reservations. While some Eastern groups like the Seneca, Seminole, and even Poarch Creeks occupied recognized tribal lands, other groups like the Lumbee, Mashpee, and others did not live on collective lands, but maintained “kinship ties, traditions, and sporadic tribal institutions” (Clifford 1988:288). In addition, Clifford points out that these Eastern groups’ boundaries were fluid because there was constant intermarriage and routine migration. Groups like the Poarch Band of Creek Indians in Alabama were often overlooked by anthropologists and historians precisely because they exhibited qualities that the government considered desirable for Indians to have (i.e. their ability to adapt to changing circumstances). At a time when anthropologists were interested in recording Native American cultures for

purposes of salvage ethnography, in a place like Southern Alabama, which had seen settlers from Spain, France, and Britain before the United States was established, Native Americans were adept at speaking the language of the settlers as well taking cues from the local Indian agents (such as Benjamin Hawkins) as to what was appropriate everyday practices. Missionaries helped the government continually quell native cultures until, to the anthropologists and government officials of the early 1900s, there were no Indian tribes remaining in Alabama (and the South more broadly). Rather, there were only Native people who had rejected their traditional ways and chosen to live a Christian existence. In essence, to remain “authentic,” “Euro-Americans expect[ed] Indians to remain in a primordial state” (Miller 2004:6), and the Poarch Creek did not meet this expectation.

As Miller explains about the BIA’s acknowledgement process, “[r]ejecting the more inclusive, liberal congressional options, the BIA set strict rules for acknowledging tribes that were based on past precedent, case law, and scholarly and indigenous understanding of tribalism” (Miller 2004: 44). By doing this, the BIA “created a rigorous, document driven process that is largely used today” (Miller 2004:44). Almost exclusively, the “burden of proof” of tribal status rested with tribal groups petitioning for acknowledgement and that “[f]ailure to prove any point would result in the rejection of the group’s aspirations for tribal status” (Miller 2004:44). Miller says describes the seven criteria required by groups to prove to the BIA:

Although later modified, the seven criteria in essence required groups to prove by a preponderance of the evidence that (a) the petitioner has been identified historically and continuously until the present as “American Indian”; (b) a substantial portion of the group inhabits a specific region or lives in a community viewed as American Indian, distinct from other populations, and that its

members are descendants of an Indian tribe that historically inhabited a particular area; (c) the petitioner has maintained historical and essentially continuous tribal political influence or other authority over its members. The petitioner also had to (d) furnish a copy of the group's present governing document, (e) possess a membership list of individuals who could establish descent from a tribe that existed historically, and prove that (f) the membership of the group is composed principally of persons who are not members of any other Indian tribe; and finally (g) the petitioner is not subject to congressional legislation that has terminated or forbidden the federal relationship. [Miller 2004:44-45]<sup>63</sup>

This is the process by which the Poarch Creek were required to follow to obtain federal acknowledgement. But it was only through the tribe's work with anthropologist J. Anthony Paredes who worked with the tribe to conduct archival research, oral histories, genealogies were completed and submitted to the Department of the Interior. While Paredes did not help prepare the federal acknowledgement petition, many of the footnotes in the petition, as well as some of the appendices, are directly based on his work.

The process through which tribes must navigate to become federally acknowledged has long been contested by native groups due to its use of ambiguous and outdated definitions, the difficulty to provide documentation from outside of the tribe's own documentation, and mostly the time taken for the BIA to respond to a recognition petition. The National Congress of American Indians (NCAI), was founded in 1944 as a response to the federal government's policy of forcible assimilation of Indian tribes as well as the termination policy emerging at the time. This policy was in opposition to the treaty rights that gave sovereign status to Native Americans. The goals of the NCAI were to enhance cooperation between tribal groups in order to work with tribal nations to defend tribal treaty rights and sovereignty. While the NCAI began with only 100

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<sup>63</sup> This procedure is explained thoroughly in the Bureau of Indian Affairs, Interior 25 C.F.R. Part 83 Part 7.

members, the membership now includes tribal membership from across the United States, including from the Poarch Band of Creeks. As the NCAI says:

Now serving as the major national tribal government organization, NCAI is positioned to monitor federal policy and coordinated efforts to inform federal decisions that affect tribal government interests. Now as in the past, NCAI serves to secure for ourselves and our descendants the rights and benefits to which we are entitled; to enlighten the public toward the better understanding of the Indian people; to preserve rights under Indian treaties or agreements with the United States; and to promote the common welfare of the American Indians and Alaska Natives. [National Congress of American Indians 2011]

Given that the NCAI is one of the only nation-wide American Indian groups, it is not surprising that they have released a number of critical recommendations regarding federal acknowledgment over the years. The most recent, submitted to the White House Tribal Nations Summit in December 2010, explicitly states that:

The federal government does not create the existence of an Indian tribe. Tribes exist and have existed since time immemorial. The federal acknowledgement process found at 25 C.F.R. Pt. 83 is simply intended to recognize these tribes in the United States that have existed as living, political, and cultural groups since historic times—and to deny recognition to groups that have not. [National Congress of American Indians, White House Tribal Nations Summit, December 2010]

The NCAI calls for a reformation of the federal acknowledgment process, a process that is thought by the NCAI to be severely flawed. The NCAI argues that the process through which the federal government is able to define what is or is not an Indian tribe is inherently a problem. The NCAI indicates that despite the “best intentions” of those who created the federal acknowledgement process as well as those who currently administer it, “the process simply does not work” (NCAI, White House Tribal Nations Summit, December 2010). Problems that the NCAI identifies with the process are: long delays

and unreasonable documentary requests, that it includes required criteria but does not provide a rubric for fairness or objectivity in analyzing the application, and that it leaves tribes “in limbo” for years during which tribes are unable to provide governmental assistance to members. The greatest concern is the “lack of transparency” that the government offers in the way in which it decides these questions of acknowledgement. While there are requirements laid out in 25 C.F.R. Pt. 83, the way in which tribes respond is varied, and the way in which the Office of Federal Acknowledgment responds to each petition is varied. There is no clear, consistent way in which the federal government responds to these petitions. Because of this, “the lack of transparency casts doubt on the federal government’s willingness to faithfully perform its responsibilities. And the increasing demands on tribes in the process inflict hundreds of hundreds of thousands of dollars in unnecessary costs each year” (NCAI, White House Tribal Nations Summit, December 2010).

The NCAI notes that while the process began in 1978 with the thought that it would be a fair and objective process, as well as impartial, they argue that the process has deteriorated since the regulations were passed. The greatest complaint that the NCAI and the tribes petitioning have is the lack of timeliness in receiving a verdict from the Office of Federal Acknowledgment. In the case of the Shinnecock Indian Nation, which advertizes itself as one of the “oldest, continually self-governing tribes in the country,” the process of federal acknowledgement took them more than 32 years (Shinnecock Indian Nation 2011, accessed March 20, 2011). It is not uncommon for recent decisions about federal acknowledgment to have been in the process for over 30 years. The NCAI says that “such delays are common, and they seriously undermine the legitimacy of the



acknowledgement process” (NCAI, White House Tribal Nations Summit, December 2010). The most recent decision, announced by Larry Echo-Hawk, Assistant Secretary for Indian Affairs, on March 16, 2011, was that the Juaneno Band of Mission Indians from California was denied federal acknowledgement. According to Active Petitions listed on the Bureau of Indian Affairs’ website, the Juanena Band filed their letter of intent to file on August 17, 1982, with the petition ready on September 2, 1996. It took the tribe more than ten years to gather the documents required by the process, and about fifteen years for the BIA to rule on the petition. And while the BIA does have a number of stages that the petition must go through in the process (preliminary findings, comment period, etc.), the NCAI is arguing that the amount of time spent on determining federal acknowledgement is a broken system.<sup>64</sup>

Before the BIA formalized the process in 1978, tribes who wanted to petition the federal government could either get acknowledgement by a Congressional action (more than nine tribes have received a Congressional action to gain federal acknowledgement, two to restore a government-to-government relationship and seven for legislative recognition) or by petitioning the Executive Branch of the federal government.<sup>65</sup> When the regulations determining the recognition process (25 C.F.R. Part 83) became effective in 1978, forty groups immediately issued petitions. An additional 291 new petitioners have subsequently filed letters of intent, by September 22, 2008. Of these petitions, only 82 groups have completed the required documentation.

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<sup>64</sup> Active petitions: Piro/Manso/Tiwa Indian Tribe of the Pueblo of San Juan de Guadalupe, New Mexico (letter filed 1/18/1971), Meherrin Tribe, North Carolina (letter filed 6/27/1995), Southern Sierra Miwuk Nation, California (letter filed 4/24/1982), Brothertown Indian Nation, Wisconsin (letter filed 4/15/1980).

<sup>65</sup> For example, the Mashantucket Pequot Tribe received federal acknowledgement from Congress rather than through the BIA process. The Lumbee Tribe of North Carolina has also sought a Congressional acknowledgement rather than through the BIA process.

Within the Office of Federal Acknowledgement (OFA), there are anthropologists, historians, and genealogists who “use the standards of their respective disciplines to review, verify, and evaluate, under the criteria found in these regulations, the petitions for Federal acknowledgment as Indian tribes” (The Office of Federal Acknowledgement, Overview, 2011). Tribes submit reports that cover each of the requirements listed in the governing guidelines. The OFA reviews the evidence submitted by the tribes and prepares reports with proposed findings for the Assistant Secretary-Indian Affairs.<sup>66</sup>

Miller argues that regardless of how a question of acknowledgement happens, whether in the courts, the BIA process, or in Congress, the evaluators of the petition must:

undertake two interrelated yet subjective endeavors when acknowledging an Indian tribe: they must recognize the existence of a sovereign, state-like community, with leaders and political structures often referred to as a “tribe,” and they must identify a racially defined ethnic group sharing common Indian ancestry, personal and group identity, and history. [Miller 2004: 6]

The “ethnic group” portion of acknowledgement requires that the group share traits that could include language, religion, and common descent. Miller argues that a petitioning group must be an ethnic group, but that it is not enough to merely be an “Indian group” in a general sense. Rather, the tribe petitioning must have a governing body that already exercises sovereignty by “having a core territory, leaders, political structures, and community sanctions or laws” (Miller 2004: 6). Even with this code of how to recognize an a group, all of these processes share fundamental flaws.

More challenging is the requirement that contemporary groups trace a genealogical link to a historical tribe, thereby making its requirements to petition for

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<sup>66</sup> The OFA works directly with the Department’s Office of the Solicitor to prepare these reports. The Assistant Secretary-Indian Affairs reviews the prepared documents and makes the final decision about whether or not acknowledgement will be granted to the petitioning tribe.

federal acknowledgment based in a problematic definition of defining race. Tribes with only “minute” traces of Indian ancestry have been acknowledged, as a blood quantum is not required by petitioners.<sup>67</sup> Miller comments that “this requirement [that petitions demonstrate a genetic link to a historic tribe] and the distasteful racism it evokes, is another controversial component of deciphering Indian identity within the acknowledgement process” (Miller 2004:11). The idea of race, as defined in early twentieth century anthropology, continues to find a place within the federal government’s definition of Indian tribes as well as within popular stereotypes of what Native Americans look like. Miller argues that the federal acknowledgement process has been more difficult for tribes from the South and the East, in particular, because of the stereotypes that pervade the Office of Federal Recognitions’ ideas of Indians as dark skinned, Western tribes (Miller 2004:11). However, in the South, if the community or tribe was too dark, this also marked them as inauthentic, because of the additional influence and intermarrying with African Americans. Tribes from the South and East had longer historical relationships and interactions with settlers. In the case of the Poarch Creek, an attempt to assimilate in order to not attract attention in the Jim Crow South (and earlier) was important for survival as a tribe. The Poarch Band, as well as other tribes from the South and East, have repeatedly had to repeatedly express their Indianness in a fixed and stagnant way in order to prove their “authenticity” and “Indianness” to those who have a fixed idea of what Native people look and dress like. While symbols of ethnic groups are the most easily identifiable, Edward Spicer and Fredrick Barthes “have

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<sup>67</sup> Tribes are able to determine their own blood quantum, with varying degrees required. Some tribes do not require a minimum blood quantum at all. For example, the Cherokee Nation of Oklahoma merely requires that members are able to trace their Indian blood from Cherokee relatives.

observed that the ideological, intangible components of ethnicity are often the most lasting and important” (Miller 2004:12-13).

In the state of Alabama, twelve letters of intent have been filed, with only one successful outcome, the Poarch Band of Creek Indians. The Principal Creek Indian Nation East of the Mississippi filed a letter of intent before Poarch filed, but that group was declined acknowledgement in November of 1971. After the Poarch Band’s success, the Cherokee Tribe of Northeast Alabama filed (letter of intent 9/23/1981), the MOWA Band of Choctaw Indians (filed letter of intent 5/27/1983, but were denied acknowledgement effective 11/26/1999), MaChis Lower Alabama Creek Indian Tribe (letter filed 6/27/1983, but denied acknowledgement 8/22/1988), the Cherokees of South Alabama (letter to petition filed 5/27/1988), the Langley Band of the Chicamogee Cherokee Indians of the Southeastern United States (letter filed 4/20/1994), Cherokee Nation of Alabama (letter filed 2/16/1999), Cherokee River Indian Community (letter filed 8/3/2000), Phoenician Cherokee II—Eagle Tribe of Sequoyah (letter filed 9/18/2001), United Cherokee Ani-Yun-Wiya Nation (filed letter 11/08/2011), and Coweta Creek Tribe (filed letter 2/12/2003).<sup>68</sup> So while there have been twelve petitions for federal acknowledgment of tribes in Alabama, eleven were unsuccessful in their petitions. In the case of the Mowa, the Office of Federal Acknowledgement in its “Summary under the Criteria and Evidence for Proposed Finding against Federal Acknowledgment of the MOWA Band of Choctaw” denied the petition for not meeting the criteria in part (e) of the 25 CFR 83 which requires petitioners to “possess a membership list of individuals who could establish descent from a tribe that existed

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<sup>68</sup> Office of Federal Acknowledgement, List of Petitioner’s by State as of April 29, 2011. On OFA website (<http://www.bia.gov/WhoWeAre/AS-IA/OFA/index.htm>)

historically.”<sup>69</sup> And as the NCAI has noted, while the process worked well for the Poarch Creeks as it took less than ten years from the filing of the letter of intent to petition in May of 1975 to acknowledgement effective on August 10, 1984, it is apparent that the current state of affairs in the Office of Federal Acknowledgment needs reform. A call for reform does not mean that all of these groups should be acknowledged. Reform is needed to make the process more timely.

### ***Poarch Band of Creeks and Federal Acknowledgement***

The process of Federal Acknowledgement at Poarch had very humble beginnings. When the Indian Claims Commission (ICC) was created by Congress in August of 1946, it was touted as the most significant piece of legislation for Native Americans since the Indian Reorganization Act which was passed in 1934. The Indian Claims Commission was meant to “overcome procedural and financial obstacles in the way of Indian tribes seeking restitution for grievances against the United States,” as up until this act was passed, “a tribe had to obtain a special jurisdictional act from Congress to bring suit in

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<sup>69</sup> “The claims to Indian ancestry made by the petitioner were not found to be valid when the petition was examined. The problems with the American Indian ancestry claimed by the petitioner fall into the following major categories: 1) the petitioner’s two core ancestral families cannot document American Indian ancestry; 2) the petitioner’s ancestors who were alive in 1880 have not been documented as descendants of the known pre-Removal-era, antebellum American Indians who were claimed as ancestors by the petitioner; 3) many of the early nineteenth century persons claimed as members of their founding Indian community by the petitioner were not Choctaw, or even American Indian; 4) only one percent of the petitioner’s membership can document American Indian ancestry. This ancestry comes through other ancestral lines than those going to the two core families” (Office of Federal Acknowledgement, 12/1994).

the United States Court of Claims, where the grounds for a suit” were defined extremely narrowly so that about “two out of three claims” were not allowed to be heard (Lurie 1978:97). In addition, Lurie adds that it was not uncommon for “several decades” to pass between the time that “attorneys were retained” and a “decision was rendered” (Lurie 1978:97). It was as a result of this creation of the ICC that Poarch began organizing.

Eddie Tullis, long time tribal chairman and current tribal council member said that when the ICC was created the architects assumed that all of the work needed would be out west. The Black Hills case was one of the more prominent examples of unresolved land cases. But, in addition to the cases in the western United States, Tullis says that “by 1950 it had become apparent that it was an awful lot of work in the east too.” It was through one of the teachers at the Poarch Consolidated Indian School that the work of the Indian Claims Commission came to the attention of the community at Poarch. Tullis said:

So the school teacher, the principal of Poarch Creek Consolidated Indian School, Ms. Gracie Mays. She had found a piece in the paper about the ICC and she had went to a group of the people...and it was not Calvin [McGhee] but Brooks Rolin and Alton Jackson [who took up the cause of the ICC], and in [Ms. Mays] opinion the people in Poarch qualified for that. And especially the Creek Nation. She had done some study at Alabama and was familiar with the Treaty of Ft. Jackson so our land had been given under duress. Not being compensated for that land. She convinced them to do something about it. I think Calvin got involved and was instrumental in getting folks together with the lawyers: Hugh Rosale, Lenore Thompson, and Douglas Webb was from Brewton. Those 3 attorneys with Ms. Mays and some of those community people, decided that indeed there was a need for someone to look at how the people at Poarch related to ICC. And, out of that, created the whole movement of reorganizing the tribe, and how they could pursue that. They all had visions of great wealth coming from ICC. So, Lenore Thompson and other lawyers convinced people to get together and form an organization. So they held a meeting at the old school house, and the group

elected nine or ten people to represent to serve as the organizers at the effort to look at land claims cases. The person they decided to be chairman was Calvin, but he was in South Florida picking oranges. Leola Manac, Roberta Sells, John Williams. And from that, then they started raising money. These three attorneys agreed to get research done to see if we were entitled to anything out of ICC.

People remember Ms. Mays fondly, and people in Poarch continually talk about her. It was this school teacher from California that ultimately pushed the Creek hamlets together to form a unified front to go before the ICC.

However at the time that this Poarch group was working on their petition, the Muscogee Nation of Oklahoma had already filed petitions in Oklahoma for all of the land the Creek Nation had lost during treaties and removal. It was during this time that the Poarch community came together to put a claim before the ICC. It took more than seven years in court fighting for the ability of the Creek Nation East of the Mississippi (as it was called during the ICC hearings) to receive permission to participate in the ICC hearings. Tullis said “Muscogee [Creek Nation in Oklahoma] fought us tooth and nail and didn’t want anyone else involved because they were suing for all of the land. Their position was that all of the Indians had been sent to Oklahoma.” While Poarch was organizing to submit a claim to the ICC, they decided to name the organization the Creek Nation East of the Mississippi, as the land in question before the ICC was all land east of the Mississippi river. The Muscogee Creek’s lawyer, Mebell, fought Poarch on this point. But the ICC ended up ruling in Poarch’s favor. Beyond Poarch, there were other Creeks who had either remained east of the Mississippi or had ended up moving back. The case before the ICC entitled all Creeks living east of the Mississippi, not just those

who were a part of the Poarch community, entitlement to a part of the claims being made before the ICC. Tullis said:

When they ruled that way, it threw that case and made it different from the other land claim cases. Because it was the first time that a group of people who were not a recognized tribe—ours was the first case that was an organized group of people that was not a tribe to intervene into the case. The case went on until 1958 when it actually ruled when we could intervene. Then that case became a real tedious process of trying to decide if we were going to be involved, how many people would be counted, what the big case was deciding the value of the land...as a violation of Indian Intercourse Act. Once they accepted that the people here were part of it, they ruled that the treaties were illegal acts, therefore they couldn't be compensated for that land. So trying to decide value of land became the issue.

The issue of ascertaining how many people would be counted in the claims then became an ordeal in which the courts did not wish to speculate.

Tullis laments that the process was complicated more by the fact that the Court of Claims ruled that the Creek Nation case had to be separated by present day states. But once the ICC had ruled, the issue became: who would share in the money in the outcome of the judgment? Tullis said:

The [Bureau of Indian Affairs] ruled that anyone who was a descendant of a Creek Indian, you could share in that docket... The real motivating factor was that the BIA got all of the interest off of our money until they distributed it. So they weren't in a hurry to give it out. So, in 1970, right after Calvin died...just before Calvin died, one of the things we went to them with, we said look, a lot of people are going to die out and our people won't get this money. We decided to find a date and everyone who filed [by that date would] be included, we will put that number down as a potential number. Then, we will take everyone who signed up and distribute that money... We got ICC and court of claims to agree to that. The number that was potential number of people East of the Mississippi river, was an outrageous number at 20,000 people, but we know that the number that they used as people who made claims on it was 13,775 people. And that was the number they had already accepted that was "Creek Indians" East of the Mississippi. Many



of those who counted were enrolled Oklahoma Creek, living in Washington, or other places. That is the number that they used to arrive at the checks that we received of \$113.15.

This was the number based on land valued at \$1.13 an acre. The total amount allotted to the Creek was a little over 17 million dollars. But the Creek nations of Oklahoma and East of the Mississippi would not see 17 million dollars. Tullis explained:

If we had gotten 17 million, we would have had a good windfall, but what happened was in the final hearing before the judge that was to rule on all of this stuff, some United States Army attorney filed a brief in the court saying that there was a law on the books that read that if you were guilty of a hostility against the US government, you were responsible for the cost of repressing that hostility. And the courts ruled that since in 1813 and 1814 we caused the suppression of the uprisings in this part of the country and 1833 and 34 we had Creek Indian Wars, the army was entitled to claim the cost of the suppression against those hostilities. Overnight our resources went from 17 million to 4 million dollars. So they only distributed between the cost of the wars. It's all part of the record.

So from all of the efforts put forth by the organizers in Poarch, each Creek descendant received a check from the United States government in the amount of \$113.15. One of the hardest working individuals on this case, Calvin McGhee, was never able to see the fruits of his labor. According to Tullis:

Calvin never saw one of those checks. Calvin died before those checks were distributed. One of the things that bothers me more than anything else is that Calvin has never been given credit for his not only his leadership role in all of this, but Calvin was never given credit for his pure financial contributions to all of this. When Calvin was off down in Florida and got elected chairman, he was a successful farmer. He was a contractor carrying men to the United States Department of Agriculture in Florida to gather oranges. He wasn't rich, but he was successful. If you look at it objectively, from when Calvin got involved with the land claims, to the time he died, he was living in that little old house and that was the only thing he owned. Most of the time when he had to go to D.C., he had to depend on Tom McGhee or other people like Ardie Reed to furnish him vehicles to go back and forth to D.C. in

this battle against the government. That's another thing that so many people don't realize. But when Calvin died, any efforts to really do anything else as far as Land Claims cases went away. Then we all realized that the effort to try to go against the Muskogee Creek Nation was not justified for us to go on.

Tullis is also quick to point out how the lawyers were financed for the work they did on behalf of the Creeks East of the Mississippi. He said that "we wouldn't have gotten our \$113 if it hadn't had been for this community. The whole effort in that land claims case with the lawyers was financed by this community" and explains that there was a coming together of the community to get the money needed to fight this case. Tullis said that "this community done chicken suppers and fish fries and everything else every time Calvin had to go to D.C. This community would get together and make up the money for them to go to D.C." However, the lawyers were not happy with their compensation because as Tullis explained:

After the case was won, unknown to us, they filed a claim against our judgment for all of their expenses. What we didn't know was they had been keeping up with what they had spent, but didn't acknowledge our contributions because a lot of stuff they spent was money from this community. So we had to go through a whole 'nother round of lawsuits to keep them from getting forty percent of the judgment before we distributed. At that time then, Thompson a lawyer from a group in Bay Minnette, tried to break away and form a new organization called the friendly Creeks of Perdido...headed by [one of th lawyers we hired] Lenore Thompson who [tried] to cut Calvin out to claim all of this money. There is a lot of history there that has not been documented the way it should have been.

So even as the Creek Nation East of the Mississippi did receive recognition from the Indian Claims Commission that they were entitled to receive money for the illegal treaties and sale of Creek lands, the United States Army took a portion of the funds along with the lawyers who had been taking money and resources from the community from the

start of the litigation. This is the beginning of the organizing that the Poarch community would continue in the following years with the Branch of Acknowledgement and Research, which at that time, was the office that granted and researched Federal acknowledgement cases.

Because of the work that anthropologist J. Anthony Paredes had conducted with the Poarch Creek, his reports about the social work performed in Poarch for the “local Indians” (from missionary reports) were the basis for the historical claims used to generate a federal acknowledgment case. His reports were extremely important because he published and gave papers at conferences around the country. His work, because it was academically acceptable and peer reviewed materials, was important. Chairman Rolin describes the process and how Paredes helped Poarch in the acknowledgement process:

We also had an anthropologist who came to visit us...I believe I met Dr. Paredes back in 1971. He was a professor at Florida State University and heard about Poarch Creek and was interested in being an anthropologist. And we went through several names Creek Nation of Mississippi, but finally we decided that when we had the opportunity we chose a name to make it local: Poarch Band of Creek Indians. I was a part of that. And that was a reason for Calvin to make me go to Bureau of Indian Affairs with him. Finally through...we decided that we would go through what they had back then the federal acknowledgement process, where we would put it all together and submit to the Department of the Interior and they would determine if we were actually Creeks. Working on that with many people, we finally got that document...Dr. Paredes, well, we know him as Tony. He pulled all of the information together and we submitted the recognition process. We went through Federal Acknowledgement process as opposed to Congressional route. We knew we could do that. Key to those records were the records that St. Anna's church had. Episcopal Church was known for its record keeping.

The birth, death, and marriage records that the Episcopal Church kept for the community would prove to be invaluable in the process of recognition.

Ramos (1998) points out that anthropology “not only is not immune to semantic contamination but actually contributes to the canonization of particular notions about indigenous peoples through its indiscriminate use of received ideas disguised as scientific concepts” (Ramos 1998:13). Nonetheless, anthropologists are consistently called upon as those who define indigeneity and contribute to the process of federal acknowledgement. The reliance on an outside academic to proclaim the validity of the Poarch Creeks petition is inherently a part of the federal acknowledgement process. There is not enough evidence if an indigenous group provides its own documentation; rather, the documentation seemingly must come from outside sources—the more academic, the better. As Clifford says, “[a]lthough tribal status and Indian identity have long been vague and politically constituted, not just anyone with some native blood or claim to adoption or shared tradition can be an Indian; and not just any Native American group can decide to be a tribe and sue for lost collective lands” (Clifford 1988:289).

Even with Paredes’ work helping the Poarch Creeks with the BIA process, the congressional delegation from Alabama, as well as Governor George Wallace, who was serving his second term as governor (from 1971-1979) when the petition went to the BIA and his third term as governor (from 1983-1987) when the petition was approved (Frederick 2007). Tullis explained that it was a political process in Alabama:

What was so compelling about our case was at one time I got a letter to the secretary of the interior from George Wallace saying “if you don’t recognize this bunch of Indians from Alabama, then I am going to request from our Congressional delegation that Congress recognize that the Bureau of Indian Affairs screwed up and deserted these Indians in Alabama.”

Then I got a letter from delegation to Congress. At that time we had 4 Democrats and 4 Republicans... George Wallace wrote me a note and said he had never been able to get all of them to sign anything, but they all signed off on that. He said we would recognize the Poarch Band if we have to. They kept telling them if Bureau of Indian Affairs came up with procedure, we would go through it. We thought, if it was objective, we could meet it. We kept going to them, along with the Sault Ste. Marie [Tribe of Chippewa Indians]. We kept telling them if they didn't do it soon, we would have to go to Congress. When they created it, all of them were filed. We were number 6 of the groups that got a positive ruling out of that. Part of the whole thing is that academic research...and that is how Tony Paredes was so valuable. We didn't have the time or money to go do this research, but Florida State University and the Doris Duke Foundation was allowing Tony to do that. And so, he would find things, and if he found something that was significant, he would carry it to the Bureau of Indian Affairs.

Many elder tribal leaders refer constantly to the support received by the tribe from the Alabama governor at the time: George Wallace. Wallace served as governor of Alabama from 1963–1967, 1971–1979 and 1983–1987 (Frederick 2007) and was aware early of the Poarch Band's struggle for land claims, and later, for federal acknowledgement.

While most people know only of Wallace's disgraceful historical moments: of blocking the entrance to African American students at the University of Alabama, his unsuccessful Presidential campaign, and the assassination attempt against him while campaigning for president, there has not been much, if anything, written on his commitment to getting the Poarch Band of Creek Indians recognition.

For Chairman Buford Rolin, with federal recognition came the benefits that the tribe had needed for a hundred, if not hundreds, of years. He said:

With the number of services that we have to offer our tribal members. Not only health care, but also education...not only for young people, but *any* tribal member. That's been a wonderful thing for us. I always considered that those were two key areas: health care, education, and providing homes. Now to see these

modern homes in our community—brick homes that everybody has as compared to what people had 50 years ago...It's nice to reminisce about the old days when we didn't have anything, but now to see the pride that people have in letting everyone know that they are a member of the tribe. The other aspect is that I am pleased with the good rapport we have with the Creek Nation of Oklahoma. We even have a case where a young man who came to work for us from [the Creek Nation in Oklahoma] married a Poarch Creek so that is all coming back together again. That has happened a few times.

Tribal members today see the success built on the reservation as the result of hard work by the elders and ancestors that came before the elders. Most people I spoke with admitted regret that the generation that worked so hard and so long for this success was never able to see it to fruition.

### ***John Rolin v. The State of Alabama and the contributions of Gayle Thrower***

Gayle Thrower, long time tribal historian as well as Poarch Creek genealogy expert, was one of the first employees hired by the tribe. She started work at just \$3 an hour. The tribe had very limited resources at the time, and was able to secure a grant through the Aid for Native Americans (ANA) organization to hire a few employees. Mrs. Thrower's job was to do research for the petition. The Poarch Band at this time was organized as a non-profit, which is how they were able to apply and receive the ANA grant. Before she began working for Poarch, Mrs. Thrower describes her curiosity about a story that she heard about old times. She said:

Granny Zeffie was the kind of person who was like all of our other Indians that I worked with on the petition. If you asked her something she would act like she didn't hear you, or ignore you, or whatever. She would refuse to respond to my questions. One day I told her "Granny, somebody told me that your daddy, John Rolin,

that he had killed a man, William Colbert, at a frolic at his house.<sup>70</sup> Is that so?” She’d say, “I don’t know nothing about it.” Here I am just a kid, a teenager, but I was curious. Some old people said I wasn’t curious, I was nosey, but I was curious, so I would ask. Mama and them didn’t know because she wouldn’t tell them either. She’d say, “If you know that, then you know more than I do.” That was her favorite saying about something she didn’t want to answer. I’ve heard that from our other Indian ladies and men too. When they knew all along!

So, that just made me more curious. And more determined to find out what really happened. And all of this is occurring before I ever come to work for Poarch. So I started researching and reading, going to courthouses trying to find records. So whenever I would ask that question that is what they would say. So I kept on ‘til I found a little piece of this and a little piece of that. So when I came up to interview up here. They would say, “Yes, it happened. William Colbert was bad about drinking. So he would drink and boast. And John Rolin, when he killed him was fifty five years old.” They were having a frolic at [John Rolin’s] house, which is a party. And he had told [Colbert] “now don’t come to my house drunk” and said several of the community people had told him the same thing—you better stay away, [John Rolin] will hurt you. Said [Colbert] got really braggy and said that he was going to go and he said “I reckon before I go I need to go to town to get them to measure me out a coffin.” Now this is what Anna Blackburn told me. And [Colbert] went over there.

This story about murder in Poarch Creek history made Thrower curious, and she traced down the answer. Because she was already interviewing elders, the elected tribal council thought that she would be a great addition to the team working on the federal petition.

She said:

Later in my research I was able to document that he did get killed, and so I guess you could say that was the main reason my curiosity to see what all was involved in the history of our people, and what other things were there. So I had one question, and one answer always leads to ten or twelve more. So that is what happened. I had made it part of my past time to interview people on the weekends and things like that. This is before I came to work at Poarch as an employee. So, when the job regarding the federal

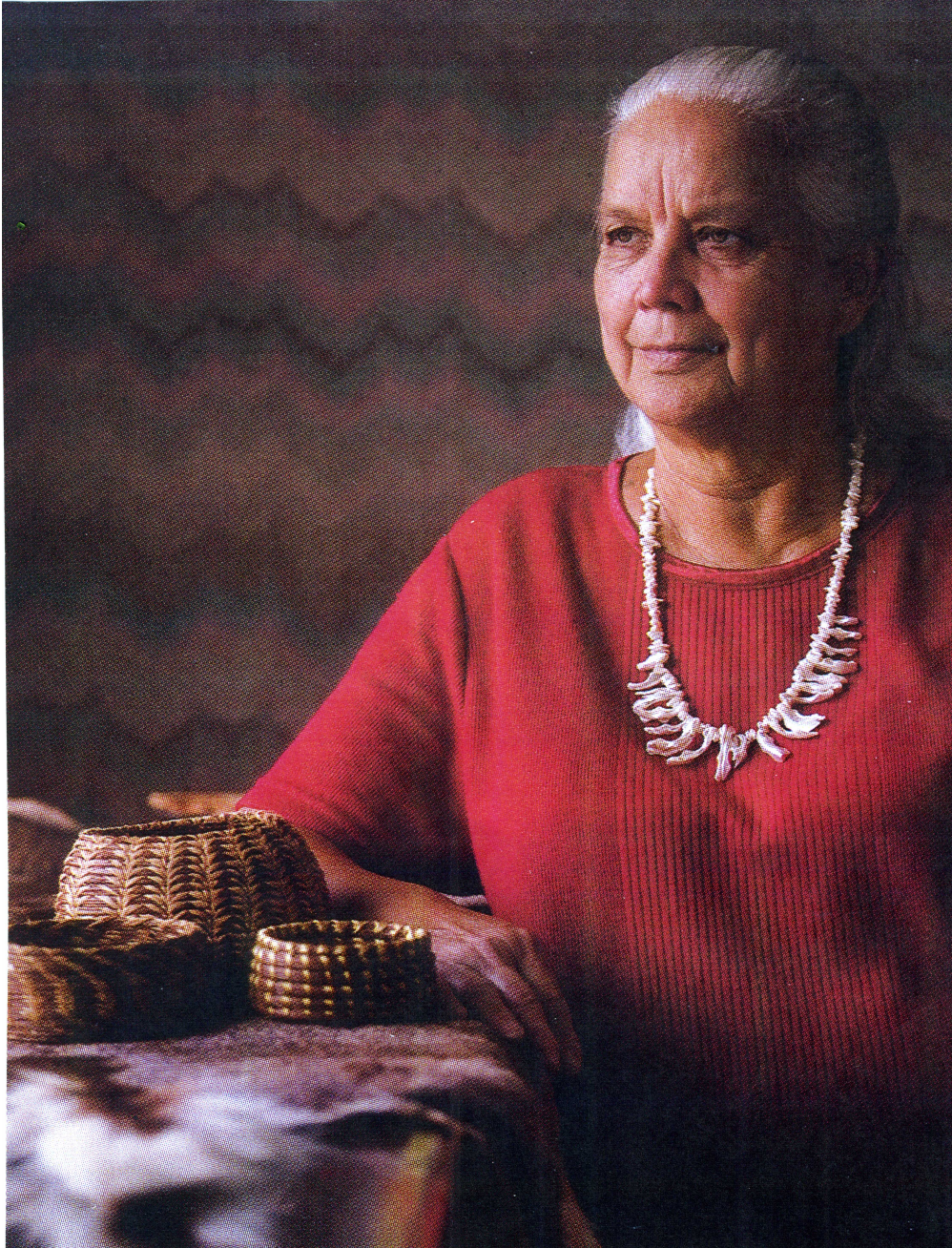
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<sup>70</sup> Frolic is used by many elders to indicate a gathering or house party. Usually there was music and dancing, but not always.

petition became available, they suggested that I apply for it because the people were already used to me coming around and asking questions. Plus I had already gleaned a tremendous amount of information that they needed for the petition. So they thought they could get me and all of the knowledge I already had. So I came to work for Poarch.

She continued working on the petition until it was successfully submitted. In the forward to the petition, written by Tim Tureen from the Native American Rights Fund in Portland, Maine, a special gratitude is acknowledged to Mrs. Thrower for all of her painstaking attention to detail that helped produce the petition.





**Figure 19: Mrs. Gayle Thrower with her pine straw baskets (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

When Gayle Thrower came to work for the tribe, the original intent was to get someone to fill in the blanks left in the original petition submitted. Dr. Paredes, Eddie Tullis, Buford Rolin, Judge Hugh Roselle (one of the lawyers involved in the case) had all worked to submit the original petition. When the federal acknowledgement office

received the petition, they reviewed it, and gave back to Poarch a list of deficiencies in the information that had been submitted in the petition. Mrs. Thrower said:

Well, the federal acknowledgement office, after a certain amount of time, they review it and they search for what they call the “deficiencies” in the information you have submitted. You need to provide more information in this area, and you need to cover this area, and this particular area. That was my responsibility was to cover what the acknowledgement office called the deficiencies. Paredes had already worked with them on the original petition. He was a young man and a professor, and he was like everybody else—he had to teach and do his job, and couldn’t just up and leave and work full time on our petition. But he was available to help and revise and review this information. I was more or less the go-for; I would go to the courthouse and see what records I could find. So I knew what I was looking for. I would send them to Tony. He would look at it and then tell me “okay we need to know about this and that and whatever.” And we would take that and put those pieces together. Then he would say “we still don’t have anything to cover this period between the early 1900s to 1950...” because in the original petition, we didn’t have any problems with time period before 1850. They already knew that the Indians were here, because they had thought they had removed most of them. But it was our challenge to show, “No...you didn’t remove us all!” So we had to prove social and political continuity from 1850 to 1900.

With the deficiencies that the office of federal acknowledgment reviewed, Poarch had to use archival materials to prove what was missing. Even as these archival materials were racist, and used an antiquated idea of race (with measures of blood quantum, discussion of “half breed Indians” in census reports, and questions about the capacity for learning that Indians were capable of from the local papers), this is where the evidence could be found. With the money received from these grants, the tribe was able to hire Dr. Paredes and tribal members like Gayle Thrower to pursue archival records to fill in the “blanks” seen by the federal acknowledgment office.

Government records were most useful to the tribe’s petition. Part of the issue was that the tribe could not use its own documentation as “proof” of existence. Thrower says:

So we had to do it with government records. So that is where the censuses came in, because that was taken by the federal government. Our people were identified as something else other than white or black—C for Creek or M for Mulato. So, that was how we were able to establish the communities. Then we got busy and worked on the schools. The Indian schools, there were four schools. We had some in each of the hamlets: Gibson, Rolin, McGhee School and Poarch School, and they remained separated like that until this [consolidated] school building was built down here.

Thrower explained what it meant to do research in the local county courthouses.

I found the old original copies of the school records where they were there. As a matter of fact, every court house in this area: Baldwin, Monroe, Brewton, they knew me when they saw me coming, and they were like everyone else—they didn't have the staff to do any research. They would provide me with a table, and I would go early in the morning and stay all day researching and reading. My eyes felt like they would pop out. Same thing as the school board. The school records were in a same place. Most records were from the probate records: marriage records, wills, and things like that. And the education records were kept in the department in education. It was across from the courthouse. So I had my own little spot. They would come along and help me bring stuff and look for stuff and bring it to me. And they would allow me to make copies of whatever I thought would help us. So that was quite a challenge. I did find some marriage records that dated back to 1842. And my great-grandfather and great-grandmother were in those records. And they were other people too. And what had happened, the reason it was so challenging was that a lot of the courthouses had burned over the years, and all of those records were destroyed. So you could just find a little here and a little there.

Thrower's research into the death of William Colbert at the hands of John Rolin ended up forming an important portion of the petition. When one of the deficiencies was that the tribe had issues proving "political and social continuity" from the 1900s to more recent times, Thrower began researching specifically for this proof. This has been one of the hardest of the federal recognition criteria: that of political and social continuity. Clifford says that "[d]uring the years 1870 and 1920s Indians throughout the nation were forced to

abandon tribal organizations and to become individual citizen-farmers, workers, and businessmen” (Clifford 1988:300). This was a part of the Dawes Act that sought to make Indians more European by dividing communally held lands into individual allotments, with the thought that this would help Natives live a more productive (in the opinion of the lawmakers) life. Clifford argues that during this time period, Mashpee Indians in Mashpee, Massachusetts (near Martha’s Vineyard), maintained a community status, but in order to find work, residents had to move to nearby towns. There is no record in the archives of a “distinctly Indian life in Mashpee before the Wampanoag revival movements” in the 1920s (Clifford 1988:300). Between 1905 and 1960, “the category ‘Indian’ disappeared from Mashpee’s federal census records. The more than two hundred individuals who had previously been so classified were now listed as either ‘colored’ (distinct from ‘negro’) or ‘other.’ Only in 1970 would they again be called Indian. In the eyes of the state the majority of Mashpee’s inhabitants were simply Americans of color” (Clifford 1988:300). This was the predicament that Gayle Thrower was also working against. Mrs. Thrower said:

In the petition to cover that area from early 1900s on up, Tony says “let’s focus on what we can find on the John Rolin thing to prove political and social continuity.” That is the cohesiveness of the community and how the community worked together as a group. We were trying to define ourselves as a separate identity and how we did stuff. I knew about that and knew that it had happened.

I would tell [the person working at the archives] what I was looking for and approximate dates. Now you would think that you could walk in somewhere and they are going to punch a button on the computer and it’s going to come up. But back then there were no computers. You had your eyeballs and your brain and your two hands. And that was it. I told the lady what I needed. She kept saying “well, we don’t have anything on that. I’ve never heard of anything like that. No, we don’t have it.” That’s what they would say. I guess a normal person would accept that and go on, but it

was too important. I would look at them and say, "I know you might not know anything about it, but it is there. It did happen. I know for a fact because it's my own great-grandfather that did this. I know for a fact that it is so." So they kind of looked at each other wondering what to do. Finally, she says, I will tell you what we will do. She says...and bless her heart, Mrs. Kirkland, who was the judge at the time, she was an older lady, and she knew what we were working on, and I told her it was so important. She said, "Well, we don't have the staff or the time to do this research. But you are welcome to come over here anytime and spend as much time as you want and see what you can find." So I said ok, I can understand that.

So we cleared me out a little corner. And started toting these books. And sure enough I found the case of *John Rolin vs. the State* and he was arrested for killing William Colbert. They had all of the witnesses were, and the testimony of the tribe. So I made a copy of it, and then I found the verdict. So he was sentenced to serve time in prison.

The other most interesting thing about it...I said I am going to justify it by the fact that I am doing this for our people. We have to have it to prove for our federal recognition. That is more important. So, not only was John Rolin, Sr. arrested for killing William Colbert, but John Rolin Jr, who used to come to our house, he was also arrested. But he was acquitted. And this was the gruesome details of the trial. John Rolin killed Will Colbert for cussing women. Back then cussing women was a serious offense. Over in the Baldwin County courthouse there was the charge was "cussing women." It was against the law to cuss women. However, the first time he done it, he went out there and John warned him. And he told him to go on and behave. He wouldn't do it. He did it about three times, and finally John told him if I have to come back again to stop this, I am going to kill you. And so, one thing led to another, and sure enough out on the porch, he went out there and killed him. Cut him with a knife. Went back inside and left him on the porch.

Okay, I had found out that he did kill him and that he did go to jail. So they had told us that he had lost everything he had fighting the case. Well, that wasn't so. I don't know if he had anything to lose or not. We found out the name of the prison that he went to. Tony [Paredes] wrote a letter to the prison and asked them if they had any information regarding that trial or anything like that. That if they had any information, we could get it and see because of confidentiality it was my relative and I could get it. They sent us

the only information they had on it—that he didn't serve all of his sentence or very much of his time, he only served 6 months or 7 months at the most. So then I was sure enough curious. How come? And they said, well, that was the only time he served. He was pardoned. What happened? He did kill the man. So, I went on another hunting expedition.

And wouldn't you know that over there in the Jefferson Davis library they called it the "newspaper morgue." I was spending my time over there—at Jeff Davis College in the historical room. And they had copies of old newspapers and things like that. So I am sitting there day after day reading to see...and you have to read every page and every nook and cranny. And you are supposed to be real quiet. No one is doing anything but reading. And I am looking a 1905 newspaper. And all of a sudden, I let out a yell "WOOOO! I found it! Here it is, I got it!!!!" Everyone looked at me wanting to know what in the world? I was so excited I could barely contain myself. There was a little note about the size of [a] post it. It said, "Rolin pardoned by the governor." And then it went on to say that John Rolin, an old Indian of this county, was pardoned by the governor of the state of Alabama, for killing William Colbert, another Indian of this county. So there we have it—they were both identified as Indian. It said the reason for the pardon was because the people in the community had gotten together and submitted a petition to the governor to free and pardon John Rolin because they felt that he had sufficiently punished for the crime. In other words, the way that it read, it gave you the impression that John Rolin needed pardoned because the community felt like he needed killing. And so that little article there, clenched the time frame, Indian identification, and brought in social and political continuity. So even though I had second thoughts about it personally, I realized that it was too important not to submit it with the petition for the benefit of our people.

It was through this discover by Thrower that her work dramatically impacted the follow up report that would be sent to address the delinquencies for which the original petition had been faulted.

Thrower, like many who worked on the petition, was adamant that she did not do this for personal gain or glory. She said:

For the record: I would like to say this. I came to work for the tribe on August 11, 1980. [My son's] birthday is August 11. And

we got officially recognized on August 11. Don't you think that is mighty coincidental? I will say that nothing in life comes easy. I didn't do all of this for one person. I didn't do it for money. I did it for us, for our people. I waded through a lot of "yaw yaw" and took a lot of crap that a normal person wouldn't take. But I am not sorry. Look where we are at today. It was worth it. And I think that is what galls them. That no matter what they did or didn't do...that I hung in there. Because I dare say, they wouldn't have. It was a challenge and I enjoyed it. And I feel like I made a worthwhile contribution to our people.

Thrower definitely made a worthwhile contribution for her people. Federal recognition would never have happened without the work of many: archival research, political influence, and the blood, sweat, and tears of the Poarch community.

### ***From the Anthropologist***

In the summer of 2010, as I was finishing an internship at the Poarch Band of Creek Indians Museum and Welcome Center, the director of the museum, Robert Thrower, son of Gayle Thrower, asked me to conduct oral history interviews as part of my work for the museum. I had intended to interview Dr. Paredes earlier in my process, but because he no longer lives near Poarch, the summer of 2010, when he was dropping by the museum for two days in between consultations, I finally had a chance to sit down to talk with him. I conducted two interviews with him: a solo interview to talk about how he got interested in working with Poarch, and an interview with Chairman Buford Rolin and Dr. Paredes to talk about the relationship between the Poarch Creeks and Tony, and how federal acknowledgement came out of these meetings.

Dr. Paredes began by explaining his PhD research process. With Paredes being so significant to the federal acknowledgement process at Poarch, the way in which he got

involved with and started working for the Poarch Creeks is important. After receiving his master's in anthropology from the University of New Mexico in 1964, he was recruited to work at a community mental health center in Northern Minnesota. He said, "The psychiatrist there was interested in knowing the relationship between economical difficulties that that part of the country was going through and the kind of psychological impacts that had on the people in the area." The way that Paredes was recruited had to do with the fact that the psychiatrist's father had been a professor at the University of New Mexico in education and actively sought out scholars in New Mexico. At this point, Paredes went to northern Minnesota (where about 10% were Ojibwe) and became the head of the project at the University of Minnesota. After the project was finished, Paredes was employed by Bemidji State (in northern Minnesota) for half time as a "community helper and organizer as half time, and with Bemidji State college, I was assistant professor of anthropology and acting and the first acting director of the American Indian studies center." He also worked closely for technical assistance for tribes in the Midwest for the Johnson War on Poverty project. After four years in Minnesota, he went back to New Mexico to finish his PhD exams, and because he had collected a lot of data in Minnesota, wrote about "Ojibwe Indians that lived in Bemidji from many different reservations."

At this point, because there were more Anthropology positions available than there were new Anthropology PhDs, Paredes had a number of job offers and places that "outright offered me a job or were strongly interested," but chose Florida State University as it was "halfway between my family in Orlando, Florida, and where my then-wife's



family lived in Meridian, Mississippi.” At this point, he admits, “I wasn’t very expert on Southeast Indians at that point, but that he:

[W]as gathering materials on Southeast, and I just happened to find in the library, just walking down the shelves, a book by James Howard called *The Southeastern Ceremonial Complex*, which covered everything from the archeological Mississippian times to the present of the 1960s, and it included for the present period, descriptions of the Green Corn dances he attended...and in describing one of those, he said “Calvin McGhee and a party of Creeks from the state of Alabama” were there. And I said “What? There are no Creeks left in Alabama!”

After seeing this reference for Creeks in Alabama, Paredes began researching the reference to Creek Indians in Howard’s book. He said:

And I started scouting around, and sure enough, in the National Congress of the American Indians mailing list, which listed all types of Indian groups, even groups that were not members of NCAI, sure enough there was a Calvin McGhee listed for Alabama and at this point, I didn’t even know where in Alabama he was from, and gave his mailing address.

After doing more research and finding Frank Speck’s report on the Creek in Alabama as well as Speck’s reference to the Creek in Alabama in his book about gourds in the Southeastern United States, Paredes began corresponding with people who might know anything about the Creeks in Alabama. He says, “Then, I corresponded with some people including Claude Medford. He was Louisiana Coushatta and was an undergraduate at New Mexico when I was a grad student there. He was the first to tell me that there were thousands of Indians in Alabama.” It was at this point that Paredes decided he wanted to go to Poarch to check out the situation.

The following March, along with his departmental chairman, Paredes got into a departmental truck and drove to Atmore. He stopped at Jackson’s store, and the two

stayed overnight in the nearby town of Atmore.<sup>71</sup> Faye Jackson had drawn a map to Calvin McGhee's house; Paredes said that "he was able to get a picture of the community" from that trip. At this point, Paredes began looking for research funds to come up to Poarch from Florida State University to conduct interviews. He said:

Sam Procter was starting the Doris Duke project, and got funding for travel and they would provide the tapes and type the transcripts. And he didn't make an commitment until after he and I came up here. And that's when I met Tom Powell, learned about Buford Rolin living in Pensacola, went to meet Buford, and Buford Rolin arranged for me to present before the tribal council. I came back about a month later, and went before the tribal council. Before, Buford took me around and introduced me to the community. The Tribal council approved my research, then I came back here and started research. My first interview was with Jack Daughtry. I went that summer, and came back in 1973. In 1973, I got a small grant from Southeastern Indian Oral History project. 1973 was dealing mostly with demographics and economics and some values testing using the Cantrell self-anchoring scale which I published on. Which was a comparison I had done with rural whites. Then in 1974, there was still a few loose ends. I never lived an entire year. But in 1972-73, I lived in the community from early June to late September and came back every weekend. All spring in 1972 and was here at least one weekend a month. In 1974, I came and stayed for a week and brought with me a survey, much which had been done with the Little River Community Action program, and Daisy Rolin helped me do the survey. I don't remember them wanting me to add any questions, and it became a community curiosity. Then in I guess about 1974 or 1975, more or less the only visits I had were at powwow time. Except occasionally, one year the tribe sponsored the meeting, in 1974, there was a council meeting and they wanted me here as a type of observer, trying to preempt Poarch as the head of the Creek Nation East of the Mississippi. By the 80s I was only here at powwow, but I never missed a powwow.

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<sup>71</sup> Jackson's store, owned and operated by Faye and Callie (Martha) Jackson out of the front part of their house, was the only store in Poarch until it closed. It was in the heart of Poarch, right across the street from the Indian Consolidated School/Powwow grounds. Every school child my age would save their money and walk down to the store together to get various kinds of candy, chips, and most importantly: cold drinks. The store closed around fifteen years ago.

And Dr. Paredes has not missed a powwow since. He continually comes back to Poarch to observe powwow, and is currently a consultant for the museum exhibit design firm that is working with the tribe to design the Poarch museum.

The interview with both Chairman Rolin and Dr. Paredes filled in more details about how Paredes started working at Poarch.

Tony Paredes: From your perspective it was the beginning. At that time, I think at that meeting, you simply said, without asking me whether I wanted to or not, that you would schedule a meeting for me at the council for me to come do a presentation. Which I did in...it was a front page news story for the Atmore Advance, but I did it in...It was December. Was it December or January?

Buford Rolin: It was December...

Tony Paredes:... that I made a presentation to the council. And I remember vividly, that at that moment, and I remember Roberta Sells, reminiscing about one of her older relatives making buckskin, for example. That was the first time I met Houston, who was then chairman of the board of directors. And people still colloquially referred to him as chief;<sup>72</sup> I made my presentation and then began that January making one trip a month, meeting people. Another critical thing that happened, between me and Buford, was when I came up for that council meeting earlier in the day. And I guess you met me here. And you know, he took me around to meet a whole lot of people, I don't know how many it was. But I remember that they were putting a new roof on the Friendly Holiness Church and Jack Daughtry was there. He introduced me to a lot of them at the same time. Then we had the council meeting.

Buford Rolin clarified what happened in this initial meeting:

Buford Rolin: Well we did, and that is why when we met with Tony I said that it was important for him to come meet with the council. For two reasons: number one he shared with me what he would like to do. And second and most importantly, is I said for him, it was going to be important for any work that you do in the community that the council approves it. So, he came.

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<sup>72</sup> Many in the community continue to refer to Houston McGhee as "chief." He is Calvin McGhee's son.

Tony Paredes: I was present for the whole meeting that night. Was there any formal way for approval? Or did they just do it right there by consensus?

Buford Rolin: Well, we did it by consensus. But we took formal action too. For the very reason... We just didn't want to have just people coming into our community without the tribal council supporting them in the efforts. Because we knew, ultimately we knew that this information would be valuable for us, as in the case of Tony. This was such a clear and important part of our petition for recognition for historical documentation that he had did.

It was at this time that Paredes was pulled in to help work on the petition for recognition.

Paredes said:

In 1975, specifically to Federal Recognition, I don't remember if it was you or Eddie Tullis, but someone put Barry Mongola in touch with me, who was working for Tom Tureen, and there was not an administrative procedure for federal recognition at that time, but Tom Tureen, thought it might work. Tom Tureen was someone who was legal assistance and had just gotten a huge settlement for the Indians of Maine in a land claim, and I guess it was when you guys got to know Tureen, and I made it, that was my first involvement at any effort of recognition stuff was preparing an affidavit for them about the Poarch Creeks. The argument that they were trying to make was that, that I guess they never fully pursued, was that the Poarch Creeks had never been terminated. That there was a continuing relationship that should not have been terminated in effect with a fee simple patent on grant land. One of the things that I learned early on in my fieldwork, during oral history and so forth, was that there was a lot of documentary research that needed to be done, courthouses and so forth.

Paredes attempted to get a historian from the Florida State involved in the archival research, but none were interested. It was then that Gayle Thrower took over this job.

Paredes continued:

Then, the next step for federal recognition was that the council decided after 1978, decided to go for federal recognition. The point of all of this, Kelly, is that my work... the bulk of my work, preceded by several years, any effort by the tribe to seek federal recognition. And in fact, my earliest publications were before Federal Recognition. Before I knew there was even talk about

Federal Recognition. No one has ever told me that directly from the BIA, but knowing something about that process...there was no way my research could have been slanted towards Federal Recognition, if anyone wanted to accuse it of being slanted, or biased, because there was no such thing as petition for Federal Recognition at that point.

So as Paredes research was relied on more and more by those writing the petition claims, Paredes points out that because his research was done prior to there being a federal acknowledgement process, he could not be found as performing research for this purpose.

However, Paredes was not the only reason that Poarch was able to get recognition. Community organizers continued to work with the tribal council to find a way to become a legitimized tribe. Chairman Rolin said:

And Kelly, for your information, Tony mentioned CENA: for Coalition of Eastern Native Americans. And Eddie and I, and Houston, had been invited to a meeting to Boston. This lady...she'd gotten a grant to really just sort of organize the other Indians on the East Coast who were not federally recognized. She got this grant, and she pulled together this meeting in Boston, and Eddie, myself and Houston McGhee went up for that. That was the beginning of us really starting to work with us...and having people like Tony brought in, come in and work with us. It was the basis of the federal petition that came and was submitted in the late 1970s I guess. And from there to recognition in 1983.

Eddie and I had went to one other meeting and we had met Tom Tureen. It was a gathering of the Eastern Indians and Tom was there because he was, at that time, represented all of the tribes in Maine. And Tom Tureen, was an attorney. He was representing them in different aspects of issues that they were having in terms of a state lands case that he was involved in, which led to the federal land claim issues with other tribes, and certainly with ours. And he was just one of those people who had really had gotten interested in what had happened to Eastern Indians. Beyond the five federally recognized tribes. Four of those tribes were here in the Southeast and the other tribe was Seneca in New York. In this time of what early begun with six tribes that were recognized, the United South and Eastern Tribes organization (USET) of which it later became, that is the organization through which these tribes are all members now, we now have 25 different tribes. So from

out of the six, nineteen became recognized...and that is how we got to the number 25 now.

Buford described the process through which he became really involved in the political situation in Poarch. He said:

Initially with me in 1964, when I got out of the army. Calvin said to my parents, he asked them when I would be up this way again...And the connect there is his son and I, Houston. Houston was a year older than me but we went to school together, and we were fairly close. So, Calvin got to know me. He said to my parents that he would like to talk to me. Hopefully, I would get involved. I went to visit that Sunday afternoon that I was here, and he was very persuasive, that he was. And he was honest—his age was getting on up there. And he always referred to me, when he talked to me...he rarely ever called me Buford, it was always “son” because of my connection with Houston and being with Houston.

From this moment, when Buford returned to Poarch after a stint in the army, he was involved in Poarch’s attempt at federal recognition. And when the tribe did receive federal recognition, he quit his job in Pensacola as a manager of a carpet warehouse to move back home to Poarch to begin working for the tribe as the tribal health administrator.

During the course of the interview, nothing was more exciting than watching the two men: Dr. Paredes and the Chairman, Buford Rolin, relive the moment in which they found out that Poarch would become a federally recognized tribe. They said:

Tony Paredes: It was right before the Poarch powwow of 1983 when the BIA had promulgated through the federal register, their favorable recognition, you know. Their petition for federal acknowledgement by the Poarch Band...that Buford called me in Tallahassee. I forgot what I said, but I think the first words out of your mouth were “you are talking to a federally recognized Indian”. [laughs] And that is the first I knew that the petition had been successful.

Buford Rolin: And how we knew that, Jack Edwards, our congressman, and that is still the policy of today...if a tribe is recognized it goes through the leadership through the federal government in the Senate and the House. Jack and of course, we were sworn to secrecy, because he wanted to make the announcement at the powwow.

Tony Paredes: I didn't know you were sworn to secrecy. Maybe I shouldn't have told that story.

Buford Rolin: No, no. It's okay. He said you know, we are sworn in the House and Senate too, but you gotta share it with someone, he said. And he said that's the good thing about it, you learn to know who your friends and your enemies are.

Well, he was a good friend. I guess he was the first Republican in this district. Because of who he was and people who knew them...That was a good example of not letting the politics of the party determine how they were going to vote. And they voted for and elected him. And every since then it has been a Republican seat.

Beyond politicians in Alabama being in favor of the Poarch Creek receiving recognition, other tribes came together to support Poarch' petition for recognition.

Chairman Rolin said:

I had met Chief Cox.<sup>73</sup> And I never will forget, when Chief Cox, what he wanted me to do, was to get and to meet the community, meet the people. He said you know the people that are in the politics of the Creek Nation, you need to let this community in. You need to tell your story to our Indian people. I never will forget that first community meeting he took me to, there may have been 45-50 people there at the most. He introduced me. And this elderly lady stood up; her name was Agnes Wall. I'll never forget her name. And she [said that she could] remember back to the when her parents were alive and they had told the stories about the removal, and she said her grandparents and all had told the story...she said, this one grandmother she had, as a little girl, she says "one day we will reconnect and we'll be together again" and when she introduced me that night, I still get emotional about it. Excuse me. But. She told that story. Yes, endorsing Federal Recognition. I brought it back here, because hey, I had the blessings. They referred me to me, they said, "you are one of us"

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<sup>73</sup> Chief Cox was the then chief of the Muscogee Creek Nation in Oklahoma.

and they accepted me. But having the blessings of the elders from the community, that meant a lot to us. And I remember when I...that's where I met Sam Procter.<sup>74</sup> And Sam said you need to go on, we're going to take you to the communities and let our people know that who you are. And then, you know, it wasn't long after that, that we got Federal Recognition, that we got Sam to come back and head up our housing program.

And that is why it was so important. Chief Cox. He's the one that got a hold of Sam. Sam was working for the tribe, and he says, "take this young man around the community. Let him meet our folks."

Tony Paredes: Where did you meet Chief Cox?

Buford Rolin: Well, actually, the first time I met him was in Oklahoma. It was at a meeting there in Tulsa. There was a meeting, and I had a friend that I had met in some the meetings that Eddie and I were attending, with this group and he says, "you got to come to Oklahoma, and you need to meet our folks. They gotta know who you are. You need our support." This was before federal recognition. But anyway, I did. That's where I met Sam and all there. And when he, when this position came open, he called me up and he said "it's time for me to come home" so...that was Sam, ya know. He had those moments. He says, "I can be of some help and service to our people there."

It was, really. And we had to really work hard. Like you say, the very fact that Eddie and I really got out and met with these other tribes, and got tribes around here—well, the Miccosukees and Seminoles that supported us. And Cherokees! And that support. They came and visited the community.

Dr. Paredes discussed this phenomenon of having the support of politicians in Alabama:

The other thing you should know [is that] the entire Alabama delegation, senators and congressman, signed a letter of support for federal recognition, which they sent to secretary of Indian Affairs or the Secretary of the Interior. I was told at the time that the Bureau of Indian Affairs had never received to that date, a unanimous recommendation for positive action for a tribe seeking federal recognition until that time.

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<sup>74</sup> This is Sam Procter, an elder and fluent Creek speaker from the Muscogee Creek Nation. He later would be hired by the tribe to teach Creek language classes for a number of years, and has been involved with reclaiming the stomp dance religion at Poarch. Not to be confused with the Sam Procter that Dr. Tony Paredes got funding with for the Doris Duke Oral History project at Florida State University.



Receiving such unanimous approval from Alabama politicians, including George Wallace, was significant. When Poarch received the preliminary review with the deficiencies,

Paredes was also there to help out:

After a preliminary review, the council got what was called the “obvious deficiency” letter. Larry Haicky<sup>75</sup> was tribal planner and he was assigned, and Larry was one of my students before that, and he was assigned the tasks of dealing with the obvious deficiencies. And he contacted me, and I had some ideas about how this might be done. And then behind the scenes, as far as I’m concerned, the council arranged with Jennie Dees and the tribe came up with some money to hire me, which was the first time I was actually working for the tribe. To try to do some more documentary research to try to fill in some of the blank holes. And that was what resulted in the supplement to the petition. After that, we did another petition. I was informally advising in doing the petition. The petition was submitted, with all of the appendices.

The review team, at the Bureau of Indian Affairs Office of Federal Acknowledgement, or whatever it is called now, they would do a preliminary review of the petition without any kind of spot checking or anything, and identify as a service to tribes what they saw looked like it would be obvious deficiencies for the petition. And they sent that to, I guess to Eddie, who was the chairman. The headings of the reports, and this is what Gayle and I worked together. Because Gayle had already been employed as tribal archivist and she was assigned to work on this too. We used, in the supplement, we used quotes from the letter as the sub-headings for the supplement to the petition. We applied for ONA, Office of Native Americans, for a status clarification grant. Which was officially submitted by the tribal council. Then it was just called “the council.” In the parlance of the Bureau of Indian Affairs, the only tribes are federally recognized tribes. But as I mentioned before, the council, after CETA, again with department of Labor and leadership of principally Buford and Eddie and Houston got an administrator for Native Americans Act series of grants. That supported the infrastructure here before Federal Recognition. And one of their programs was something called Status Clarification Grant. And at that point it was already 1982 I think, and I went to work turning up even more documentation, and always passing it through the tribal council and sometimes directed to the Bureau

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<sup>75</sup> An Creek Indian from the Muscogee Nation of Oklahoma who was enrolled in the Master’s program in Anthropology at Florida State University, where he met Dr. Paredes. He worked in Poarch for Dr. Paredes but eventually was hired by the tribe to be the tribal planner.

with simply a copy of the letter to tribal council. It was a useful thing to do.

And so it was, that Poarch finally received Federal Acknowledgement, through the hard work and perseverance of many tribal members, but in particular, Gayle Thrower.

### ***The Poarch Band of Creeks in Cash, Color, and Colonialism***

Federal acknowledgement creates an unlevel playing field for tribes that have versus those that do not. Federal money available to acknowledged tribes is not accessible to those who are not acknowledged, are solely state acknowledged, or who are in the process of recognition. In Alabama, for instance, petitioners from other tribes have frequently turned to the Poarch Creek for help with the federal recognition process. The MOWA Band of Choctaw Indians, located in Mt. Vernon, Alabama, only fifty-two miles from Poarch, has repeatedly called on Poarch leaders for help with their bid for federal recognition. While Renee Ann Cramer (2005) asserts in her book, *Cash, Color and Colonialism: The Politics of Tribal Acknowledgement* that members of the Poarch Band blocked the MOWA Band of Choctaw Indians petition for recognition, this claim is disputed by members of the Poarch Band tribal council. Although Cramer quotes Poarch tribal leadership as being “adamant” about “stand[ing] ready to help any tribe” with the process of recognition (2005:129), she nonetheless refers to them as a “gatekeeper” in the federal recognition process. One tribal leader told me that while he would do anything to help the Mowa with their recognition claim: “We can’t make up something that’s not there.” Poarch has offered the assistance of the tribal genealogist to work with the Mowa, included the Mowa on their Coalition of Eastern Native Americans grants, and even

asked Dr. Paredes for help in identifying anthropologists who could work with the Mowa.<sup>76</sup>

Although Cramer spent seven months conducting research in Alabama, and interviewed Native individuals from both recognized and non-recognized tribes, when she makes reference to the views of the members of the Poarch Band, she relies heavily on secondary sources published in the local newspaper, *The Atmore Advance*. Some of the assertions Cramer makes about the Poarch Creek, especially in Chapter Seven, “Cash, Color, and Colonialism in Alabama,” are questionable. Cramer argues in her Preface that:

Indian gaming and Indian racial identity are two points of crystallization around which debates about federal acknowledgment occur. The similarities in history and goals of the Poarch Creek and Mashantucket Pequots, as well as obstacles faced by the Mowa Choctaws, Eastern Pequots, and Golden Hill Paugussetts became the focus of my research. [Cramer 2005:xv]

Although there are similarities among these cases, there are also significant differences.

Cramer argues “groups that are poor are doomed to failure in the expensive process [of federal acknowledgement]” (2005:xv). While the costs of federal recognition are indeed significant, Cramer fails to acknowledge the impoverished economic standing of Poarch when the community was vying for federal acknowledgement, as well as the economic situation of dozens of other tribes who have successfully received recognition through a petition. While the Poarch Band was economically stable when she conducted research and interviews in 1999, this had not been the case for very long. Poarch was able to obtain some federal work grants for tribal members before recognition, as Cramer reports, but the financial standing currently enjoyed by the tribe is a consequence of their success in the federal recognition process rather than the reason they were successful.

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<sup>76</sup> Personal communication with J. Anthony Paredes (2011).

While there have been more than twelve letters of intent to file for a petition for recognition in the state of Alabama, Cramer notes that the “Mowas are alone in their continued pursuit of recognition” (2005:126). She argues that because the Mowa are the only tribe pursuing recognition in Alabama, they are the “sole viable competitor for Poarch gaming profits.” She fails to acknowledge, however, that there are numerous gaming facilities in the state that compete with Poarch casino. In Shorter, Alabama, the White Hall Casino was raided and shut down by the Alabama Attorney General in 2009, but has reopened with redesigned games. There are also a number of dog tracks and other smaller bingo halls and game rooms around the state. Cramer writes that:

A larger, more disciplined voting block, the Mowas constitute somewhat of a political, if not financial, threat to Poarch power in Alabama. However, the Poarch have had great success at the federal level, and have close friends in positions of power within the state; it appears to some that this power extends to activities against Mowa recognition bills and their petition. [Cramer 2005:126.]

Poarch started in the same position that the Mowa are in now: without political resources, especially in Washington, D.C. Cramer fails to acknowledge the long struggle and sacrifice by Poarch Creeks and misleadingly treats them as privileged or elite group. Calvin McGhee began by raising money with church sponsored chicken dinners sold to raise money for him to get Washington. Paredes (1992:127-131) argues that it was the good will and positive relationships cultivated by Calvin McGhee with state and federal politicians that propelled Poarch to success. Many other Poarch leaders, including as Eddie Tullis and Buford Rolin, made considerable personal sacrifices by paying their own way to various meetings, conferences, and legislative events in order to advance the tribe’s agenda.

Cramer also fails to acknowledge the strong possibility that tribes outside of Alabama may be attempting to block the Mowa federal recognition. A congressional report entitled “‘Gimme Five’—Investigation of Tribal Lobbying Matters” discusses the Jack Abramoff scandal, including evidence that the Mississippi Band of Choctaws lobbied against the Poarch Band of Creeks.<sup>77</sup> The Washington Post reported in an article entitled “Lobbyist Jack Abramoff used money from a Mississippi tribal client to set up bogus Christian anti-gambling groups” that:

Aaron Stetter, a former Scanlon employee, testified that Scanlon and Abramoff sought to whip up opposition to casinos proposed by rival tribes by setting up bogus Christian phone banks. He said callers would identify themselves as members of groups such as the Christian Research Network or Global Christian Outreach Network and urge voters to contact their representatives. [Schmidt and Grimaldi 2011]

In addition to creating fake Christian organizations that lobbied against the Poarch Creeks in Alabama, Abramoff helped Alabama Governor Bob Riley get elected on a political platform of “No Gaming in Alabama.” Harper’s Magazine reported that:

In a December 2002 email obtained by the Huffington Post — which [Senator John] McCain and his staff had access to prior to the issuance of his report — Abramoff explains to an aide what he would like to see Riley do in return for the “help” he received from Abramoff’s tribal clients. An official with the Mississippi Choctaws “definitely wants Riley to shut down the Poarch Creek operation,” Abramoff wrote, “including his announcing that anyone caught gambling there can’t qualify for a state contract or something like that.” [Stein 2008]

Indianz.com news website reported in an article entitled “Choctaws spent \$5.2 million on anti-gaming activist” that:

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<sup>77</sup> Abramoff was a lobbyist in Washington D.C. (after a career in politics during the Reagan administration) and was arrested and served time in a federal prison for his extortion of Indian gaming money from multiple tribes. These tribes testified against him at his trial, including Philip Martin, chairman of the Mississippi Band of Choctaws.

The Mississippi Band of Choctaw Indians eagerly poured millions into the pockets of conservative Christian activist Ralph Reed in hopes of stopping gaming proposals in the Gulf Coast, the Senate Indian Affairs Committee reported last week. [Ho-Chunk Inc, Indianz.com 2006]

With the help of Jack Abramoff, the Choctaws backed anti-casino efforts in Mississippi and Alabama. The money was funneled through a lobbying firm, non-profit organizations and other groups in order to mask the fact that a successful gaming tribe was collaborating with Reed, an avowed opponent of gaming.

In total, the Choctaws spent about \$5.2 million to fight gaming initiatives in Mississippi, home to Gulf Coast casinos, and Alabama, where the Poarch Band of Creek Indians is based. Despite the large sum, the tribe was happy with Reed's work, as Rogers told the committee in an interview:

[Mississippi Band of Choctaw Tribal Chairman Philip] Martin has engaged a low-key outreach in Indian Country. Earlier this year, he made a rare appearance at the United South and Eastern Tribes (USET) conference in Washington, D.C., an organization in which the Poarch Creeks are prominent... One of the beneficiaries of the Choctaw's million-dollar donations was Alabama Gov. Bob Riley (R), who is now fighting the Poarch Creeks on several gaming issues. Chief Martin spent millions "to get the governor of Alabama elected to keep gaming out of Alabama so it wouldn't hurt ... his market in Mississippi," another tribal leader told the Senate committee in an interview. [Report to the Committee on Indian Affairs 2006:23-24]

There are many parties, both inside and outside of Alabama, with political and economic interests in the gaming industry in the state, including tribes from neighboring states, conservative Christian groups, and conservative political elites within Alabama itself.



**Figure 20: Dinners to help raise money for federal recognition (Courtesy of the Poarch Band of Creek Indians Museum and Welcome Center)**

Although the Abramoff scam did not come to light until after the publication of Cramer’s work, her claim that Poarch serves as a “gatekeeper” to the state’s Indian population is unfair. She writes:

And, though the Poarch Creeks’ role as a gatekeeper has engendered some perplexed hostility within the state Indian population, it has seemed to increase their stature in pan-Indian affairs, as well as magnified their perceived legitimacy as Alabama’s ‘only Indian tribe’ for local non-Indians. [Cramer 2005:130]

She also argues that “[t]ribal members have been exemplary in mitigating backlash attendant on recognition and gaming, and in avoiding racialized attacks on their Indian identity” (Cramer 2005:130). This is contradicted by some of the evidence she presents. For example, Cramer quotes a state librarian at the state archives as saying “Calvin

McGhee couldn't wait to prove he was Cherokee, 'til he found it was easier to prove he was Creek" (Cramer 2005:133). This issue will be addressed further in the next chapter, as the Poarch Band is consistently under attack by local city, county, and state government officials. She concludes the chapter on Alabama by saying:

[T]he Poarch have found themselves the unlikely recipient of white praise and imitation. And, unlike the Mowa Choctaws, who have not been able to prove Indian ancestry to satisfy the BAR, the Poarch have achieved recognition and legitimacy as a tribe; they have used that recognition, and their economic success, as a platform from which to increase the reach of self-government and practices of sovereignty...the Poarch have achieved outward manifestations of local non-Indian respect and support at a level unprecedented for Indian tribes in rural and poor regions. [Cramer 2005:136]

Poarch tribal leaders as well as other Native Americans in the American South, cannot rely on the support of elected officials. Whether it is the local town of Atmore's government or the state of Alabama, all levels of government threaten and attempt to undermine Poarch's attempts to become more successful. The process is far more complicated than Cramer acknowledges.



## Chapter 7

### **“I never would have thought we’d have something like this casino...It feels like we are out of town, not in Poarch”: Self-Determination and Economics at Poarch**

Dear Neighbors,

Like so many of you, the Christmas season is very special to me. It is a time when memories of years past and loved ones long gone are intertwined with recognition of today's many blessings. For all of this, we, at the Poarch Band of Creek Indians are both mindful and grateful.

This year has seen great change in our State. We have a new Governor and many new Legislators. I wish of those who serve our State the very best as they begin the New Year tackling the serious challenges facing Alabama. Leadership, to those of us fortunate enough to be entrusted with that duty, is both an honor and a tremendous responsibility.

We, as a Tribal Nation, stand ready to help Alabama's leaders - both the new and the seasoned. There are individuals, families, institutions, and businesses with great needs. The work ahead to fix those needs will be difficult, demanding, and at some points, discouraging. But it is at these times that I find strength in something I heard many years ago from one of our elders, "It is not having the work we like to do, but liking the work we have to do that makes life blessed."

This holiday season, we feel it is important to count our blessings and celebrate tradition by remembering what came before us, who we are as a Tribe, and what role we have played, and will continue to play, in making our State a wonderful place to live.

We hope you enjoy seeing a bit of our story told through people and events who have meant so much to us, and we invite you to come visit us in the New Year so we can continue to grow our relationships as neighbors and work together for the good of Alabama.

Season's Greetings,  
**Buford L. Rolin,**  
*Tribal Chairman*

-From a letter to the citizens of Alabama, found on the Poarch Neighbors campaign website: [poarchneighbors.com](http://poarchneighbors.com), accessed March 2011.



**Figure 21: The Wind Creek Casino and Hotel in Poarch, Alabama (Courtesy of Poarch Band of Creek Indians Museum and Welcome Center)**

The Poarch Band of Creek Indians has been operating gaming facilities on tribal lands since they opened the Creek Bingo Palace in April 1985. The Creek Bingo Palace was a high stakes bingo operation that based in people from Mobile and Pensacola. The facility could hold up to 1,500 people and reached near capacity on special weekends when the prizes were spectacular. With its venture into gaming successful, Poarch developed a business entity, named Creek Indian Enterprises (CIE), to complement the tribal government. With the successful ventures by other tribes in developing casinos, the Poarch Band tribal council began to seek out casino bids early on. In the 1990s, Harrah's casino seemed to be winning in the bid on helping Poarch establish its own

casino. Many of tribal leaders felt that the percentages that would be taken by the outside company that would help develop the casino were far too generous. Instead, the tribe decided to forge its own path in the casino world, and would develop its own casino with outside investors. Yet, from the beginning, even as the Bingo Palace created jobs and taxes for the local communities as well as the state of Alabama, Alabama state officials constantly threatened Poarch with lawsuits. This continues. In reaction to the bad press received, mostly from the state government, Poarch created a website, [poarchneighbors.com](http://poarchneighbors.com), in an effort to combat the way in which the tribe was being presented to the media. The tribe produced TV commercials, bought ads in Alabama newspapers, and bought radio ads as a way to speak against the negative press the tribe received with the opening of the new casino building in January 2009. Before Indian gaming emerged “state governments had complete authority to control and limit high-stakes gambling within their borders” (Pasquaretta 1994:294). The absence of state control over Indian gaming became a sore spot for states.

In this chapter, I will first examine the law on Indian gaming and Indian casinos. I will discuss the history of Indian gaming, the court cases that led to the passage of the Indian Gaming Regulatory Act (IGRA). I will also discuss the state’s role in Indian gaming as well as the way in which other tribes in the United States have used casinos and gaming, with a close examination of the Jessica Cattelino’s work (2008, 2009, and 2010) on the Seminole Tribe of Florida and need-based sovereignty. I will turn briefly to the new conservative response to gaming as “special rights.” Next, I will discuss the anti-casino movement in Alabama beginning with the Governor and Attorney General. I will also gauge the response of the state government of Alabama to the Poarch Creek’s

gaming ventures with an exploration of how the Poarch Creeks PR campaign through TV commercials and the internet has attempted to combat the bad press generated by the Alabama state government. I explore the ways in which the Poarch Band has had to showcase its actions to be a good neighbor in Alabama.

### ***Legal History of Indian Gaming***

“The casino is not a statement of who we are, but only a means to get us to where we want to be. We had tried poverty for 200 years, so we decided to try something else.”  
–Ray Halbritter, Nation Representative, Oneida Indian Nation of New York (Halbritter and McSloy 1994:568 as quoted in Rand and Light 2006:3).

It was not until 1988 that the government began to have an interest in Indian gaming, as tribes were beginning to develop bingo halls across the United States. Prior to the existence of the United States, gambling, betting, and games of chance were not uncommon among Native Americans. In many cases, wagering on games and gambling were “viewed as an act of generosity that helped to regularly redistribute wealth within the community” (Light and Rand 2006:19). Estimates that over 130 tribes comprised of 30 different linguistic variants “played dice games of various kinds centuries before European settlement” (Pasquaretta 1994:698). However, “unlike Euro-American games of chance, which emphasize individual competitiveness, traditional Native American forms of gambling are often practiced as team competitions” (Pasquaretta 1994:699). Victories were held not just by the individual, but also by their clans and nations (Morgan 1851:292).

The colonization of the “New World” and the “subsequent history of federal-tribal relations in the United States more widely resulted in what has been termed the

‘Indian problem’” (Light and Rand 2006:20). The way in which the United States “solved” the Indian problem was through forcible relocation to reservations sometimes far away from the tribe’s homelands, as well as wars and treaties. In the late twentieth century, over thirty percent of Natives lived in poverty, with a significantly lower life expectancy, higher infant mortality rates, higher incidents of violent crime, suicide substance abuse, mental health problems, and mortality from illnesses such as alcoholism, tuberculosis, and diabetes (Light and Rand 2006:20).

Even as tribes were on the brink of extreme poverty, the United States government began the push for tribal self-determination, with the ultimate goal of tribal governments developing their own economic stability. “Typically, reservations afforded few opportunities for successful commercial businesses ventures or efforts to market on-reservation goods and services to non-Native populations” (Light and Rand 2006:20). Even so, many tribes did attempt some form of tribal economic development, mostly because of the need to do so to for tribal communities to survive in the face of the Reagan administration’s policy of “encouraging tribal self-sufficiency and economic development while cutting funding to Indian programs” (Light and Rand 2006:21).

Tribes in California and Florida were the first to begin tribal ventures into high stakes bingo in the late 1970s and early 1980s. “As one of the few viable strategies for reservation economic development, bingo presented an attractive option to tribal governments: start-up costs were relatively low, the facilities had minimal impact on the environment, and the game had potential for high returns on the tribes’ investment” (Light and Rand 2006:21). While bingo was legal in both California and Florida, the state law was strictly enforced around bingo based on both civil and criminal penalties.

Because states were prohibited from regulating tribes, tribes in California and Florida began operating games that were illegal based on state law. However, the states argued that “state regulation had been authorized by Congress” by Public Law 280, so the states attempted to “fine or shut down” the tribal bingo enterprises, as they violated the state law (Light and Rand 2006:21).<sup>78</sup>

After the Seminole Tribe of Florida negotiated with private company to build and manage a high-stakes bingo hall on their reservation (located near Miami), the “Broward County sheriff announced that he would enforce the state’s bingo laws on the tribe’s reservation” (Rand and Light 2006:21). While Florida did allow bingo, there were many legal restrictions in place. For example, there was a \$100 ceiling on all jackpots, and violations of the state’s law were punished as criminal penalties (Light and Rand 2006:21-22). With the declaration of the county sheriff, the tribe sued in federal court to “enjoin application of state law within the bounds of its reservation” (Light and Rand 2006:21) in *Seminole Tribe v. Butterworth*.

The state of Florida’s main defense for their interference with the Seminole Tribe’s bingo hall was that of Public Law 280; specifically, that Congress allowed for states to oversee criminal jurisdiction on tribal lands. The Court of Appeals for the Fifth Circuit “reasoned that in *Seminole Tribe v. Butterworth* that the state only had authority to enforce criminal prohibitions on tribal land. It could not enforce its civil regulatory laws against the tribe” (Light and Rand 2006:22). The court decided that even though

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<sup>78</sup> Enacted in 1953, Public Law 280, as it is commonly referred (formal name Public Law 83-280). PL 280 gave some states (five states initially: California, Minnesota, Nebraska, Oregon and Wisconsin, with Alaska added when statehood was granted) extensive criminal jurisdiction and to a lesser extent a grant of authority of civil jurisdiction over tribes within these states’ borders. Nevada, Iowa, and Idaho all opted into PL 280, and Washington, South Dakota, Montana, North Dakota, Arizona, and Utah have opted in as well, but have not changed their state constitutions to indicate as such.

Florida's bingo laws were criminally enforced, there was no prohibition against bingo. Indeed, the laws regulating bingo "were a civil regulatory scheme and thus, unenforceable" (Light and Rand 2006:22). Ultimately, "[b]ecause Florida generally allowed bingo, subject to restrictions, the game did not violate the state's public policy and thus did not fall within Public Law 280's ambit of allowable state jurisdiction" (Light and Rand 2006:22).

In California, the Barona Group of the Capitan Grande Band of Mission Indians also opened a bingo facility contracted through a private management company. California state and the county within which the facility was maintained both allowed bingo for charitable purposes. Local law enforcement threatened to shut down the facility and even arrest its patrons. While California's law was similar to Florida's, California felt that it was in a better position in a court case than Florida due to the fact that in Public Law 280, Congress explicitly stated that California is granted both criminal and some civil jurisdiction. In *Barona Group v. Duffy*, the Court of Appeals for the Ninth Circuit adopted the reasoning of *Seminole Tribe v. Butterworth* and "held that because California generally allowed bingo games, bingo did not violate state public policy and thus the state lacked authority to enforce its bingo regulations against the tribe" (Light and Rand 2006:23). After these two court cases, other tribes began to explore gaming as a possible means of reservation economic development. Most tribal gaming operations consisted of bingo games, but even without slot machines or casino style gaming, the "tribal gaming industry grew rapidly in the 1980s, grossing over \$110 million in 1988" (Light and Rand 2006:23). And even after *Seminole Tribe v.*

*Butterworth and Barona Group v. Duffy*, states continued to attempt to enforce their gaming regulations on tribal lands.

In California, the Cabazon and Morongo Bands of Mission Indians began operating bingo halls and a card club on their reservations near Palm Springs and Los Angeles. These bingo halls were opened to the public, and most patrons were non-Indians traveling to the reservation to gamble. While California law permitted charitable bingo games, there was a \$250 cap on all games, and the games were limited to use for raising money for charitable purposes. State law demanded that violations for these regulations to be criminally punished. Riverside County, where these gaming establishments were based, also regulated bingo and prohibited poker and other casino style games. “The tribes challenged both the state’s and the county’s enforcement of their regulations in federal court, and the case culminated in the U.S. Supreme Court’s landmark 1987 decision in *California v. Cabazon Band of Mission Indians*” (Light and Rand 2006:24).

Similar to the *Barona Group* case, the state of California argued that it had the right to enforce its jurisdiction over tribes due to Public Law 280. In *Bryan v. Itasca County* (1976), the Supreme Court had already ruled that Public Law 280 was not a blanket law for states to exert civil authority over tribes. Rather, it was only to be applied to private civil litigation in state court (Rand and Light 2004:40-41). The Court concluded in its verdict:

In light of the fact that California permits a substantial amount of gambling activity, including bingo, and actually promotes gambling through its state lottery, we must conclude that California regulates rather than prohibits gambling in general and bingo in particular. [Cabazon, 480 U.S. at 209 as quoted in Light and Rand 2006:25]



The Court did allow for exceptional circumstances that might create reasons for state regulation of tribes by stating “state jurisdiction is preempted if it interferes or is incompatible with federal and tribal interests reflected in federal law, unless the state interests at stake are sufficient to justify the assertion of state authority” (Cabazon, 480 U.S. at 209 as quoted in Light and Rand 2006:26). The 6 to 3 decision in *Cabazon*, rejected California’s position and gave a victory to tribes “in the face of strong states’ rights arguments” (Mason 2000:51). The decision, written by Justice Byron White, reiterated the Court’s position that “tribes have attributes of sovereignty over both their members and their territory...tribal sovereignty is dependent on, and subordinate to, the Federal Governments, not the States” (Mason 2000:51).

The influence of the federal courts in ruling on regulating Indian gaming spurred Congress to act after the *Cabazon* decision. “The federal courts had added import to the increasing pressures of state officials and the non-Indian gaming industry” (Mason 2000:53). After the *Cabazon* ruling, lobbyists for both tribes and states wanted federal legislation governing Indian gaming (Light and Rand 2006:29). Until Congress reacted and passed the Indian Gaming Regulatory Act, or IGRA, in 1988 “the boundaries and limits of state and tribal authority in Indian gaming were set largely by federal court decisions” (Mason 2000:53 cf. Skibine 2000).

Congress’ goal in passing the Indian Gaming Regulatory Act (IGRA) in 1988 was to balance the interests of states (who were attempting to regulate gaming in their state along with the presumed crime brought to their states by the inclusion of gaming in their borders) with tribal sovereignty and reservation economic development (Light and Rand 2006:35). While there were many tribes that had already opened their own gaming

enterprises, there were also a number of tribes who had negotiated a contract with outside management. Federal governance on this subject was not clear. In enacting IGRA,

[F]ederal law did not provide clear guidance on appropriate regulation of Indian gaming generally; a principle goal of federal Indian policy was to promote tribal economic development, tribal self-sufficiency, and strong tribal government; and tribes exclusive regulatory jurisdiction over tribal gaming that is not prohibited by either federal law or state public policy. Thus, the congressional purposes served by IGRA were to codify tribes' right to conduct gaming on Indian lands as a means of promoting tribal economic development, self-sufficiency, and strong tribal governments, while providing sufficient regulation to ensure legality and to protect financial interests of gaming tribes. [Light and Rand 2006:35-36]

In addition to the regulations that came in the form of IGRA, IGRA also provided the formation of the National Indian Gaming Commission (NIGC) as the independent regulatory authority. The National Indian Gaming Commission would be within the Department of the Interior consisting of three members who serve three-year terms (a chair, who is appointed by the President of the United States, and two associate members, who are appointed by the Secretary of the Interior). As part of IGRA, two of the three members of NIGC must be Native, and no more than two may be members of the same political party (Light and Rand 2006:41-42).

Definitions of "Indian gaming" define what gaming facilities are subject to IGRA jurisdiction. IGRA is limited to "Indian gaming" that can be defined as gaming that occurs on "Indian land" by an "Indian tribe" (Light and Rand 2006:36). In order to be considered an "Indian tribe" a group must be federally acknowledged either through treaties, Congress, or through the Office of Federal Acknowledgement's process. This process is discussed more thoroughly in Chapter 6 on federal recognition. To be considered "Indian lands," the process is a little more complicated. A federally

recognized tribe can have in its possession lands which may or may not be considered “Indian lands.” As treaties were created in order to accommodate Western expansion, many reservations were “later diminished by federal statute or executive order” (Light and Rand 2006:37). This land, held within the boundaries of current reservations, is defined as “Indian land” under IGRA. Any land that is typically defined as “trust” land, that is, the land is held by the United States in trust for a particular tribe, is Indian land. In addition, “restricted” land, or land that is protected from alienation, albeit not held in trust by the federal government, but the tribe exercises governmental authority over the land, is also considered Indian land (Light and Rand 2006:37). “Indian lands do not include fee land allotments (Light and Rand 2006:37-38). Thus:

In order to qualify as Indian lands under IGRA, non-reservation land must meet these three requirements: the tribe must exercise jurisdiction over the land, fee title to the land must be restricted or not freely alienable, and the tribe must exercise governmental power over the land. [Light and Rand 2006:38]

Under IGRA, a tribe could not simply purchase lands and begin operating a gaming facility under Indian gaming laws.

In addition to the prohibition about non-trust lands, IGRA also places a stipulation on Indian lands put into trust after October 17, 1988, when IGRA was passed. Lands acquired and put into trust after this date are called “newly acquired” or “after acquired” lands. There are exceptions to this rule. If lands that are newly acquired are “located within the tribes reservation or that are contiguous to the reservation’s boundaries” there is an exception to allow gaming on the lands (Light and Rand 2006:39). If a tribe’s newly acquired land is “within the tribe’s last recognized reservation and within the state in which the tribe currently resides” then an exception may be granted (Light and Rand

2006:39). Finally, if the newly acquired lands are held by a tribe where it would be “in the best interest of the tribe and its members, and would not be detrimental to the surrounding community” then gaming may be allowed there. The Secretary of the Interior can only make that determination after consulting with the tribe, state, and local officials. The state’s governor must also support the decision to allow gaming. Because all of the consulting and political fallout that can occur in this process, there are only three tribes who conduct gaming under this “best interests” exception: Keweenaw Bay Indian Community of the Lake Superior Band of Chippewa Indians (Michigan), the Forest County Potawatomi (Wisconsin), and the Kalispell Tribe (Washington).

One of the most interesting proclamations by IGRA was the creation of the current classification system of tribal gaming. Class I gaming is described as traditional tribal gambling. Class II includes bingo, and Class III is reserved for casino-style gaming. A chart with the IGRA definitions is below.

Class I	Class II	Class III
social games solely for prizes of minimal value or traditional forms of Indian gaming engaged in by individuals as a part of, or in connection with, tribal ceremonies or celebrations.	(i) the game of chance commonly known as bingo (whether or not electronic, computer, or other technologic aids are used in connection therewith) - (I) which is played for prizes, including monetary prizes, with cards bearing numbers or other designations, (II) in which the holder of the card covers such numbers or designations when objects, similarly numbered or designated, are drawn or electronically determined, and (III) in which the game is won by the first person covering a previously designated arrangement of numbers or designations on such cards, including (if played in the same location) pull-tabs, lotto, punch	The term " <b>class III gaming</b> " means all forms of gaming that are not class I gaming or class II gaming.  *These typically include slot machines, banked card games (which means that the player of the game plays against other players as well as the “house”), electronic facsimiles of games, other casino games such as roulette, craps, keno, baccarat, etc.

	boards, tip jars, instant bingo, and other games similar to bingo, and (ii) card games that - (I) are explicitly authorized by the laws of the State, or (II) are not explicitly prohibited by the laws of the State and are played at any location in the State, but only if such card games are played in conformity with those laws and regulations (if any) of the State regarding hours or periods of operation of such card games or limitations on wagers or pot sizes in such card games.	
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Figure 22: Classificatory System of Gaming: From the Indian Gaming Regulatory Act §2701-2721

This classification system of gaming indicates what is legal in a particular state. Class I gaming, which is traditional to many tribes, is legal in all states. What else is legal depends on the tribal-state compact that is required through IGRA.

In order to be able to operate casino-style gaming, or Class III gaming, a state and a tribe must come to a compromise in a tribal-state compact, required by IGRA. “This requirement created an active role for states in regulating casino-style gaming within their borders by both requiring the tribe to negotiate an agreement with the state” (Light and Rand 2006:55). This compact negotiation also gave “the state, along with the tribe, the power to sue in federal court to enforce the provisions of a tribal-state compact by seeking to enjoin any Class III gaming activity that violates the compact” (Light and Rand 2006:55). Within IGRA, the tribal-state compact says:

(A) Any Indian tribe having jurisdiction over the Indian lands upon which a class III gaming activity is being conducted, or is to be conducted, shall request the State in which such lands are located to enter into negotiations for the purpose of entering into a Tribal-State compact governing the conduct of gaming activities. Upon receiving such a request, the State shall negotiate with the Indian tribe in *good faith* to enter into such a compact.

(B) Any State and any Indian tribe may enter into a Tribal-State compact governing gaming activities on the Indian lands of the Indian tribe, but such compact shall take effect only when

notice of approval by the Secretary of such compact has been published by the Secretary in the Federal Register.

(C) Any Tribal-State compact negotiated under subparagraph

(A) may include provisions relating to--

(i) the application of the criminal and civil laws and regulations of the Indian tribe or the State that are directly related to, and necessary for, the licensing and regulation of such activity;

(ii) the allocation of criminal and civil jurisdiction between the State and the Indian tribe necessary for the enforcement of such laws and regulations;

(iii) the assessment by the State of such activities in such amounts as are necessary to defray the costs of regulating such activity;

(iv) taxation by the Indian tribe of such activity in amounts comparable to amounts assessed by the State for comparable activities;

(v) remedies for breach of contract;

(vi) standards for the operation of such activity and maintenance of the gaming facility, including licensing; and

(vii) any other subjects that are directly related to the operation of gaming activities.

(4) Except for any assessments that may be agreed to under paragraph (3)(C)(iii) of this subsection, nothing in this section shall be interpreted as conferring upon a State or any of its political subdivisions authority to impose any tax, fee, charge, or other assessment upon an Indian tribe or upon any other person or entity authorized by an Indian tribe to engage in a class III activity. *No State may refuse to enter into the negotiations described in paragraph (3)(A) based upon the lack of authority in such State, or its political subdivisions, to impose such a tax, fee, charge, or other assessment.*

(5) Nothing in this subsection shall impair the right of an Indian tribe to regulate class III gaming on its Indian lands concurrently with the State, except to the extent that such regulation is inconsistent with, or less stringent than, the State laws and regulations made applicable by any Tribal-State compact entered into by the Indian tribe under paragraph (3) that is in effect. [25 U.S.C. 2710, emphasis mine]<sup>79</sup>

Congress included the tribal-state compact in IGRA as the decision from *Cabazon* meant that states did not have authority to regulate gaming on Indian lands. However, there was

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<sup>79</sup> I am quoting the actual text of the Indian Gaming Regulatory Act here at length in regards to the tribal-state compact, as this is the key point that is not allowing the Poarch Band of Creek Indians the ability to practice Class III gaming in Alabama.

worry that the Supreme Court decision was meant for bingo type games and did not include any commentary from the court about casino-style gaming. Therefore, states were worried that Class III gaming would be able to be established in states without any directed orders from the side of the state.

In order for a tribe to begin negotiating, it must first formally request negotiations for a compact between the state and the tribe. IGRA does not address “which state official or branch of state government has authority to negotiate on behalf of the state” (Light and Rand 2006:56) but allows for states to make that determination. After a tribe has formally requested a compact negotiation, the state has 180 days to respond. If the state does not respond, the “tribe may file a suit against the state in federal district court” (Light and Rand 2006:57). It is the responsibility of the tribe to prove that the state did not respond, or that the state and the tribe were not able to come to an agreement. “Upon this prima facie or initial showing, the burden of proof shifts to the state to establish that it in fact negotiated in good faith” (Light and Rand 2006:57).

The “good faith” requirement of the state can still result in a prohibition of tribally run Class III gaming facilities. For example, if a state rejects the compact for reasons of: concerns about public safety, criminality, financial integrity, adverse economic impacts on existing gaming, then the state is considered to have fulfilled its duty for a “good faith” negotiation (Light and Rand 2006:57). If the court finds that the tribe and state did not negotiate in good faith, the court may require that the tribe and state reach a compact within sixty days of the ruling. After sixty days, if a compact still has not been reached, “the court appoints a mediator and directs the state and the tribe each to submit proposed compacts—the state’s and the tribe’s “last best offer”—to the mediator. The mediator

then chooses the proposed compact that ‘best comports with the terms of [IGRA]’ as well as “other applicable Federal law with the findings and order of the court” (Light and Rand 2006:57). If the state agrees to the mediator’s findings, then the compact is treated as if the state and tribe came to the agreement independently of the court. If the state does not agree, the mediator then turns to the Secretary of the Department of the Interior. It is then the responsibility of the Secretary to draft, with the tribe, a compact that will govern the tribe’s Class III gaming.

Jessica Cattelino (2008, 2009, 2010) writes extensively about gaming and the Seminole Tribe of Florida. The Seminole are a successful gaming tribe and recently purchased the international Hard Rock Café company. In Cattelino’s 2010 article “The Double Bind of Sovereignty,” she argues that tribal gaming is reminiscent of need-based sovereignty identified by governmental policy in regard to Native Americans in the past, such as the policy during the termination era, which took into account the economic success of tribes. She says about need-based sovereignty:

In the most general terms, this double bind works as follows: American Indian tribal nations (like other polities) require economic resources to exercise sovereignty, and their revenues often derive from their governmental rights; however, once they exercise economic power, the legitimacy of tribal sovereignty and citizenship is challenged in law, public culture, and everyday interactions within settler society. [Cattelino 2010:235-236]

Her argument points out what happens to economically successful tribes, many from gaming: that once the tribes are able to have successful economic development, their sovereignty as Native is subsequently challenged. The United States Congress passed the Termination Bill (House Concurrent Resolution 108) in 1953. This bill called for the



dissolution of tribes as a collective, and focused on “helping” individuals. Cattellino writes:

Termination would obliterate tribal sovereignty in the name of individualized U.S. citizenship for American Indian people. Termination—which is widely understood to have been a postwar rejection of the Indian New Deal policies of John Collier, the Left-leaning Commissioner of Indian Affairs—went hand in hand with an urban relocation program that sought to integrate American Indians as industrial laborers. (Cattellino 2010:238).

One of the most telling ways that Congress picked tribes to “terminate” was through a “thriving economy” (Cattellino 2010:239). The thought was that these tribes were more advanced, and therefore did not need the support of the United States government. Funding was pulled. And these tribes would not have a “collective relationship with the United States” through a government-to-government relationship with the United States federal government (Cattellino 2010:239). Cattellino says:

Termination shifted terrain from sovereignty-polity to citizenship-individual, with citizenship figured not in relation to the indigenous nation but, rather, to the settler state... The termination of indigenous sovereignty via the dismantling of tribal governments was inextricably intertwined with a focus on economic contribution as the measure of individual (U.S.) citizenship. (241)

This termination of Indian tribes was meant to take away their Indianness by focusing on the individual rather than the collective that tribal governments represent. Indigenous economic success was a mode and sign of whitening. While Congress was determining which nations would be terminated, the thought was that “‘real’ Indians remained poor” (Cattellino 2010:244)

Cattellino argues that American Indians cannot assert economic power without being accused of enjoying “undeserved special rights” (Cattellino 2010:237). The

problem stems from the fact that “indigenous wealth flies in the face of expectation in U.S. public culture” (Cattelino 2010:237). Indeed, comments on an article about gaming in Alabama published by the Arizona Indian Gaming Association, former Alabama Supreme Court Chief Justice, Roy Moore, a hopeful candidate during the 2010 gubernatorial race, declared that the Poarch Creeks should not be able to offer gambling that is restricted in the state. Moore said “The Indians, quote unquote, aren’t wearing feathers in their caps anymore. Maybe I shouldn’t quote that. Indian tribes consist of people just like you and I” (Altman 3/29/2010 accessed May 19, 2011). The stereotypical images that this Alabama gubernatorial candidate has mirrors the stance of many conservatives in the United States. Donald Trump has made similar statements questioning the authenticity of successful gaming tribes, and eventually sued the federal government (filed in the Federal District Court in Newark) alleging that allowing Native American casinos to open on the east coast (namely in Connecticut) discriminates against him and offers special rights to Indians. The suit he brought was to give legal recognition to the fact that Atlantic City, New Jersey, would soon lose the monopoly of gaming on the East Coast. Trump was quoted as saying to lawmakers, “[t]hey don’t look like Indians to me, and they don’t look like Indians to Indians” (Cockburn 1993 accessed May 14, 2011). With the increase of wealth for a tribe comes an increase in scrutiny of whether or not they are “authentically” Native American.

Tribal gaming has proved invaluable to Indian tribes. While many question its negative consequences on tribal governments, Cattelino says:

Tribal gaming has the potential to unsettle powerful and politically constraining expectations of indigenous poverty insofar as it strengthens tribal nations’ control over their own representation,

political power, and most importantly, ability to self-govern on their own terms. [2010:238]

There is always the question of whether or not this ability to govern on tribes' own terms in some way diminishes their culture. Cattelino notes, "need-based sovereignty in the casino era also and always is about culture and about the surprise value of indigenous wealth. I am frequently asked by non-Indians whether gaming wealth leads to indigenous cultural loss" (Cattelino 2010:248). This notion that gaming wealth will somehow decrease tribal cultural distinctiveness is interesting given that most tribes with increased economic resources from gaming use that wealth to expand current tribal cultural needs.

Cattelino notes that gaming revenues on the Florida Seminole reservations have built schools that include culturally appropriate classes, language classes, a tribal museum, and has increased tribal economic diversification, so the tribe now has the ability to buy or start non-gaming businesses (Cattelino 2010:246-247). This is the case in many tribal communities that operate successful gaming sites. The highly successful Mashantucket Pequot tribe in Connecticut, the owner of Foxwoods Casino, the most successful Indian casino in the world (which had gross profits of over 1 billion dollars in 1998), opened the Mashantucket Pequot Museum and Research Center (MPMRC), in August 1998. The construction of this \$193 million museum was funded by profits from the casino; it is the largest native-owned and operated museum facility in the Americas (Bodinger de Uriarte 2003:549-550). The Poarch Creek Museum and Welcome Center was also funded by gaming revenue from the Poarch owned Wind Creek Casino and Hotel and 2 other casinos that Poarch operates in Alabama. In addition, as with the Seminole Tribe, Poarch has been able to fund many more cultural activities than it would be able to without the support of gaming revenues. Language classes, pottery classes,

basket-weaving classes are all offered to tribal members and their children. Poarch has also hired a cultural educationist to go to the community schools and teach Native

American students their language and cultural stories. Cattelino asserts:

In the casino era, American Indians once again encounter the economic politics of settler colonialism, in which it is only a short step from wondering whether Indians with gaming are losing their culture to skepticism over whether indigenous people with economic power can and should remain legitimately indigenous and sovereign. [Cattelino 2010:248]

The idea that a tribe can be legitimately indigenous and manage a successful gaming facility is mutually exclusive in the minds of many Americans. Stereotypes that overwhelm Native North America are that of Indians in complete poverty. With the passing of IGRA, there are also questions about whether or not tribes that are petitioning for Federal Acknowledgement are “authentic” and “legitimate” or if they are merely trying to reap the benefits of being able to open a casino as a federally acknowledged tribe. Cattelino says that “[r]isks become apparent when, for example, local newspapers in Florida and elsewhere interpret indigenous cultural claims as mere smokescreens for gaming-based, interest group activity and, in turn, cast suspicion on a wider range of indigenous claims and groups” (Cattelino 2010:248). In some cases, groups who are petitioning for recognition have been asked by local and state authorities to denounce any intentions of tribal gaming in exchange for local support. For example, the Lumbees of North Carolina, a state recognized by not federally acknowledged tribe, a bill before Congress in 2010 sought Lumbee tribal recognition. However, written into the bill was the specific denial of the tribal council to open casinos “a concession by tribal leaders made three years ago to help get the bill through the House” (Brooks 2010 accessed May 15, 2011).

## ***The Anti-Casino Movement and “Special Rights”***

“[T]here has been a dramatic increase in non-Indian public criticism of tribal gaming as an example of unjust ‘special rights’” (Cattelino 2010:247). In his book *Cultivation of Resentment: Treaty Rights and the New Right*, Jeffrey R. Dudas defines the New Right political group as conservative intellectuals who, among other rights that they deem special interest (such as gay rights, disability rights, affirmative action, and Indian treaty rights), are committed to the idea that everyone should have the same rights, that “individual success should be based on one’s merits...that American governments should treat people exactly the same” (Dudas 2008:1-2). This special rights talk then enables the anti-casino groups to increase resentment felt against treaty rights, with activists “envision[ing] themselves as ‘counter-subservives,’ as defenders of an American way of life under siege from Indian treaty rights” (Dudas 2008:3). First, Dudas argues that as activists’ resentment towards treaty rights increases, their interests are transformed from “its original basis in self-interest to a basis of national values” (Dudas 2008:3). “By portraying anti-treaty-rights activism as an act of selfless devotion to country, special rights talk infuses that activism with the zealotry of a moral crusade; it thus motivates activists to redouble their opposition to treaty rights” (Dudas 2008:3). Second, Dudas says that the special rights talk that activists use make their perceived threats of treaty rights comprehensible to a wider audience (Dudas 2008:3). The third impact Dudas discusses is that anti-treaty activists repeatedly “overestimate the negative effects of treaty rights on their personal interests, attributing to those rights much greater casual influence than can be substantiated” while at the same time activists:

exonerate the impersonal, long-term economic and political processes (such as the rise of a service-based economy and the continuing problem of unresponsive government) that are more damaging to their interests. Opposition to treaty rights thereby stifles potential challenges to the actual causes of activists' resentment. [Dudas 2008:3-4]

Additionally, anti-treaty activists are able to “convert interest-based disputes into value-based disputes and there by heighten conflict” (Dudas 2008:4). It is this morally driven argument that increasingly cultivates the resentment of middle-class and working-poor Americans. These “forgotten Americans” resent the “denigration of their own rights by entrenched political elites, on the one hand, and by the traditionally disadvantaged Americans whose deviant rights claims make them the unfair beneficiaries of governmental programs, on the other hand” (Dudas 2008:4). These are the claims that anti-treaty and, in the case of this chapter, anti-casino activists make in the creation of a more conservative and increasingly popular “New Right” (Dudas 2008:4-5).

Dudas argues that the anti-casino movement's expressed concern about the “disappearing way of life” commented on many times by anti-casino activists has more to do with their “express[ed] resentment over their increasingly precarious economic and political situations” (Dudas 2008:96). He says:

Like the anti-treaty-rights movement, the [the anti-tribal-casino] movement employs a common discourse. Anti-casino activists insist that special treaty rights, which allow tribes to operate casinos where others could not, introduce unregulated forms of development that damage the activists' best interest. Equally bad, they argue, such special rights threaten the values that underlie American glory. [Dudas 2008:102]

There are anti-casino groups in Indian country across the United States, and while there are no solid groups that operate out of the state of Alabama, the fact remains that this type

of special rights discourse and resentment over treaty rights is very much a part of the political fabric of state politics in Alabama.

Dudas claims that opponents to Indian gaming “depict the treaty rights that enable tribal gaming as special rights that foster illegitimate, un-American activities” (Dudas 2008:96). This is something that anti-casino activists argue in Alabama, and most who argue this point base this fact in their conservative Christian values. For example, the founder of the Christian organization Focus on the Family, James C. Dobson, has a syndicated column that ran in many local papers in Alabama until he was asked to leave Focus on the Family due to a request by the board of directors to go towards a less divisive stance. Since 1999, Dobson has repeatedly attacked gambling in general, but specifically Indian gaming, for its anti-Christian sensibility as well as its “destructive moral and economic impacts” (Dudas 2008:109).

The anti-casino movement is exasperated by emphasizing the “evils of tribal casinos” as well as the “bureaucratic process[es] responsible for them” instead of discussing the “economic and political causes of the resentment that propels the anti-tribal-casino movement” (Dudas 2008:97). In this expression of resentment, anti-casino movements openly question the “authenticity” and “Indianness” of tribes that operate gaming facilities by which they are affected. Activists question the Office of Federal Acknowledgement’s ability to negotiate which tribes will be approved as federally recognized. But anti-casino activists have been influenced by the question of whether or not acknowledged tribes deserve that honor. For example, Jeff Benedict’s book *Without Reservation* asserts that there is no historical connection between the contemporary Mashantucket Pequot Tribal Nation with the historic Pequot Nation. Benedict asserts

that the Mashantucket Pequots are either historically the Narragansett tribe (from Rhode Island) or Caucasian (Dudas 2008:130). Anti-casino groups in Connecticut, where the Mashantucket Pequot operates Foxwoods, are outspoken about their claim that Indian tribes who operate casinos are fraudulent. The Connecticut Alliance Against Casino Expansion group (CAACE) seeks to petition the BIA in federal recognition cases to overturn decisions that were favorable to particular federal acknowledgment claims.

Benedict runs his own anti-casino group called Tribal Nation. Tribal Nation says:

[We] want the world to know what is happening on [Indian] reservations, in [our] towns and in [our] communities. We want the world to know: What has happened to the small towns where these tribes and casinos now reside. What could happen to your town if a [sic] Indian casino opens for business. How you are now the VICTIMS of reverse discrimination, your loss of rights, and how you are considered a third class citizen compared to these “tribal members.” How these “Indian tribes” and their casinos are allowed to practice “Indian preference” with regard to hiring practices. [Tribes] place the communities, the towns, and the individuals surrounding them into political, social, and economic chaos. [Tribal Nation 2005, as quoted in Dudas 2008:131]

Many anti-casino advocates argue that with the broken system of federal acknowledgement, there is no room for those who will be most directly affected by giving acknowledgement to tribes (Dudas 2008:132). Rather than considering that it may be a tribes historical and inalienable right to receive federal recognition and the government-to-government status that brings with it, anti-treaty and anti-casino groups are more concerned with how federal acknowledgement will affect them personally. With federal acknowledgment comes many opportunities for tribes to petition for grants from the government for various purposes as well as receive federal aid for health care among other things. Federally acknowledged tribes are able to seek various avenues to help tribal members; avenues that were not available to them as state recognized tribes.



Finally, Dudas argues that the special rights talk that anti-casino groups use allows “casino opponents to exaggerate the negative impacts of tribal gaming and to slight its positive impacts, which dispassionate analyses consistently highlight” (Dudas 2008:97). Donald Trump’s accusation of tribal gaming in which he asserted that Indian casinos would quickly be associated with Mob ties proves interesting in that he himself was later alleged to have had dealings with Mob ties in his Atlantic City and Las Vegas casinos (Baram 4/28/2011 accessed 5/30/2011). Dudas points out that the negative affects associated with anti-Indian gaming groups are very real, especially on the social services and local infrastructures of neighboring towns (Dudas 2008:97). However, he states that:

their empathy toward treaty rights leads opponents to dismiss policy initiatives that would potentially mitigate those impacts and, instead, to imagine a fundamental contradiction between their interests and those of their Indian neighbors. [Dudas 2008:97]

Dudas argues instead that the resentment that anti-treaty rights groups, particularly in Connecticut, feel “displace[d] by the blame” that is caused by “uncertainty that pervades their lives away from the injurious processes of global capitalism, and the increasing unresponsiveness of the Connecticut state government, fixing it instead on tribal activism” (Dudas 2008:97).

### ***Anti-Casino Movement in Alabama***

In this section, I will describe the lawsuits between the State of Alabama and the Poarch Band of Creek Indians, as well as lay out the anti-gaming stance the state has taken since an FBI investigation sent several non-Indian casino owners and Alabama

state senators to jail. Since 1990, the Poarch Band of Creek Indians had gone through the requirements of IGRA to negotiate a fair compact with the state of Alabama. When no motion was made by Alabama to negotiate, the tribe contacted the Department of the Interior, as per the rules and regulations of IGRA. Alabama Attorney General, Troy King, had at the time, become notorious to Poarch as being anti-Indian and threatening to shut down gaming at Poarch, but overlooking certain other gaming establishments in the state, namely Milton McGregor's dog park in Mobile (which is considered Class III by IGRA standards) and his electronic bingo machines, which the state of Alabama forbid Poarch to use. A press release from the Poarch Band of Creek Indians, dated August 11, 2006 said:

In a recent press release referencing a letter to the Department of Interior, the Alabama Attorney General, on behalf of his office and the office of the Governor, has asked the U.S. Department of the Interior to deny the request of the Poarch Band of Creek Indians (Tribe) to "expand gaming within the borders of this state." In taking such a political stand, the Attorney General is turning a blind eye to other gaming within this State and denying the Tribe a level playing field. [Press Release from the Poarch Band of Creek Indians, August 11, 2006]

While dog tracks (which are considered Class III gaming facilities under IGRA) were allowed to operate in Mobile, along with reports of electronic bingo games, the Poarch Band was continuously dismissed by the state of Alabama when requesting a tribe-state compact in regard to gaming. As tribal chairman Buford Rolin said in 2006:

No matter what your stand on gaming, it is clear there is an absolute lack of logic and fair play in the state's action. The Attorney General's position protects unregulated non-Indian gaming while denying our right under federal law to operate a highly regulated gaming enterprise that could significantly benefit the State. Not only is this bad business—it is bad public policy that does nothing to control the expansion of gaming in Alabama.

[Press Release from the Poarch Band of Creek Indians, August 11, 2006]

Alabama Governor Bob Riley (Republican, took office on January 20, 2003 and was succeeded by Robert J. Bentley on January 17, 2011) has been accused of not only being swayed in his votes on Alabama gaming by the large sums of money given to him by the Mississippi Band of Choctaws (see Chapter 6 for a more details in this matter), but also pandering to the wants and needs of non-Indian gaming without being willing to negotiate a gaming compact with the Poarch Band. Even as Class II, including high stakes bingo, was being conducted by private individuals, the state government refused to negotiate a compact. Eventually, the Poarch Band reported to the Secretary of the Interior the fact that the state would not negotiate, per IGRA requirements. Poarch Creek tribal attorney (and tribal member) Venus McGhee Prince said:

It appears Attorney General Troy King does not understand the Tribe's request to the United States Department of the Interior. Secretarial Procedures are not intended to expand gaming within a state, but to ensure fair treatment of all parties—the Tribe and the State. They are an option reserved for those rare situations, like ours, where a state's governor refuses to negotiate in good faith with an Indian tribe. Alabama is one of only two states that has categorically refused to negotiate with its federally recognized Indian tribes. The State's refusal to communicate has left the Tribe with no other choice but to appeal to its only option for achieving equality—the Secretary of the Interior. [Press Release from the Poarch Band of Creek Indians, August 11, 2006]

The tribe had attempted to follow the rules set out in IGRA from its initial petition to the state in 1990, but soon found the state would not answer their call to negotiate a compact.

In 1991, the Poarch Band of Creek Indians sued the State of Alabama arguing that the State had not negotiated in good faith.<sup>80</sup> However, the state was able to successfully argue that “IGRA impermissibly infringes upon its Eleventh Amendment right now to be

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<sup>80</sup> *Poarch Band of Creek Indians v. State of Alabama*, 776 F. Supp 550 (S.D. Ala. 1991).

sued without consent” (*State of Alabama v. United States of America, et. al*).<sup>81</sup> The Eleventh Circuit, consolidating *Poarch Band of Creek Indians v. State of Alabama* and *Seminole Tribe v. State of Florida*, agreed with the states, and was supported by the Supreme Court’s decision in *Seminole Tribe v. Florida*, 517 U.S. 44 (1996).<sup>82</sup> Because of this new precedent established by the Supreme Court, the Secretary of the Interior, in April 1999, established a set of procedures to how he would develop procedures for a Class III gaming compact if the state in which the gaming was taking place would stand on its Eleventh Amendment right.<sup>83</sup> The Regulations:

provide for a tribe to ask the Secretary to issue gaming procedures if the state successfully invokes the Eleventh Amendment during the statutory process; identify information that a tribe’s proposal must contain; and require the Secretary to perform several tasks, including: notifying the tribe whether it meets the eligibility criteria for invoking the Regulations (including the state’s successful interposition of the Eleventh Amendment); submitting the proposal to the state’s governor and attorney general for comment, reviewing the tribe’s proposal; identifying unresolved issues and areas of disagreement; and issuing a final decision.

[25 C.F.R. Part 291.3-11]

Soon after these Regulations had been developed, the state governments of Alabama and Florida filed suit against the federal defendants. The case was eventually dismissed. In March 2006, the Poarch Band called for the Regulations to be used in their case. The Secretary determined that the tribe met all of the Regulations’ requirements. Even with Class III gaming occurring in non-Indian establishments across the state of Alabama, the state refused to negotiate with the Poarch Band. The tribe’s response stated that:

The tribe has attempted to work with the State of Alabama for more than fifteen years to negotiate a scope of gaming that makes

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<sup>81</sup> Civil Action 08-0182-WS-C

<sup>82</sup> 11 F.3d 1016 11<sup>th</sup> Cir. 1994

<sup>83</sup> 25 C.F.R. Part 291

sense for Alabama. Although refusing to negotiate a compact with the Tribe, every governor of Alabama since Jim Folsom, Jr. has told the Tribe that the State would agree to allow the Tribe to play any game it allowed the dog tracks to play. Yet pari-mutuel betting, sweepstakes, poker tournaments, and one-touch bingo are currently being played at dog tracks and other venues in Alabama. These games, which fall within the IGRA's definition of "Class III" games, are prominently advertised on billboards, newspapers, radio and television throughout Alabama. [Press Release from the Poarch Band of Creek Indians, August 11, 2006]

The Poarch Band, in this press statement, contended that the State of Alabama's decision to "dismiss the Tribe while ignoring other non-Indian gaming has resulted in more than explosion of gaming in Alabama" (Press Release from the Poarch Band of Creek Indians, August 11, 2006). The Tribe argued that the revenue from these non-Indian (and unregulated) gaming ventures in Alabama meant that Alabama was losing economic benefits, while showing evidence of how the Poarch Creek Indian Gaming enterprises were good for the Alabama economy. In 2004, the Tribe's gaming enterprise created over 900 jobs, with at least 90% being held by non-Indians. By 2010, that number had grown to 1,305 jobs, again with 90% of those being held by non-Indians (see Figure 2 below for more statistics from the Poarch Band of Creek Indians Community Relations department).

However, in August 2007, the Fifth Circuit decided that the Regulations laid out by the Department of the Interior exceeded the Secretary's "statutory authority."<sup>84</sup> Because of the outcome of this case, the State of Alabama requested that the federal defendants dismiss the Poarch Band's application. The federal defendants did not respond, so the State of Alabama sued on April 7, 2008.<sup>85</sup> The State of Alabama wanted

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<sup>84</sup> *Texas v. United States*, 497 F.3d 491, 511-512 (5<sup>th</sup> Cir. 2007), *cert. denied sub nom. Kickapoo Traditional Tribe v. Texas*, 129 S. Ct. 32 (2008).

<sup>85</sup> Civil Action 08-0182-WS-C

the Secretary to not be allowed to work with the Poarch Band under the proposed Regulations. In this lawsuit, the state of Alabama argued that the Regulations exceeded the Secretary's authority under IGRA, as well as "unconstitutionally delegate[s] legislative power to the executive in violation of the separation-of-powers doctrine. The state also requested in this law suit that a stay be placed on the Poarch Band's application to the Department of the Interior against the implementation or enforcement of the Regulations. This case was eventually dismissed by the United States District Court on November 28, 2008.

Summary of Economic Impact  
Poarch Band of Creek Indians, 2010

\* In 2010, Poarch Creek Tribal gaming directly employed 1,305 people in the state of Alabama. Ninety percent of these jobs are held by non-Indians.

\* The multiplier effects of Indian gaming throughout the Alabama economy are substantial. We estimate that, in 2010, 4,535 jobs in the state were attributable, either directly or indirectly, to the Poarch Creek Tribal casino operations. Including the rest of the United States, the total number of new jobs is 4,935.

\* Poarch Creek Tribal government gaming and ancillary businesses generated \$52.1 million in Federal income, payroll, sales, and excise taxes in 2010. Jobs created by Tribal gaming reduced Federal government unemployment benefits and welfare payments by \$21.9 million.

\* In 2010, Poarch Creek Tribal government gaming and ancillary businesses generated \$64.1 million in state government revenue (including state income, sales and excise taxes generated by wages, vendor payments, and purchases by Tribal gaming operations and related businesses and taxes on ancillary economic activity generated by gaming).

\* In accord with the Indian Gaming Regulatory Act (IGRA), the Poarch Creek Tribe used government revenue generated by Indian gaming to pay for education, community development, Tribal member service support and programs, land improvements, community support trust fund and Tribal citizenship fund.

**Figure 23: Summary of Economic Impact Study, Poarch Band of Creek Indians 2010**

The Poarch Band of Creeks called this lawsuit “frivolous” and blamed the Attorney General of the time, Troy King, for dragging the state into the lawsuit. The press release regarding dismissal of this lawsuit says:

For some time, the Poarch Band of Creek Indians have asked that it be allowed to operate the same kind of electronic bingo games that wealthy racetrack owners operate in other parts of the State. Unlike those racetrack owners, the Poarch Band actually asked for

permission from the appropriate federal entities to operate the games instead of charging ahead and then expecting to be forgiven or ignored. [Press Release from the Poarch Band of Creek Indians, April 10, 2008]

The Poarch Band explained through its press release that the Department of the Interior granted Poarch the ability to use electronic bingo games because the racetrack owners were doing so without asking permission from the state or anyone else. The press release continues:

What the preliminary decision also did was call [Attorney General Troy] King on his penchant for selectively applied justice...King is trying to confuse the issue. He is telling Alabamians the preliminary decision is expanding gaming in the state. In fact, the preliminary decision limits and defines what games can be played in the state by the Poarch Band of Creek Indians on their sovereign land. These games are the same games currently being played at competing facilities that [he] has visited and approved for years. As other wealthy businessmen continuously attempt to expand gaming to the metropolitan areas across the State, how does King define expansion? The Department of the Interior saw through King's attempt to choose the interests of wealthy racetrack owners over an Indian Tribe that contributes millions of dollars to the state in taxes, creates hundreds of jobs, and makes significant charitable donations to the surrounding communities. Once again, the State is unwilling to sit down with the Poarch Band of Creek Indians and the Department of Interior to play the game fairly.

The Poarch Band has tirelessly fought for what they see as justice: the ability to operate electronic bingo machines since dog track owners and the owners of other "casinos" in Alabama were doing the same without any regulation. It was the fact that other operations in Alabama held these electronic machines that ultimately allowed the Secretary of the Interior to grant permission to the Poarch Band of Creeks to use the electronic bingo machines. Once the Governor and the Attorney General found out it the reason the Poarch Band would be allowed to use the electronic machines, Governor Bob Riley then initiated an anti-gambling task force: the Task Force on Illegal Gaming. The



purpose of this task force was to shut down all electronic bingo in the state, because as Bryan Taylor, head of the task force stated, “[w]e clean up our act here in the state, that puts enormous pressure on the National Indian Gaming Commission to remove similar games from Indian casinos” (Altman, November 4, 2009). In another news paper article, Taylor states “The governor has instructed me to do something about the Indians if we can” (Rogers, October 22, 2010). In the same article, a spokesperson from the governor’s office claims that because the state has not specifically made legal electronic bingo, then the Wind Creek Casino operated by the Poarch Band is operating illegal machines. However, as the tribal government relations spokesperson, Robert McGhee says, “As long as there's bingo in the state of Alabama that's being played, the tribe is allowed to do the same” (Rogers, October 22, 2010).

While it may be hard to imagine the lengths that the state of Alabama are going through to keep the Poarch Band from being able to operate gaming facilities that other non-Indians have enjoyed operating for decades, this is a type of discrimination that the Poarch Band is accustomed. For example, when Poarch was figuring out where to build their new \$230 million Wind Creek casino and luxury hotel, Poarch attempted on multiple occasions to negotiate to buy the land surrounding the Wind Creek property. It was owned by the state. Instead of allowing Poarch to buy the land, the city of Atmore bought the land as a development tract. They named the development “River Cane” and put in the infrastructure for major hotel chains, restaurants, and chain stores. However, upon the development of the land, only one hotel, Holiday Inn Express, and one restaurant, Hardee’s, bought into the development. Now, as the development is bankrupt, the city of Atmore has approached the Poarch Band with the option to buy it.

This upsets many tribal members. “Why didn’t they let us have it the first time? Greed. That’s why! Now they line up trying to get us to buy it. I hope the tribal council has enough sense not to give in. We don’t need your bankrupt property,” said tribal member Jennifer Coon.

On March 23, 2011, a local paper ran the headline “Feds: Poarch gaming legal.” The new Attorney General, Luther Strange, wrote a letter to the National Indian Gaming Commission (NIGC) stating that while charity bingo was allowed in certain counties, “absolutely no amendment to the Alabama Constitution has authorized slot machines or other illegal gambling devices in any county.” NIGC Chairwoman Tracie Stevens wrote a response letting Alabama officials know that under IGRA, as long as any form of bingo is allowed in the state, the tribes are allowed to use all Class II gaming definitions, and are not subject state laws. The Deputy Attorney General Sonny Regan said that some machines “currently operated by Poarch may actually be considered Class III slot machines...we realize that Native American tribes can operate Class II bingo machines in Alabama, but we have some concerns some machines are actually Class III slot machines” (Tindell, March 23, 2011). Even with a new governor in the state house, Poarch will continue to have to deal with questions of why electronic bingo is legal on lands held in trust by the federal government. Maybe the next Attorney General for the state of Alabama will have at least be knowledgeable that there is an entire subsection of legal studies known as Federal Indian Law. And perhaps, even read some of the precedents and decisions affecting tribes in relation to state governments before attempting to shut down Poarch’s success.

## *Alabama Native, Alabama Neighbor*



**Figure 24: Opening pictures from poarchneighbors.com**

The Poarch Band of Creeks recently began a campaign entitled Alabama Native, Alabama Neighbor to attempt to get Alabama residents to consider the Poarch Band as part of the Alabama community. With so much strife between the Alabama Governor and Attorney General and the tribe constantly in play, the Poarch Band had to come up with a strategy to address the kinds of rumors and incorrect information being spread by the rumor mill in Alabama. From the moment the tribe had any sort of income, they have always given back to the community: in the form of money for schools, especially, but also in tribe-wide organized fund raising events like the cancer research Relay for Life, or a newly implemented Creek Idol (which is run like American Idol with proceeds going to cancer research). Even before the Wind Creek Casino opened, the tribe was constantly giving money to help out neighboring communities: during Hurricane Katrina, Hurricane Ivan, and during the BP oil spill that greatly affected the Gulf Coast. These commercials are all posted at poarchneighbors.com.

“Long before Alabama children played football, they played stickball.” So begins the “Pride in Poarch” commercial made for wide distribution in the state of Alabama with scenes from a stickball game between Poarch Powwow Club members. The commercial

features Alex Alvarez, Cultural Educator for the tribe, speaking about the importance of placing Creek culture in the center of activities provided for Creek children. Footage of the Poarch Powwow Club with girls' fancy dancers dance across the screen. In response to those who do not believe that the Poarch Creeks are "real Indians" or that they do not carry on any traditional native culture, this commercial allows viewers to see examples of what Creek culture looks like (through stick ball) as well as invite the public to the Poarch Creek Pow Wow (which is always on Thanksgiving Day and the Friday after). With the students pow wow dancing in the commercial, viewers get a piece of what a pow wow might look like. This is important because the Pow Wow remains the biggest cultural event of the year for the Poarch Creeks. With Alvarez as the Creek language teacher as well as Pow Wow club leader, viewers are also able to see the ways in which monies earned from gaming are able to help fund cultural activities.

In "Believers Like You," Tribal Chairman Buford Rolin begins the commercial with "The Church is so important to us all," while pictures of Dr. and Mrs. Macy are shown in the background. He describes the missionaries that came through the Episcopal Church and how important they were in addressing health and educational needs. "Today, the tribe has its own health clinic, and has donated over \$1 million to local schools. Robert and Anna Macy's work has never been forgotten." The scene bleeds into a picture of Chairman Rolin sitting in a pew in St. Anna's Episcopal Church—a church that he attends regularly, and serves as a lay reader frequently. At the end, the viewer reads "The season to celebrate our people" and was debuted during the Thanksgiving and Christmas holiday season. The message to Alabama viewers? That Poarch Creeks are religious and celebrate Christmas too. Before the Governor made

Poarch his target, many Christian groups rallied against any form of gaming in the state. When a legislative measure was brought forth to create a state lottery to help the educational system in Alabama, as it has done so tremendously in the neighboring state of Georgia, Christian groups mobilized to block it. This commercial seeks to show the Alabama community not only the humble beginnings with Robert and Anna Macy helping the community, but how the Poarch Creeks have turned around and are now helping the wider Alabama community with education and health initiatives.

In “Blaze,” the commercial starts with “Meet Blaze, he’s fired up to find bad guys” and describes the decision of the Poarch Band of Creeks to buy the bloodhound, Blaze, as the Alabama Forestry Department had no money to buy him or fund his training. Linda Casey, Alabama State Forester, is featured in the commercial and says that Blaze will be able to pick up the scent of arsonists and track them down. Chairman Rolin says, “The Native community, we’ve always been concerned about the earth, and the land, and how we protect the environment.” Linda Casey follows up that statement with “Their love of the land, and taking care of that, and more importantly their love of people—Blaze will be able to help us find and take care of children, and elderly, who might be in a fire.” This is an interesting commercial as it evokes stereotypical images of Native Americans as caretakers of the environment. All of these commercials emphasize how much the Poarch Band has given back to the community. But why was there a need for this type of campaign to promote the actual tribe, rather than merely the casino?

Arthur Mothershed, Chief Financial Officer of the Wind Creek Casino, and Tribal Council Treasurer at the time of this interview, offers a perspective on that. His

sentiments echo the arguments made about need-based sovereignty that Cattelino argues.

He says:

Went to school in Atmore, graduated in 1986. Not really any problems there. When I was in school amongst my peers it was becoming cool to be an Indian. My mom was part of that group that went to a separate school during elementary years, but when we were coming through, there were some “those Indians” or “those damn Indians,” and didn’t appreciate having us around after our recognition, but there was a lot more jealousy, and we are going through a bit more of that now. Even after we were recognized we got some monies, but the tribe was still very poor. We had rental units and some emergency assistance. The jealousy factor wasn’t there, so it was not frowned upon.

Obviously in some of our elders it was not the case. Even in the white community, they still harbor resentment to the tribe for whatever reason...or maybe its just pure racism. As the tribe became more successful, anti-Indian has resurfaced. They see this beacon out of the landscape on [Interstate] 65 and it is hard for some of our neighbors not to be jealous.

It was out of this jealousy and resurfacing anti-Indian sentiments that the public relations campaign, with the previous commercials, was developed.

The PR campaign came out of these anti-Indian sentiments. People will say “Atmore doesn’t like Indians” and that doesn’t hold true across the board. When I came on board in 2003 working for the tribe, there were people who didn’t like the tribe, didn’t understand the tribe. We weren’t well known. No one knew about the tribe or knew what the tribe was and what the tribe stood for. It was like 65-70% citizens of the state of AL never heard of who we were and didn’t know there is a federally recognized tribe in Alabama. It was early on, and we started to work with some of the political leaders in the state, understanding that if we were going to pursue what was in the best interests in the tribe we needed to have allies. Even though we are a sovereign entity, gaming was a big thing and you can’t just go out and build a casino and offer whatever you want. We understood that we needed allies. As we began talking to those people in the state, we realized that when it came to the tribe, they were very uneducated. Per caps [payments to Indian tribal members] was all they thought would happen. Reading throughout the nation where per caps have been a problem...that was the first thing that came to their mind.

They thought we were building the casino so our members wouldn't have to work. A lot of the leaders started to realize that this tribe is different from some. Most tribes have done a great job, but there are some that didn't...just because we had a casino didn't mean we had all the money...some of our wishes we still can't fulfill.

Initially when they realized we were piling money into education and healthcare...they are more about job creation than individual wealth...as we expanded services, we go up [to Montgomery] yearly and tell them what we are doing.<sup>86</sup> More and more they have begun to realize that along with the PR, you can see that recognition has increased, favorable rating has increased, overall just...their reaction to tribal gaming in Alabama has increased, it has been a complete 180 as far as how we are viewed. We took the right approach. First, we reminded them that we are one of you. We are proud of where we came from, but we are Alabama citizens as well. That really improved our status in the state.

This is the triumph of the Alabama natives, Alabama neighbors campaign: that broader Alabama citizens were able to relate more to the Alabama natives—the Poarch Band of Creek Indians.

Buford Rolin, current chairman of the tribe, when asked about the current success of the tribal gaming, said:

In 1983, that year became our federal recognition. It has been a wonderful part of my life to have been a part of the tribe and to see that growth. With the number of services that we have to offer our tribal members today. Not only health care, but also education...not only for young people, but ANY tribal member. That's been a wonderful thing for us. I always considered that those were two key areas: health care, education, and providing homes. Now to see these modern homes in our community—brick homes that everybody has, as compared to what people had 50 years ago. But now this tribe is progressed to the point of where with our business ventures and enterprises, gaming is the key, I

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<sup>86</sup> Every year, Poarch has a “Legislative Event” where newly elected legislatures as well as ones that have been in office come together in Montgomery (usually at the Alabama State Archives building) to see the pow wow club perform, and to hear a presentation from the tribe about what it is doing in and around the Poarch community. In 2009, when I was in Poarch doing research, I attended this session. It was the year that Blaze was purchased for the Alabama Forestry Department, and his handler brought Blaze to the event. It was really a celebratory event, and Poarch officials did a great job of conveying their work in the community.

would never have thought I would have seen the day when we would have a 17 story hotel and casino. I didn't know anything about casinos! I knew about Las Vegas...and what was going on there, and later on New Jersey...and then when Indians had the opportunity to have a casino and gaming, it really has just made a difference. The service that it supplements that we are able to offer...it's so nice. We just recently had our celebration of 25 year of recognition. It's nice to reminisce about the old days when we didn't have anything...but now the pride that people have in letting everyone know that they are a member of the tribe.

Chairman Rolin is confident in the new venture of gaming, and sees it as where the tribe needs to go. Even with the problems that arise from the relationship with the Poarch Creeks and the Alabama state government in regard to gaming, Chairman Rolin sees gaming as the key to the future of the Poarch Creeks.

Other tribal leaders do not agree. Some leaders see gaming as a fast cash situation now, but wealth that will not be sustainable over the next generations. Especially because of the difficulty the tribe has in relating to the state government. Eddie Tullis, current tribal council member and long time tribal chairman, says:

If I were in charge, I would hire a biologist and a historian. I hope that the cultural center and that staff we are putting together, but I got some real concerns from the perspective of, I don't think we are putting our emphasis on the past...my optimism is increasing, but my realization is that so much more needs to be done I am disturbed that we have the capacity to do so much more that we are not doing and we are wasting money doing things that are not necessary now. I just feel that...right now, if I was in charge, every single meeting would be presenting requests for historians. We have no inventory of great diversity we have on the property we have today.

We are thinking too much about how we enjoy tonight rather than how we survive tomorrow. And its the old saying that keeps coming back that when the greed of a few exceeds the needs of the group, we are in trouble. And I am afraid we are fast approaching that. I tell people now that I see this tribe at the bottom of the bell



curve, but I am afraid that there is a break in the bell curve that is going to flip over on us. If we are getting prepared for that, it's going to be bad. I challenge someone the other day—one question I would love answered to go to each one of the council members and ask them what is the due date of the loan we have got with Merrill Lynch. One of the things that has come to haunt the [Mississippi Band of] Choctaws so bad, and the same phrase is in our agreement, on that maturity date, if we are not prepared to pay that off that day, they will acquire the right to assume the operation of that casino. That is what is happening at Golden Moon [in Mississippi].

As of 2011, the tribe was able to pay back, in full, the amount owed on the Wind Creek Casino and Hotel property. The tribe made an event out of it, complete with a Patti LaBelle concert and a literal burning of the deed. It was Tullis' idea, back when the tribe was successful enough to begin a general distribution, or per cap, to the tribal members, to distribute the per cap as “birthday checks” rather than a monthly sum. He explains his reasoning:

Why we do birthday checks: I had a situation happen, and I say this with reservation. I know some drug dealers. If you are going to give a per cap, and it is going to come on 4<sup>th</sup> of July, drug dealers all get their stuff on standby, and in 2 weeks they have 30% of that per cap and they are all gone. What happens in Choctaw, 3 of their girls got murdered that day...got per caps, went and got them cashed, and some guy shot all 3 of them. So, you give all advantages to crooks. With birthday checks, they don't know when people are going to get the funds. Plus, you have money coming in all year long if you have young'ens.<sup>87</sup> It distributes out the benefit of it, without creating advantage to the crooks. I went a few times to talk to other tribes to birthday checks. You honor the person who is getting the money---that is their day, and you take away advantage of drug dealers and crooks. Our system is better than anything I've seen yet, and ...I love the birthday checks, it is the best system I have seen used.

But I think that it is much more beneficial to provide services than to give out resources. Our whole issue of outside people

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<sup>87</sup> Young'ens is a Southern term referring to your children. Slang for young ones.

controlling the money...the people in this community ought to realize that if we create service here, people here will take advantage of it. If we give a resource that goes out, 90% of it goes outside of this community. All of us gain individually, but how do we gain tribal wise? We don't, because we don't get to use the benefit. I am opposed to changing our system and I much prefer to provide services than distribution of resources. There ought to be a discussion about that. Have the discussion so they have to think about what they are doing to the tribe. Are we willing to give up 90% of resources of the tribe so they can have a little bit personal gain?

If I had my way we would invest so many resources in this community that every tribal ember around the country would be hunting ways to move back to Poarch, Alabama. We need to have quality of life to be superior so everyone would want to come back and raise a family here. Got to have quality education, quality jobs, quality issues that affect that life. I'd love to see this tribe excel in that and let's see if we can reverse the outflow of our young people. Right now, in just a couple more steps, and you are going to be doing that for the elders. Right now, if we had a really quality adequate assisted living facility, and we had an adequate quality health clinic, just about every tribal elder would come back to Poarch. I don't care where you are living, when you turn 70, you are not worried about your location near as much as your quality of services, and if we just had a quality assisted living facility...we also have to have an adequate health clinic.

Tullis thinks that by opening the tribal rolls to new members, the tribe opened itself up to not being able to provide adequately for the other tribal members. He says:

We bought that on ourselves by putting all of these new people on the roll. Not one time is mentioned in the discussion. When we expanded the roll, our service population is almost 5,000 because when you put a person on the roll, the first generation they get the benefits until they are 19 years old.<sup>88</sup> No one has thought about that extra 2,000 people we have to serve now. We can't service them with that little clinic, but no one thinks about that.

The example that Tullis gives is something that has worried tribal members that live in Poarch since the success of the gaming enterprise brought more people back to Poarch to

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<sup>88</sup> First generation refers to the children of tribal members who do not have enough blood quantum to be added to the tribal roll.

only reap the benefits of being a Poarch Creek, at least in the eyes of those who have dealt with the racism and other unpleasant parts of living at Poarch. Tullis says:

First day I went to Pensacola, and I took the roll, picked out 10 people who were put on roll since last election. First four people I went to their house, not a single one of them had ever been to Poarch, two didn't even know where Poarch. "My granny or my sister looked up all the stuff and I signed a piece of paper and I got that letter that I was on the roll..." next person was 64, just got on the roll. And he was angry. He told me that he went down to Staples and bought him a calculator, and the reason he did that was he had seen the billboards saying we was giving away \$60 million a month, he could divide it by 2200 members...his question to me was "who gives y'all permission to spend my part of that money?" And he got really angry because he called and he wanted someone to bring his medicine to him. He didn't understand that with all of the people we have working up here, why we couldn't bring his medicine to him. Here is a person that just got put on the roll for a year. So, some people perception of what being a tribal member is, is really distorted. It is really bad.

But, in terms of the gaming situation in Alabama, Tullis says, "We have a great opportunity if we don't let it slip away from us."

Tribal member Josie Manaic says that being a Poarch Creek Indian gives her pride in herself and her family. She says:

Just from a pride standpoint, to be able to look back and trace my ancestry back to the first settlers of the United States, because I do believe that when you read up on Indian culture, when you hear people talk about family or taking care of your people and you read back...you hear people today, and you read back, you realize that is what tribes did all along. The more things values change and trying to get back to family...the tribe has that all along, they've never changed. We have always respected our mothers...just it's more of when you look back you can see so many things to be proud of it's hard to put it into a couple of sentences. As part of a mixed tribe, I have other roots, but when you talk about your tribal ancestry, it brings up a whole 'nother set of emotions that you realize what our people went through, even our brethren in Oklahoma and how difficult times that anyone can dredge up and the history of my people and how they went through this...but when you realize it, that our set of people welcomed other folks.

Even though we were treated the way we were, we are still here and still invite people in. It makes me proud to come from a set of decent good people. We haven't changed over time, we hold the same values. The values of welcoming people and having hospitality for those who come. Even those who have treated us badly.

Even as Poarch Creek tribal members look back at those who have treated them maliciously, they look towards a future where the category of being Poarch Creek will not cause negative reactions. Even after all of the problems that Governor Riley caused for the Poarch Creeks in his targets against Indian gaming, when he visited the tribe (unofficially, as he did not want any publicity of him on the reservation or talking with tribal leaders), he was shown the utmost respect and hospitality. He was even given a star quilt made by the elders of the community when he left.

When asked about the future of the Poarch Creek Indians, CFO Mothershed looked forward to the day when the Poarch Band would be able to provide all basic needs for tribal members. He says:

Time is relative, so it is difficult, but the way I see it headed is at some point, the tribe will be in a position that it can fully cover all of our tribe's basic needs—housing, healthcare, food, and education. We have a good start on all of that, but I think that if we continue to make good business decisions, because a lot of us still have that and want to look short term, but the philosophy with the elders program is that when we started it, we wanted to make sure it was self sufficient program.<sup>89</sup> At least we are putting enough in it, so it can sustain itself. So that mindset, and even though that has hampered some other things like education...if we funded those yearly or annually...then we would have had more money to put in other pots...but we identified long term help, so if something happened to our other operations, these are self sufficient. We want them all to come back, but if something happened, they could go out and be productive elsewhere. We are continuing to do that, and by taking that path, 10 years from now all of these programs are fully funded and we just won't know what to do with the rest of this money. In 10-15 years we will be

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<sup>89</sup> Elders over the age of 60 receive a monthly income supplement from the tribe.

able to fulfill all basic needs, and will be looking for other opportunities daily to help out. I believe that we will be a powerhouse, but people will actually look at the tribe and look at us as a model. Combine government and business, that's the right way.

The success of the Wind Creek Casino and Hotel in the long term is not certain, but for now, the tribal leaders and tribal government will do their best to use its current success for the good of the people.

Going back to Cattelino's arguments about need-based sovereignty, she writes:

The double bind of need-based sovereignty for indigenous peoples is not universal across space and time, but it is a modality of settler colonialism that has a variety of patterned effects. Among them are the unique barriers that face American Indians who attempt to gain economic power while insisting on their political and cultural Indianness. Corollaries include the weakening of indigenous sovereignty by its association with need, the consolidation of indigenous citizenship as failure because "successful" economic citizenship is coded as assimilation, and the recategorization of economic transfers based on treaty rights and federal-tribal trust relations as welfare benefits (and of indigenous citizenship as wardship). Taken together, these effects undermine indigenous economic and political power alike. Gaming wealth may be unexpected, but we should not take it to be anomalous, lest such an assessment turn into a self-fulfilling prophecy. (254)

This is apt in the face of the Poarch Creeks in regard to the obstacles that have presented themselves to allow for Poarch Creek economic stability and success. Questioning of Poarch Creek "authenticity" and whether or not Poarch Creeks are "real" Indians based on the fact that they do not "wear feathers" any longer. Cattelino's point that successful economic citizenship is coded as assimilation speaks broadly to the way in which Poarch Creeks are perceived by Alabama state leaders. And Alabama does everything it can to undermine Poarch Creek political and economic power. Given all they have accomplished in recent decades, however, it is unlikely that the Poarch Creek will ever give up easily.

## Chapter 8

### “Sponsored by the Poarch Band of Creek Indians:” Poarch Creek Pride



Figure 25: Welcome to Atmore sign, sponsored by the Poarch Band of Creek Indians. (Photo courtesy of Wayne Fayard).

It is late summer in Alabama. Summer in lower Alabama (or LA as some locals refer to it) is indicated by oppressively hot days with rarely any breeze along with hot, muggy nights that feel like you are in a sauna. And of course, there is always the threat of hurricane season. I am in LA—close to the town of Atmore, but more specifically on the Poarch Band of Creek Indians Reservation. The reservation, or Creek Nation as most

people who live there refer to it, is about five miles from Atmore (population 8,000). Pensacola, Florida is about an hour to the Southeast and Mobile, Alabama is about an hour to the Southwest. People from Poarch rarely make trips to those “big cities” unless they want to visit the mall or go to the movies. Most people settle for going half an hour to Bay Minette to the Wal-Mart if they want for anything.

I spend at least part of each of my days in Poarch sitting on the porch at my grandmother’s house. All of her grandchildren call her “Granny” and a lot of her great grandchildren as well as some people who are not even family, call her Granny Lucille. She is the matriarch of the Sells family clan. She is 83 this year, but one would never know it. Her spirit is young. She loves to laugh; you can see it in her face. She continuously has a twinkle in her eye as if to say “I know something about that, and I just might tell you.” Do not be fooled by her willingness to joke, however. Put one of her own in danger, and she can be “as serious as a heart attack.”

Granny lives in a blue HUD house that sits about 200 yards back from the main road, Jacks Springs Road, that runs through the entirety of the reservation. Her house is situated directly across from the former fire department, the current police station. She knows when anything happens in Poarch. If she does not know what is going on or why the fire truck/police car/ ambulance has just gone by, it is not very long before someone calls her to let her know exactly what has transpired. She loves telling stories about the house that was located on the property before the tribe built the new house for her. The old house was moved from a white farmer’s family in McCollough (about 5 miles north of Poarch) to its location on her land. After it was on her land, she mentioned to my late grandfather that she would like for it to be painted green. She told me later that the green

she had in mind was a nice, soft, subtle green. The mistake, she thinks, was not explaining that to my grandfather, who promptly painted it with the brightest green paint he could find. She said as she was driving from Atmore, as she came around the big curve that indicates entry onto the community, she could see her house from miles away—it was so bright you could have seen it when it was dark outside, she says.

The front porch is one of the main visiting areas of the house. People who come to visit inevitably migrate towards the porch—that way you can keep an eye on the goings and comings of other folks in the community as well as get your own visiting accomplished. As soon as you walk through the door you know that Granny loves her family—there is an entire bookcase filled with nothing but pictures of children and grandchildren. There are at least 200 pictures on the shelf—some in frames, some without. What is striking is that she always remembers who is in each of the photographs. If it is not one of her biological children, grandchildren, or great-grandchildren, then she knows how she is related to the person (whether it is her grand nephew or great grand niece) and exhibits them with pride.

Walking into the living room from the porch, you know that family is the most important thing to her. Gifts from holidays and birthdays past fill the walls. Whether or not she likes it, whether or not it matches other pieces of décor, if someone took the time to buy it for her or decorate it for her, she is going to proudly display it. This includes a wide range of things from paint by numbers painting that my Aunt Pat made for her to the framed two-dollar bills that I have given to her (she likes to collect old money) to wood carvings that other grandchildren made her with welding tools. She seeks to make people feel important by displaying whatever she is given.



The stories she tells of the difference in the way that Poarch was before I was born—and the way that it operates now—is “the difference between daylight and dark.” Creek Nation has changed dramatically since the 1970s. Before, the American Indians that lived here were poor and most lived in extreme poverty. Those that could help each other out did, but most families lacked. Men were able to find work as sharecroppers, cotton pickers, and part time farm hands; women found work as housekeepers, laundresses, and caregivers for white families. Few people even bother to ask questions like the ones I am asking her; the prominence of the elders in my community is fading fast. I think this is one of the reasons why Granny does not question why I am asking her all of these things about the past.

The best way to get Granny to talk is to drive with her around the reservation and let her point out what things happened in each place. When we go to the Judson Baptist Cemetery, she asks “You do know that a black man had to give us this land to bury people on, right? At that point in time the white people stole all the land from the Indians. We had next to nothing left. Then a black man gave us some land to bury people on. He is buried on that land plot too, but as far as I know there is not a headstone for him. It must be unmarked.” I notice, too, that there is a difference between the land the Indians are buried on and the land the whites are buried on. The cemetery is segregated. On the left hand side, closer to the church, there are: live oaks (shade trees as they refer to them in Poarch), white picket fences, benches for people visiting graves, elaborate marble headstones. The Indian side has not fared as well. There is one tree in the far back corner. Many of the graves are unmarked—a lot of these graves are just small slabs of cement—only big enough for a child. Granny points out that a lot of the

graves actually are for children, but that their families could not afford to put markers on them. Thus, many people have forgotten who was buried there and who their relations were.

Driving down Calvin McGhee Drive (named after Chief Calvin McGhee who was instrumental in gaining Federal Recognition for Poarch), we pause at the top of a hill where many a HUD house now pepper the fields. “Your Aunt Hattie was born on the top of this hill in the old schoolhouse.” The schoolhouse is long gone; softball fields now occupy the land. Granny tells a story about how when Hattie was born, they thought she would die. “She was too small.” It is a nice feeling to just listening to her stories. She knows so much about the history and lay of the land.

We continue our drive across the landscape, and as we go she points out places and people. Otha, the man who raises beans, squash, corn, and “greens” (which can be collards, turnip greens, or mustard greens) lives across the street from the Calvin McGhee Cultural Center on Lynn McGhee Drive. He is out tending to his gardens today, but many days he loads up his old pick up and drives around selling his produce by the bushel. More often than not, when it is bean or pea season, everyone who stops by Granny’s house ends up shelling peas or butter beans while sitting on her front porch sipping sweet iced tea.

Granny has not always lived in Poarch. At one point in the 70s, she and Papa moved from Poarch to Michigan (where, she does not remember) to find work. Granny, Papa, my uncle Melvin, and his wife moved to Michigan. They had never experienced any winter like the one they got here in Michigan. She loves to tell me the stories about Michigan when I come home—about the time that a boy came by to offer to clean off the

sidewalks and driveway of snow for a fee, and she and my aunt decided they would do it themselves. She laughs heartily when thinking about how they attempted to clear the snow from the sidewalks, but how they kept falling down on the ice and the slippery snow. She remembers the cold vividly; every time I go back home to visit, she tries to give me one of her old jackets because she remembers how much they needed better coats when they moved from Alabama to Michigan.

While we continue driving, Granny can't help but remind me that she has been driving for decades but only has her "running license." This is what she says when she talks about the fact that she does not have a legal license, so that in the event that a police officer would attempt to stop her, she would just have to keep running. She has faced and seen other people in the community experience a lot of discrimination, including by officers of the law. The implications of being discriminated against by police officers contribute to her uneasiness in being around them. On the reservation, it is different. The police officers here are mostly Indian. Nicknames are frequently used on the reservation, and these extend to non-Indians who are working in the police department. "Robocop" is the police officer who will write you a ticket no matter how good of an excuse you have. "Willy hop" is the nickname of William Rolin.

Granny's husband Milton "Half" Sells worked for years as the night watchman at the local cotton gin. He drove around all of the cotton warehouses to make sure that no pranksters or thieves were trying to steal the cotton or damage the gin. Because he was involved in the cotton gin, when my cousins and I were little, and because one of my uncles was a farmer, Papa regularly recruited us to "pack" the cotton into the trailers. "Packing" cotton meant to get on top of a transfer truck trailer size basket and jump up

and down on it like a trampoline. I still see young children on the side of the road from the reservation who are “helping” by packing the cotton. When Papa worked at the gin, it was located next to my aunt Tera’s house. On days when Papa got paid, when they woke up, Tera’s three daughters each found a piece of peppermint and a dollar. He gave the other grandchildren these treats on a daily basis.

Granny took care of wealthy old people until they died; she was usually hired by the families of the person in need. We would visit her in the homes of these bed ridden people. Usually the patient really fell in love with Granny’s family. People were constantly in and out to see her; the patient barely received any callers from his or her family. Beginning with Mr. Ficklen, Granny took care of these poor souls as she would have any member of her family. At one point in time she was working in a house with three bed ridden sisters. Her last job was with a woman who left money in her will for the care that Granny had given to her. Once my grandfather got sick, she left work to take care of him. Their basic schedule, after he became ill, consisted of the two of them waking up, Granny making him breakfast, then settling Papa down in front of the TV to watch Westerns. Westerns were his favorite type of show. I asked him once “Papa, why do you love Westerns so much and watch Westerns all day long? In them, they are always mean to the Indians, and most of the time, the Indians always lose. They get killed a lot, and they never get what they want.” His reply to me was “Yeah, but every time I watch it, I think this could be the time that they *might* win.” He was always hopeful that one day the Indians might defeat the cowboys. He enjoyed the movie *Dances with Wolves* even though the Indians do not “win,” they are portrayed in a favorable light: something in which it is rare to see Indians in Westerns. When he died,

Granny was sure she had done the best job that she could have taking care of him. He never made it easy for her, but they were married for over fifty years. As Granny says, “If that ain’t something, I don’t know what is.”

Just as Granny has been there for Papa when he was sick, so she has also been there for her children and grandchildren—as well as those children and grandchildren that are from the community and not necessarily from her family. When someone needs a place to stay, the person they call on is Granny. She has a few extra bedrooms in her house that she has added on here and there. Anyone who needs a place to stay is welcome to do so. Sons, daughters, and multiple grandchildren have weathered out hard times under her roof. She makes it clear that anyone is welcome—whether or not there are issues with the law, or whether they are just down on their luck. She has even allowed people to stay who are having issues with addictions to drugs or alcohol. “If I don’t let ‘em stay,” she argues, “who would?” She has a good point. In many cases when people arrive on her doorstep, they have pissed everyone else off—she is all that is left. And while she is the first to become “bent out of shape” towards someone if they have hurt her or a member of her family, she has infinite patience when it comes to allowing family members the time that they need in order to recuperate and figure out what they need to get done.

Although Granny is not rich by any sense of the word, as she is always opening her home to family, so she also tends to open her bank account. The only income she has is from Social Security, but she has done a good job planning her financial situation. She still has a little nest egg stashed away in savings, but she lives check to check each month. My mother does all of her banking. That way, when she does not want to allow

people to borrow money, my mother is willing to take the blame. Pretty much any time you stop by her house, you may run into someone who is either coming to borrow money, or maybe dropping off some money in repayment.

When we return to Granny's house, the lunch crew is there waiting for her to get lunch together. Grandchildren who work in the area all tend to stop by Granny's house for lunch. Usually when I am going to be in town, I know what the menu will be: lima beans (seasoned with lots of bacon), fried chicken, rice and brown gravy (she is known for the best brown gravy in Poarch), macaroni and cheese (from a box, but topped with extra slices of American), pink eyed purple hull peas (also seasoned with bacon), and your choice of cornbread or biscuits (or both if you prefer). She knows that when she makes this meal, she also has to call her son Darryl to stop by on the way home from work because he loves her lima beans as much as I do. We all fix our plates and crowd around her kitchen table to eat. Some eat in the living room. There are usually a number of children running around, playing, breaking things. When their respective parents try to discipline them, Granny always reassures the kids by saying "It's alright—you go ahead and play like you want to." My mother and her brothers and sisters reiterate time and again just how mellow Granny has gotten in her old age—they would definitely have gotten disciplined. She tends to be more mellow with the grandchildren, and even *more* mellow with great grandchildren and so on. Usually these kinds of family "dinners" occur before I am going back to Michigan to continue my studies. Granny always says before I leave, "you know we are proud of you, don't 'cha?"

I feel fortunate to be an anthropologist who studies my own family, my own people. If it were not for me, I do not think that anyone would be asking these kinds of

questions of our origins, of the way that things have worked before now. It is inevitable that change occurs, but in my tribe, on the Poarch Creek Reservation, these changes are happening at exponential rates, considering that there is now a casino with sixteen story hotel (the largest building within about 60 miles), and money is becoming more readily available for tribal members to use for college. Seniors are now getting a steady income from the tribe. Things are changing, as cultures do. I just hope that with the change the community does not let go of the knowledge of the past, and I hope that this dissertation helps those memories stay alive.

The scene in Poarch today is very different from the struggles and poverty described in much of this dissertation. May 31, 2011 marks the opening of the newly created Boys and Girls Club of Poarch. The Museum/Welcome Center that is in the process of museum exhibit design is already open with a gift shop. Tribal members who stop by the gift shop buy shirts, hats, and other memorabilia that shows off their pride in being a Poarch Band of Creek Indian. Daily requests are made to the gift shop about when tribal members will be able to purchase tribal flags and sticker decals for automobiles. Not only is there pride in being a Poarch Creek, there is a need to express that pride and show tribal membership to everyone. Interestingly, the nearby town of Atmore, still refuses to allow federal building projects that help Native American first time home buyers build houses in Atmore, while taking money from the tribe to help offset financial crisis in the city budget. Poarch has helped pay for schools (including having the electric bill of one school sent directly to Poarch instead of the school itself), volunteer fire department needs, and helps raise money for local charities. In addition, the Poarch Band of Creeks employs thousands at the casino, but also in its other

businesses including Muscogee Inn, Muscogee Metalworks (which currently has contracts from the Department of Defense), Perdido River Farms, a set of apartment buildings, Magnolia Wild Life Preserve, a gas station, and Premier Family Eye care (which is located in the Health Department building in Poarch, but is open to the public). Even so, there are individuals who seek to take advantage of the tribe, tribal members included.

Relations with the town of Atmore continue to be tense. Many residents believe that Poarch Creeks do not look like “real” Indians, and therefore should not be any more able to operate a profitable casino than other residents. Others are outraged that they are not able to meet the qualifications to be placed on the tribal roll. Yet, this dissertation has shown that the Poarch Band of Creek Indians, while they do not fit into a stereotypical assumption of “Indianness,” continue to be a distinct group of people that practices its own culture. The Poarch Band of Creek Indians will continue to thrive. And even if hardship occurs, the community has shown that it has the ability to come together to weather the storm and survive.

This dissertation tells the story of the so-called “forgotten” Creeks in their transformation from being the poorest residents in Escambia County to being the largest employer in Escambia County, and one of the largest employers in the state of Alabama. Throughout the decades, the Poarch community has been strategic in achieving their goals: from Calvin McGhee donning a Plain-style war bonnet and attending the American Indian Chicago Conference, to using research by J. Anthony Paredes in obtaining federal recognition, to achieving access to equality in education and today offering all tribal



members significant scholarships. Poarch Creek tribal members have proven time and again that they are not victims, but survivors.

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