Collierism and Communism in North Carolina: The American Indian Federation’s attack on the Indian Reorganization Act of 1934 in the Qualla Boundary

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By

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“Under the Indian Reorganization Act the Eastern Cherokees are being Sovietized and impressed into atheism” declared American Indian Federation secretary, Alice Lee Jemison at a Congressional hearing in 1937. With the initial passing of the IRA, also known as the Wheeler-Howard Act, a majority of Native tribes agreed with the new changes to the indigenous way of life. The proposed act allowed for a return to traditional customs and attempted to save their cultures before assimilation ultimately destroyed what had not already been lost from memory. Some Native peoples including Alice Lee Jemison however, saw the provisions as communistic and as an attempt by the Federal government to thwart the advancement of Native tribes. Still, many tens of thousands of Native Americans disapproved of the way in which they were saved from assimilation, due to the disadvantages it could place on their people’s ability to advance and succeed in the modern world.

Alongside Alice Lee Jemison, Fred Bauer and his wife Catherine openly opposed the Indian New Deal modifications, primarily through the organization known as the American Indian Federation. The group’s main goals were to abolish the Bureau of Indian Affairs and remove its Commissioner, John Collier. By doing so, the AIF believed Native Americans might finally be able to become equal citizens in a white world. The dissatisfaction of Native tribes with the Federal government and the dominant culture existed since nearly the inception of the United States and only intensified through such actions as the Trail of Tears. Fred Bauer proposed an end to this relationship with the government and what he considered to be communistic legislation that affected Indigenous tribes during the Great Depression. By drawing on the anti-government attitudes of Native Americans, he attempted to stop Federal development that in part hoped to transform the Eastern Band of Cherokee into a mere tourist attraction.

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1 Alice Lee Jemison to Josiah Bailey, Feb. 24, 1937, Rubenstein Library Archives (RLA), Josiah William Bailey Papers (JWBP), Box 314.
Since its inception at the passing of the Wheeler-Howard Act, the American Indian Federation played a major role in attempting to change legislation focused on Native Americans and fought to end government ward ship over Indigenous peoples. Many historians who wrote on the topic of the Eastern Band of Cherokee during the Great Depression acknowledge the AIF as playing a role in the disruption of Federal intervention in the Qualla Boundary, but they refrain from charging the organization as the main force behind the stagnation of Tribal Council decisions. Francis Prucha’s extensive two-part work titled The Great Father: The United States Government and the American Indians offers an analytical view into the relationship between Native peoples and the U.S. government and in doing so, places the Indian New Deal as a major subject in the latter part of the book. Consequently, the AIF is described in great detail during this section and provides a good understanding of the motives of Alice Lee Jemison, a prominent member of the organization who was part Cherokee and a friend of the Bauers. Prucha also helps to show the extent to which the AIF was successful in turning Native peoples in general against the passing of the Indian Reorganization Act. Laurence Hauptman’s article on the AIF and New Deal is probably the most thorough analysis of the organization and delivers a different perspective on understanding the actions of its members, including Jemison and Fred Bauer, by showing that the AIF’s, “last principle—the call for the abolition of the BIA—is the essential ingredient in understanding the organization, its origins, and its opposition to the Indian New Deal.”

The Indian New Deal itself is best understood by knowing the motives and history behind the man at the forefront of its passage, Commissioner of Indian Affairs at the time, John Collier.

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Kenneth Philip’s book, *John Collier and the American Indian, 1920-1945* helps to comprehend why the IRA included the provisions that it did through Collier’s history as a proponent for Native rights, most specifically his hatred of assimilationist policy that had destroyed the traditional ways of life and cultures of Native peoples.\(^4\) In the article *John Collier: Architect of Sovereignty or Assimilation?*, author Elmer Rusco adds to this understanding of the Commissioner by supporting the idea that the IRA was heavily affected by Collier’s beliefs and experiences with Indigenous peoples.

John Finger provides the most comprehensive review of the effect of these issues on the Eastern Band in his book, *Cherokee Americans*, presenting Fred Bauer as a disruption to the implementation of the Indian New Deal, but more in the context of Bauer’s personal beliefs rather than him and his wife’s connection to the AIF as members.\(^5\) Not to say that Finger does not reference the AIF in his work, rather he does not make a strong connection between the organization and Fred Bauer’s motives in stopping the Indian New Deal. Alongside Finger, Dr. Anne Whisnant, author of *Super-Scenic Motorway* offered a correlation between the couple’s AIF membership and the stalling of construction on the Blue Ridge Parkway by saying that, “the Bauers viewed it through the lens of their opposition to the IRA and their suspicion of the overall New Deal agenda,”\(^6\) but again fails to provide a strong link between the anticommunist ideals of the AIF and the prevention of Federal initiatives, concentrating on its effects to the Blue Ridge Parkway.

In reference to the Indian Reorganization Act of 1934, Charles Weeks’ article in the *North Carolina Historical Review* looks at how the law was received by the Eastern Band of Cherokee similarly to Finger’s chapter on the topic. Weeks however, created a clearer connection between the AIF’s role in the controversies over the IRA and the limited success of the law in the Qualla Boundary explaining that, “The Indian Reorganization Act made no profound changes in the social and economic condition of the Cherokee Indian,” and that “Except for minor changes…the life patterns on the reservation remained basically unchanged during the New Deal era.” Although his article concentrates more than any other author on the effects of the AIF in influencing the decisions of the Cherokee Tribal Council, he only briefly mentions the dispute over the Blue Ridge Parkway, leaving out an important part of the Bauer’s fight against the Federal government.

By focusing on how the Indian New Deal attempted to change the way of life for the Eastern Band of Cherokee, the motives of the American Indian Federation and its members are better understood and shows the extent to which they stopped Federal officials from successfully instating these new changes. The AIF’s objections ultimately limited New Deal development in the Qualla Boundary and eventually halted the construction of the Blue Ridge Parkway.

Although John Finger, Anne Whisnant, and Charles Weeks discuss the Bauer’s role in postponing or halting certain Federal initiatives, the role of the AIF in influencing their motives is not fully expressed. This paper hopes to show that by proposing a platform to remove John Collier from office and bring an end to the Bureau of Indian Affairs, AIF members Fred and Catherine Bauer increased the anti-government sentiments in many of the members of the Eastern Band. Therefore, they prevented most of the changes that the Indian New Deal planned,

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causing ramifications that affected development on Indian land during the 1930’s and possibly for many years after.

Even before the creation of the Indian Reorganization Act, the Federal agents representing the Bureau of Indian Affairs made attempts to bring about economic relief and changes to the tribal structure in the Qualla Boundary through several implementations that later formed the basis for the Indian New Deal. The adaptations put in place included the creation of a Native arts and crafts guild, transitions toward self-government, construction and work projects as well as educational reform. These changes expanded tourism in the area and provided Native peoples with, “a much larger and richer life than the present one,” in the words of the Indian Superintendent, R. L. Spalsbury. Although the BIA officials had good intentions, many residents in the Qualla Boundary remained skeptical about the changes taking place and often questioned the authorities in charge. This opposition relates back to the long-standing suspicion by Native Americans of the federal government and laid the groundwork for later protest supported by Fred Bauer and the American Indian Federation.

With the effects of the Great Depression hitting the Eastern Band of Cherokees hard, the few jobs that had existed practically disappeared. In response, the Tribal Council sent a delegation to Washington, D.C. in October of 1931. The Council charged its members with the purpose of bringing, “special attention” to the fact that, “there [were] certain matters pertaining to the satisfaction and well being of [their] people.” With a majority of the tribal members depending on subsistence farming, many faced trouble making ends meet during the economic

8 R. L. Spalsbury to Commissioner of Indian Affairs (CIA), Sept. 27, 1932, Cherokee Indian Agency Files, Record Group 75 (CIAF), Series 6, File Code no. 004.
recession.\textsuperscript{10} Even though members of the tribe typically, “could raise a few garden crops and call on traditional institutions of self-help,” the Eastern Band required relief from the Federal government in order for its members to survive.\textsuperscript{11}

The collection of a stumpage fee on the sale of lumber provided the main source of tribal income for the Eastern Band of Cherokee. Unfortunately, the collapse of the lumber industry prior to the Great Depression placed the Cherokee in the position of, “ek[ing] out a meager living through subsistence farming.”\textsuperscript{12} When Charles J. Rhoads, Commissioner of the BIA prior to John Collier, attempted to divert the stumpage fees to the Federal Treasury in 1932, both Superintendent R. L. Spalsbury and the tribe protested vigorously. Spalsbury wrote back arguing that the stumpage fee provided, “for the relief of destitution among members of this tribe”, and suggested that the Cherokee, “may gain the experience which they will need when they become relieved of wardship”, as a result of handling their own affairs.\textsuperscript{13} This idea of self-government in Native tribes was an emerging concept at the time and formed a major segment of the Indian New Deal that came later. Although the Cherokee had already created a council of their own, pressure from the Bureau of Indian Affairs led to controversy in the next few years as members saw many changes as unnecessary.

With economic conditions worsening, Superintendent R. L. Spalsbury received correspondences from several Cherokee requesting assistance in the form of livestock or direct funding. His response indicated that during this difficult time the tribal funds would help “a number of families on the reservation…who are old and needy and some who are sick and

\textsuperscript{13} R. L. Spalsbury to CIA, Dec 8, 1932, CIAF, Series 6, File Code no. 004.
afflicted.”” As a result of rising demands for assistance, Spalsbury attempted to bring relief through help from the Red Cross in the form of cloth and flour distributions during the winter of 1932-33 and later corn in exchange for work on local roads or in the schools by the Cherokee.\textsuperscript{15} The BIA official was wary of the Eastern Band becoming dependent on Federal handouts and primarily supported the development and advancement of buildings and roads in the Qualla Boundary in order to provide jobs to the unemployed and spark tourism on Indian land.\textsuperscript{16}

With the winter of 1932-33 approaching, the Eastern Band needed assistance in order to help many struggling and unemployed members. In response, Superintendent Spalsbury requested Federal funds to finance construction on a state highway that would extend from Soco Gap to Waynesville. In doing so, the “road will be a great advantage to the reservation as it will open up the best valley” and “gives us our first good highway outside.” A road such as Highway 107 that Spalsbury referenced not only opened up opportunities for Cherokee seeking to sell their crafts or labor, but also provide a possible influx of tourism that might revive the economy in the Qualla Boundary. The tribe initially responded positively as unemployment gripped a majority of households in the Boundary. The Cherokee welcomed the prospect of any job that could help them survive the harsh conditions in the mountains.

The creation of the Great Smoky Mountains National Park at the beginning of the 1930s was a major reason for the updating and advancement of Native roads as tourists from around the country began flocking to the area.\textsuperscript{18} Due to “a number of requests for locations for hotels, garages, auto camps, etc.” with the formation of the new park, Superintendent Spalsbury

\textsuperscript{14} Flonie R. Miller to R. L. Spalsbury, Jan. 22, 1932, CIAF, Series 6, File Code no. 003; Clerk in Charge to Flonie R. Miller, Jan. 29, 1932, CIAF, Series 6, File Code no. 003.
\textsuperscript{15} R. L. Spalsbury to CIA, Oct. 17, 1932 and May 17, 1933, CIAF, Series 6, File Code no. 004.
\textsuperscript{16} R. L. Spalsbury to CIA, Aug. 1, 1932 and May 17, 1933, CIAF, Series 6, File Code no. 004.
\textsuperscript{17} R. L. Spalsbury to CIA, Aug. 1, 1932 and Sept. 1, 1932, CIAF, Series 6, File Code no. 004.
remarked, “That makes prospects for the future at this place rather attractive.” Alongside this development, Spalsbury pushed for building restrictions that required structures to characterize the typical Cherokee lifestyle. Though it attracted tourism to the Qualla Boundary, it also alienated the members of the Eastern Band further from the white population. The push for growth went hand in hand with his proposals for the founding of a Cherokee craft guild, which the Tribal Council approved with a $500 loan on December 8, 1932. Spalsbury noted that the crafts, “will bring a very large number of tourists through here and will afford a ready market for a great deal of their products,” showing his desire to bring about a renaissance of Native art that would benefit the tribe, while preserving the ancient image for tourists to see.

Discontent with development in the area arose out of these changes partly because of the image Native Cherokees now felt obliged to present in return for economic stability. Fred L. Weede, a member of the Asheville Chamber of Commerce, emphasized this perspective by asking, “Would it not be possible to have this building [Council House] erected as a facsimile or a near approach to the ancient tribal house of the Cherokees…so that the tourist passing through could see it, photograph it and otherwise talk about it when they went away from here?” In May of 1933, the Asheville Citizen-Times further promoted this image by emphasizing the need for the Cherokee to sell bows and arrows as well as blow-guns, writing very little about the true art of basketry, pottery, and other craft making that made up a larger portion of Cherokee work. Members of the tribe hesitated to support the expansion of tourism in fear of becoming an exhibit for white people, rather than gaining recognition as equals.

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19 R. L. Spalsbury to CIA, Sept. 27, 1932, CIAF, Series 6, File Code no. 004.
20 R. L. Spalsbury to CIA, Sept. 27, 1932, CIAF, Series 6, File Code no. 004.
21 EBCCM, Dec. 8, 1932, NCSAR.
22 R. L. Spalsbury to CIA, April 28, 1932, CIAF, Series 6, File Code no. 004.
23 Fred L. Weede to R. L. Spalsbury, Mar. 21, 1933, CIAF, Series 6, File Code no. 007.
24 Asheville Citizen-Times (ACT), May 7, 1933, Pack Library, Asheville, North Carolina Collection (PLANC).
Superintendent Spalsbury also introduced educational reform inside the Qualla Boundary. Due to the assimilationist policies that were enacted by the Dawes Act, the schooling of Native children had been handled through the creation of boarding schools, such as the one constructed in the Soco Gap. Required to stay away from their families in order to learn in a Eurocentric style, students forgot their cultural and traditional teachings. In a letter sent by Spalsbury’s clerk, the writer indicated that, “this school is conducted very much in the same manner as the western schools,” in reference to government boarding schools on larger reservations.\textsuperscript{25} Superintendent Spalsbury and later the IRA attempted to dismantle these programs so as to bring about an education that he and others believed to be more suitable for Native Americans. The Superintendent found an answer through, “a complete reorganization of [the] program eliminating so far as possible the boarding school” and replacing this with day schools that allowed Native children to spend more time at home and therefore be closer to their parents and culture.\textsuperscript{26}

With local schools in neighboring predominantly white counties refusing enrollment to Cherokee children, the change to day schools that accommodated more students made this shift even more sensible.\textsuperscript{27} The Tribal Council approved Spalsbury’s request for land as a site for the day school in May of 1933, although only four members voted for the construction with none against, assuming that the other members were either not present or had no opinion. In the council minutes however, Superintendent Spalsbury neither describes the difference in a boarding and day school nor discusses why this change is occurring other than that the government wished to continue to provide an education to all young Cherokee people.\textsuperscript{28}

\textsuperscript{25} Clerk in Charge to Mrs. E. Lee Kohler, Feb. 26, 1932, CIAF, Series 6, File Code no. 003.
\textsuperscript{26} R. L. Spalsbury to CIA, Sept. 5, 1932, CIAF, Series 6, File Code no. 004.
\textsuperscript{27} R. L. Spalsbury to CIA, Dec. 27, 1932, CIAF, Series 6, File Code no. 004.
\textsuperscript{28} EBCCM, May 4, 1933, NCSAR.
After the construction of the school, Spalsbury described in more detail his plans for changes in his letters to the Commissioner of Indian Affairs, now John Collier. In them he describes a shift to more vocational learning that the Indian Reorganization Act incorporated not even a year later. “We are giving courses in pottery and basketry at the school this year” he wrote, adding the economic benefits that extended from this change due to the payment of Cherokee as instructors in the school.29 In May, he wrote again on the subject in more detail proclaiming, “Our program of education will be wider than the classroom” in reference to the development of handicraft as well as agricultural classes that replaced the assimilationist curriculum in place. “They will not require foreign language or higher mathematics to live a good life here”, but instead focus on, “activities, informations, skills and attitudes based on their inherent qualities and characteristics and on their environment.”30 The move from academic learning to vocational appeared a more sensible solution for BIA officials in advancing the Cherokee people within their own communities. They did not realize however, that many Native Americans who had already assimilated wanted to exist as equals and have the same opportunities for advancement in society as whites. By reverting their education back to traditional methods of survival, many Native peoples feared an inability to cope with the modern world.

On June 18, 1934, Congress approved the Wheeler-Howard Act, also known as the Indian Reorganization Act, affecting Native Americans across the country. Its main proponent, Commissioner of Indian Affairs John Collier sought primarily to reverse the evils of the Dawes Act that he experienced first hand in his visitations to Native reservations. Unfortunately, Collier placed importance around issues in the bill that he personally believed were overarching issues.

29 R. L. Spalsbury to CIA, Jan. 12, 1934, CIAF, Series 6, File Code no. 004.
30 R. L. Spalsbury to CIA May 18, 1934, CIAF, Series 6, File Code no. 004.
for Native peoples rather than asking them beforehand. Although both the House and Senate weakened the IRA before its approval, its main goals were to provide Indian self-government, shift education to a more vocational learning style, bring an end to the allotment system, and stop Federal oversight of tribes. The policies championed by the bill however, did not take into consideration the vast differences between tribes across the country and in the words of Laurence Hauptman, “applying uniform policies nationwide through one law to people as diverse as Native Americans” was a, “fallacy.” Ignoring these distinctions set the bill up for failure and a lack of approval by a large percentage of Native American peoples.

As part of the lead up to its passing, Commissioner Collier asked his Superintendents to brief the Native councils on aspects of the bill in order to see their reactions and allow them to give input on the new act. When Superintendent Spalsbury reported the Commissioner’s wishes to the Eastern Band of Cherokee’s Tribal Council, he received better responses than many of the other Superintendents around the country. Vice Chief Fred Bauer later wrote in his personal history of the Eastern Band that Chief Jarrett Blythe alone told Federal officials that the Tribal Council found the IRA satisfactory, while “The Indian voters knew nothing of it.” Just a month before the authorization of the Wheeler-Howard Act, the Tribal Council unanimously approved the self-government section of the bill requested by R. L. Spalsbury. The Tribal Council and Band members however, saw the act as a whole unnecessary in that they already functioned under similar practices, especially with the changes to education and the establishment of the arts

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35 EBCCM, May 4, 1934, NCSAR; R. L. Spalsbury to CIA, May 15, 1934, CIAF, Series 6, File Code no. 004.
and crafts guild within the previous few years. The bill did not go into full effect though until the tribe held a referendum vote; the first of its kind to allow Native peoples to vote on a law that affected their tribe. Although about forty percent of U.S. tribes did not approve of the IRA, the Eastern Band of Cherokee overwhelmingly voted for the act, 700 to 101. The successful passage of the bill in the Qualla Boundary most likely resulted from a misinterpretation of its measures government provided transportation of potential voters to the polls.

Misunderstanding of the Wheeler-Howard Act did not apply just to Native tribes, as the Act caused confusion universally. Native peoples felt they were, “compelled back into some…ancient and outmoded life”, while changes in Congress required John Collier, “to educate anew a largely new Indian Committee of the House.” The Asheville Citizen-Times did not grasp the full repercussions of the bill either, farther than that it required incorporation into U.S. land holdings from the state charter they held previously and allowed for the creation of a new constitution. One article made a bold statement referring to the IRA as the “Indian Bill of Rights” and that, “the ‘Great White Father’ (Commissioner Collier)” when hearing of the referendum vote, “his band of red children in Western North Carolina will receive from him a decisive [sic] ‘pat on the back.’” Statements suggesting that the Native peoples were children under the Commissioner of the BIA further promoted the anti-government sentiment of most

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41ACT, Dec. 26, 1934, PLANC.
Native Americans, including the Eastern Band of Cherokee who soon began opposing the legislation John Collier insisted that they accept.

Around the time that the Indian Reorganization Act of 1934 passed, Fred Bauer and his wife Catherine moved to the Qualla Boundary after the closing of a boarding school in Michigan where they taught. Fred grew up from infancy with the Eastern Cherokee after being adopted by his Uncle when his mother died. He was raised in the same household as Chief Jarrett Blythe, his cousin and later his opponent in the controversy over New Deal legislation.\(^{42}\) Being predominantly white in appearance and heredity as well as shaped by the assimilationist policies of early twentieth century, Fred Bauer believed in the merging of Native peoples into white or dominant culture as an approach to surviving in modern society. In the words of John Finger, “To him full and unconditional Indian citizenship meant a good education, allotment of reservation lands, distribution of tribal assets, private initiative in business and government, and an end to Indian Office bureaucracy and paternalism.”\(^{43}\) This perspective led him and his wife to join the American Indian Federation and ultimately initiated their attack on the New Deal agenda in the Qualla Boundary.

With the return of the Bauers to Cherokee territory, both Fred and Catherine applied for teaching positions in the new day school. Just before Harold Foght replaced R. L. Spalsbury, Spalsbury wrote to John Collier approving of Mrs. Bauer’s application to the Soco Day School and asserted that she should make a good teacher, while Fred gained the position of foreman for a road building crew.\(^{44}\) It was this connection to the Native school where the Bauer’s began their


\(^{44}\) R. L. Spalsbury to CIA, July 31, 1934, CIAF, Series 6, File Code no. 004; Harold Foght to CIA, Aug. 22, 1934, CIAF, Series 6, File Code no. 004.
protest to the Wheeler-Howard Act by challenging the educational reform that John Collier and the Superintendents in the Qualla Boundary put in place.\textsuperscript{45}

The couple’s rejection of the New Deal agenda reflected their membership within the American Indian Federation that organized in response to the passing of the Indian Reorganization Act. The group’s main goals were to repeal the changes that the act brought with it while ending, “the dictatorship of [the] Government Bureau, which has held the American Indian in chains since 1871.”\textsuperscript{46} Joseph Bruner, an Oklahoman Creek created the AIF alongside Alice Lee Jemison as a means to attack the Bureau of Indian Affairs through the American political system.\textsuperscript{47} By doing so, the organization hoped to gain more influence over legislation than any other Native American faction before them.

In the spring of 1935 with the Bauers settling in as residents on Cherokee land, opposition toward the educational changes started primarily with Catherine and a few other teachers at the day school. Superintendent Harold Foght wrote that, “Our school reorganization is forging ahead slowly” in February.\textsuperscript{48} However soon after protest began when a teacher by the name of Mr. A. C. Bovay became “unnecessarily critical of whatever takes place and has gone out of his way to slur the program with the parents and patrons of the school.”\textsuperscript{49} Only a few weeks later, Superintendent Foght again addressed an issue with a teacher, this time Catherine Bauer, in which he fired her for unsatisfactory service. Due to Catherine’s alliance with the American Indian Federation, Foght justified his decision based on the fact that she, “now joined the movement to discredit the new system of education set up at the direction of the Indian


\textsuperscript{46} Francis P. Prucha, \textit{The Great Father: The United States Government and the American Indians II}, (Lincoln: University of Nebraska Press, 1984), 997.


\textsuperscript{49} Harold Foght to CIA, April 13, 1935, CIAF, Series 6, File Code no. 004.
Office” and even obstructed class time by, “announc[ing] to…pupils that there would be no further school at Soco after Friday (May 3).” Catherine’s dismissal only fueled the couple’s obstruction of the Indian New Deal more and strengthened their alliance with the American Indian Federation.

Infuriated over the Superintendent’s harsh tactics, several altercations between BIA officials and the Bauer’s party of opposition occurred. With Catherine upset about her removal from the Soco School and wanting to interrupt the alleged communistic teachings happening, she and a supporter reportedly, “after a brief altercation…seized [a] chair and rushing forward threatened to beat [one of the teachers] over the head with it.” Other supporters of the Bauer’s movement turned to violence as well, supposedly drawing knives against the Superintendent and other officials in response to the educational reforms that took place.

Clearly, members of the Eastern Band of Cherokee became fed up with the Federal government’s hand in tribal affairs, reflecting the beliefs that many Native Americans had about the BIA as well as the principles that the American Indian Federation promoted. A friend of the Bauer’s, Pearson McCoy saw the educational changes, communal efforts and construction of a road in contradiction of tribal decisions as, “A communistic form of government” that “does not suit the Cherokee.” Alice Lee Jemison, National Secretary for the AIF told of the backlash Native Americans faced in openly opposing the New Deal agenda while at a Congressional hearing in Washington D.C. In her own words, “efforts to stop opposition have been carried to the place of persecution and terrorization at Cherokee” leading to “an Indian mother who opposed the program and who in one instance just threatened to slap a teacher’s face”, resulted in

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50 Harold Foght to Catherine Bauer, April 30, 1935, CIAF, Series 6, File Code no. 005.
52 Harold Foght to CIA, March 15, 1937, CIAF, Series 6, File Code no. 004.
a two year jail sentence.\textsuperscript{54} With the BIA agents fighting back in equally harsh terms, the relationship between the Cherokee and the Indian Agency had deteriorated greatly and expanded the divide creating even more conflict.

That summer began one of the Bauer’s most staunch oppositions of any New Deal developments as Federal officials started to pressure the Tribal Council for a set right-of-way for the Park to Park Highway, later to be known as the Blue Ridge Parkway. Fred Bauer wrote to Oklahoma Senator Elmer Thomas in June of 1935 claiming that Chief Blythe created a resolution describing the Tribal Council’s unanimous decision to disapprove the highway. “It is evident…that Dr. Foght gave out information contrary to Council’s action”, one of several attempts by government agents to circumvent the Tribe and continue the construction of the parkway without approval.\textsuperscript{55} He asked for protection against the BIA and primarily Harold Foght reporting that, “The Indians don’t want the road”, with Foght going, “against the will of the people.”\textsuperscript{56} With several different concessions offered in return for the construction of the parkway being turned down, both state and Federal officials began losing patience for the delay.

As discontent rose over the lack of progress in developing the parkway, George Stephens, a resident and journalist of Asheville reinforced most of the local resident’s frustration in a letter he sent to the senior locating engineer of the State Highway Commission. He included an article dated July 9 from the \textit{Asheville Citizen} in which the author details the possibility of the parkway being rerouted farther north, most likely removing the possibility of its presence in Asheville. Stephens wrote that, “It would be helpful to the Cherokees to have it there, and an interesting

\textsuperscript{54} Alice Lee Jemison to Josiah Bailey, Feb. 24, 1937, RLA, JWBP, Box 314.
\textsuperscript{55} Fred B. Bauer to Elmer Thomas, June 27, 1935, CIAF, Series 6, File Code no. 007.
\textsuperscript{56} Fred B. Bauer to Elmer Thomas, June 27, 1935, CIAF, Series 6, File Code no. 007.
feature for the visitors.”57 Obviously not understanding the Native people’s perspective, Stephens did not see the problems that Fred Bauer later wrote about such as limited to no access from the road into the reservation as well as the perpetuation of the so called “trading post Indian” image. 58 Secretary of the Interior Harold Ickes also did not grasp the reasoning behind the Cherokee’s discontent with the road, blaming the issues with its approval on, “two or three Indians…[who] were causing all the trouble and to the detriment of the tribe as a whole.”59 This backlash to Federal initiatives and policies remained present in the upcoming vote for a new constitution as part of the requirements for tribes who approved the Wheeler-Howard Act.60

In August, the tribe defeated the new constitution and by-laws by just over a hundred votes, reflecting the mounting opposition to the Bureau of Indian Affairs and Commissioner Collier. The split vote of 382 for and 484 against helped to show the divide that formed in the tribe over the New Deal policies and represented a drastic change from the uniform voting patterns that led to the passing of the IRA on Cherokee land in the first place.61 The campaigning by the Bauer couple clearly made a mark on the Eastern Band members who easily turned against governmental programs due to the long history of mistreatment of Native peoples by Federal officials and white American culture in general.62 Due to their unrelenting resistance to Federal policy or as Charles Weeks contends, “the constant agitation of the ‘white’ Indians”

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57 George Stephens to Mr. R. Getty Browning, July 11, 1935. University of North Carolina (UNC), Southern Historical Collection (SHC), George Stephens Papers (GSP).
59 ACT, Dec. 18, 1935, PLANC.
60 Harold Foght to CIA, Aug 29, 1935, CIAF, Series 6, File Code no. 004.
61 Harold Foght to CIA, Aug 29, 1935, CIAF, Series 6, File Code no. 004.
eventually led to, “the Cherokee never adopt[ing] a constitution or charter of incorporation and thus never fully accepted the IRA.”

With an election coming at the beginning of October 1935, Fred Bauer placed his name as a candidate for the position of Chief. With the second most votes, just behind his cousin and soon to be opponent Jarrett Blythe, he became Vice Chief elect. Due to his mainly white features, the Council debated the day after the election the degree to which his blood held Cherokee heredity and after finally hearing a testimony that Fred’s mother came from full Cherokee descent, they agreed to sanction his victory. In reality his mother’s heritage comprised of only half Cherokee and his father of completely European background making him actually unable to hold a position on the Council, which required at least fifty percent blood quotient. Regardless of this misunderstanding, Fred Bauer now held a key position in the Qualla Boundary and Tribal Council, allowing him to have direct influence on the effects of New Deal legislation on Eastern Cherokee land.

With Fred’s new impact over local politics, the Bauer’s hoped to perpetuate the American Indian Federation’s ideals and bring a halt to government intervention. Alongside Fred’s new role, Catherine also gained an effective place in the Tribal Council as the permanent stenographer during meetings for the next few years. With their ability to sway the decisions of the council members, the couple went on the offensive to stop at all costs the “return to the blanket” or primitive existence that they feared. In reference to possible visitors if the construction of the parkway took place in the Qualla Boundary, Fred Bauer wrote that, “We do

64 EBCCM, Oct. 7 and 8, 1935, NCSAR.
66 EBCCM, Oct. 18, 1935, NCSAR.
not want you to pass through without seeing more than a feathered ‘trading post Indian,’ and go back to New York or Boston believing that we Cherokees are living the old life”. Their main goals had clearly shifted in the past few months before the election from primarily educational reform to any government changes and development that occurred in the Qualla Boundary, which might further put the Eastern Band at a disadvantage to their white neighbors.

Fred and Catherine Bauer’s opposition placed their relationship with the Federal government at more odds, since their political ideology completely contrasted that of Collier and the Bureau of Indian Affairs. For their role in opposing the New Deal developments, several organizations such as the National V. F. W. Americanism committee gave the couple honorable recognition for their patriotic services in, “exposure of Communism in the management of Indian affairs in the department of the interior.” Collier and other government officials fought back, condemning them as being members of a radical political organization, arguing that, “German-affiliated groups were seeking to convert the American Indians to fascism”, the American Indian Federation being one of them. Their affiliation with a fundamentally right political organization connected them unintentionally to other groups who opposed the liberal ideals of the Roosevelt administration and led to a misunderstanding of their cause by the general American public.

In the next couple of years the Bauer’s and other friends who held prominent roles in the American Indian Federation tried to supersede the local Superintendents and appeal directly to various members of Congress in order to eliminate the BIA and of course its commissioner, John Collier. Writing to North Carolina U.S. Senator Josiah Bailey, Catherine Bauer asserted that the

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68 Fred Bauer, “Cherokee Indian Explains Opposition to Scenic Road”, Charlotte Observer, January 15, 1939, UNC, NCC.
Native peoples, “have been complaining of Communism and un-Americanism for TWO YEARS” and in doing so, “have been THREATENED with persecution, BY GOVERNMENT EMPLOYEES, for ALMOST TWO YEARS.”71 In fact, Superintendent Foght apparently pressured tribe members through signs spread around the Qualla Boundary declaring that any Cherokees with Federally funded occupations that fought against the Indian New Deal faced losing their jobs.72 Alice Lee Jemison supported these claims in her report on Congressional hearings to Josiah Bailey, stating that Secretary of the Interior Ickes also wrote to Native Americans warning that, “opposition to the program means dismissal from work”.73

The Congressional hearing that Alice Lee Jemison reported on during 1937 resulted from the clear Native opposition to the passing of the IRA. The American Indian Federation claimed John Collier with promoting a communist agenda and hoped to explain their reasons for repealing the Indian Reorganization Act as well. Jemison accused the Commissioner of being a member of the Communist Party and charged him with socialist changes in education, destruction of religious liberty, as well as an end to individualism as evidence.74 The hearing overall appears to be unsuccessful however, as the committee stated that they did not have the ability to remove the Commissioner of Indian Affairs and at the end offered to send a report of the hearing to the President, which in reality never came about.75

The AIF’s claims although radical to white Americans and especially in modern terms, actually made partial sense at a time when communism appeared to most citizens in the U.S. as entailing communally owned land and forced changes by a government entity. Their extremely

71 Catherine Bauer to Josiah Bailey, Jan. 22, 1937, RLA, JWBP, Box 314.
73 Alice Lee Jemison to Josiah Bailey, Feb. 24, 1937, RLA, JWBP, Box 314.
74 Alice Lee Jemison to Josiah Bailey, Feb. 24, 1937, RLA, JWBP, Box 314.
75 Alice Lee Jemison to Josiah Bailey, Feb. 24, 1937, RLA, JWBP, Box 314.
right-winged ideals made the organization seem extremely drastic and placed the organization at the opposite political spectrum from the liberal position of the New Deal policies, causing the group to appear fascist at a time when European powers used this government method to take complete control of their countries.  

The extremist views of the AIF and its prominent members reflected a clear mistrust with the Federal government that formed as a natural reaction to the destruction of Native cultures and the mistreatment of their peoples. The controversy that ensued on the Qualla Boundary presents a better picture of how the Federal government continued to misunderstand the true needs of the Eastern Band of Cherokee and by asserting the white American idea of what the Native people there required, further extended the suspicion and break in trust of Indigenous persons as a whole.

Even though the American Indian Federation did not represent the beliefs of all or even many Native Americans, its radicalism followed upon the continuation of a history of disagreement with the Federal government. The group hoped to stall and if possible end the devastating force of Federal policy on all American tribes, not just the Eastern Band in Western North Carolina. The organization’s influence in the Qualla Boundary was likely its most successful out of anywhere else in the country since they impeded many of the changes proposed by the Indian Reorganization Act of 1934. With one exception, the building of the Blue Ridge Parkway developed on Indian land whether they liked it or not.

The organization and Fred Bauer’s political career waned alongside John Collier and his Indian legislation, both sides tiring the public as another World War appeared on the horizon. The American Indian Federation’s affects on government intervention in the Qualla Boundary

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represents the unwillingness of the Native population and in particular a few of its members to accept changes to their homeland. Many no longer saw the Bureau of Indian Affairs as a necessity for Native American life to thrive and continue. Overall, the AIF proved to Native Americans and Federal employees alike that Indian peoples could stand together, even if partially to defend their rights and assert their beliefs against a government entity.
Annotated Bibliography


In the North Carolina Collection in Pack Library, every year that the Asheville Citizen-Times was published can be found on microfilm. There are several articles in the collection that pertain to my topic including one on the creation of the Native Arts and Crafts guild, a report on the referendum election about the passing of the IRA in the Qualla Boundary, and a couple of others discussing the refusal to approve the construction of the Blue Ridge Parkway. The last few articles will be added to this list within the next drafts of this thesis.


In this article by the Arizona Independent Republic, John Collier refutes Alice Lee Jemison and the AIF’s claims that the Bureau of Indian Affairs is promoting communist policies. The author helps to show both sides of the argument, providing quotes from both Collier and Jemison attacking each other. It is important to note that Collier even goes as far as to say that the AIF is connected to Nazism and fascism, which is not seen in any other works or correspondences that I have found.


Catherine Bauer writes to U.S. Senator Josiah Bailey in order to explain her and her husband’s view on the Indian New Deal and how these new programs were actually detrimental to the Native peoples. The letter provides information on what the Bauer’s believed to be the “correct” way for the Cherokee to live and is an example of how they tried to influence politics.

“Report on Hearings before the Senate Committee on Indian Affairs,” from Alice Lee Jemison to Josiah Bailey, Feb. 24, 1937. RLA. JWBP, Box 314.

Alice Lee Jemison, a journalist and national secretary for the American Indian Federation (AIF) describes the strikes and backlash by Eastern Band Cherokee to the Indian Reorganization Act (IRA) to North Carolina U.S. Senator Josiah Bailey. Bailey sympathized with the Cherokee and provides a supportive view that most politicians at this time did not agree with, therefore showing how politicians were attempting to help the Cherokee retain the lifestyle of their choosing. The correspondence also highlights the issues occurring between the AIF and IRA, which eventually led to further problems with the construction of the Blue Ridge Parkway.


Although printed almost forty years after the Blue Ridge Parkway controversy, this text is a personal account written by Fred Bauer of the Eastern Bands history as well as his perspective on the Indian New Deal and the controversy that ensued. Although clearly biased, the work helps
to show Bauer’s stance on these issues and what his thoughts were at the time. The book is available at Western Carolina, App. State, and Mars Hill’s special collections and can be received from Eastern Carolina and UNC Chapel Hill through Interlibrary loan.


In this article from the Charlotte Observer, Fred Bauer explains his reasoning as to why he opposed the building of the Blue Ridge Parkway. By using the article, the perspective of the Vice Chief of the Eastern Band might be better understood and help to explain his actions during the initial Indian New Deal and later with the construction of the Blue ridge Parkway at both tribal council meetings and House of Congress hearings.

National Archives Southeast Region, East Point, GA. Cherokee Indian Agency Files, Record Group 75 (CIAF):
Series 6, File Code no. 003:
This section of the collection of Cherokee Federal documents deals with miscellaneous correspondences between the Superintendent for the Eastern Band of Cherokee and other persons pertaining to information about the Cherokee Natives and events that were taking place in the Qualla Boundary. Some of the letters are from members of the Eastern Band, but primarily local North Carolina residents interested in knowing more or discussing what is going on at that time with the Native peoples there. Some letters are between people from out of North Carolina as well.
Series 6, File Code no. 004:
Section 004 deals with letters between the Superintendent in the Qualla Boundary and the Commissioner of Indian Affairs. These correspondences are the most valuable because they show the direct discussions between what is going on in Cherokee territory and the responses from the CIA, especially John Collier who was the main proponent of the IRA. They are very detailed and written in a more professional manner than some of the more personal letters.
Series 6, File Code no. 005:
Section 005 contains the letters from the Superintendent sent to others including employees in the Qualla Boundary, some to local Natives and others discussing agency problems and responsibilities. In this collection, there are many important correspondences that reflect the Superintendents displeasure with teachers and other employees who are protesting the Indian New Deal.
Series 6, File Code no. 007:
Section 007 are the personal correspondences of the Superintendent and include letters that are less formal and more to friends or other Federal employees discussing BIA business, but in a less formal fashion than in other sections. Again, these are important in that they show the problems and issues that the Superintendent dealt with during their time in the position.

John Collier’s memoir reflects his life work with Native Americans, including his time as Commissioner of the Bureau of Indian Affairs. This text is useful in that Collier explains his background and work with Native peoples, helping to understand his positions when instating the Indian New Deal. It also allows for Collier to justify the changes he made to Native American life and gives his overall perspective on the issue.


In this collection found at the North Carolina State Archives, the entire ledger that held the transcribed notes from Cherokee Council meetings has been converted onto microfilm and provides a glance into the exact discussions of what the prominent members of the tribe were saying during the changes brought about by the Indian New Deal and the controversy that came about. Included in these minutes are also detailed numbers of which towns voted for the referendum vote for the Wheeler-Howard Act as well as for the election of Fred Bauer in October of 1935.


In this newspaper article, the author writes about Catherine Bauer and her husband’s invitations to the nomination of Governor Landon in Kansas since she formerly resided in New York where the paper is published. Their invitations were in recognition of their work in fighting communism in the Federal government, primarily the Bureau of Indian Affairs. This article is important in showing the extent to which their actions were seen nationally and reaffirms their position against the Bureau and its supposed communistic agenda.

Letter from George Stephens to Mr. R. Getty Browning, July 11, 1935. University of North Carolina, Chapel Hill (UNC), Southern Historical Collections (SHC). George Stephens Papers (GSP).

George Stephens was an Asheville resident and journalist who had a considerable amount of interest in the building of the Blue Ridge Parkway due to its expected tourism revenue. In this letter to the senior engineer for the State Highway Commission, Miles reveals his discontent with the refusal of construction of the parkway by the Eastern Band of Cherokee. The letter helps to show the importance of the Parkway to many whites in Western North Carolina and provides a background to some of the reasons why they eventually took the offensive against the Cherokee.


This newspaper article discusses the election of the new Eastern Band Chief and Vice Chief, looking particularly at the selection of Fred Bauer due to his controversial positions and commenting on his lineage as well. Since Capus Waynick wrote this while Chairman of the
state’s Highway and Public Works Commission, it is interesting to look at his stance on the new election and how his own views of the subject might influence the way in which he wrote this article.

Secondary Source Annotated Bibliography


Dr. John Finger was previously a professor of history at the University of Tennessee where he published his prequel to this work. Finger provides a fairly detailed account of the Eastern Band throughout the Twentieth Century, covering the Indian New Deal and the construction of the Blue Ridge Parkway. He talks about the tribe’s distrust of the Federal government as well and explains that Natives saw this new act as another way for the White man to take advantage of them or to return the Eastern Band to a less sophisticated entity.


William H. Gilbert Jr. was an anthropologist who presented this text originally as his thesis at the University of Chicago in 1934. Although the work looks at the Eastern Band from a more social viewpoint, it details the structure of the tribe as well as the cultural ways that he noticed in his time in the Qualla Boundary. Some bias is present since it was written from an outsiders perspective during the thirties, but is interesting to review since the information was recorded around the time that the Indian New Deal was being put into place.


John Gulick was a professor of Anthropology at UNC Chapel Hill from 1955 until 1986. As an anthropologist, his book looks at the culture and a broad history of the Eastern Band of Cherokee primarily. Gulick also discusses the effect of tourism on the tribe however, and how it has affected the culture as a whole. This information supports my research by showing how the tribe resented the construction of new roadways that would bring in outsiders.


Dr. Hauptman is a professor emeritus of history at State University of New York, New Paltz, focusing on Native American history. His journal article looks at the AIF and their opposition to the Indian New Deal during John Collier’s term. Hauptman describes the organization’s tactics to try and stop the BIA as well as their positions.

Dr. Perdue is a professor emeritus at UNC Chapel Hill and focuses her studies on Native Americans in the Southeast. *Native Carolinians* tells the story of the various North Carolina tribes and gives a brief history of each. The section on the Eastern Band of Cherokee is useful in providing a general knowledge of the tribe that shows the culture of its people. This is valuable information on how the tribe has dealt with different government encounters, presenting reasons as to why the Eastern Band distrusts the government and how these actions affected its people.


I was unable to find information on the author other than that he has written other books concentrating on Native Americans. Kenneth Philp’s book is a biography on John Collier, the Commissioner of the Bureau of Indian Affairs from the beginning of the Great Depression. Once taking office, Collier began pushing an agenda that sought to return Native peoples to their original way of living. Since many Natives rejected his position, this book shows decisions made by Collier that the Eastern Band would fight against and ultimately helped to fuel the tribe’s distrust of the government.


Francis Prucha is an American historian and professor emeritus at Marquette University. His two volume series, *The Great Father* is a Pulitzer Prize winner and is considered a major contribution to Native American studies. Although this series focuses on the entire relationship throughout history between the U.S. government and Native Americans, in volume II there is a section, which focuses specifically on the Native American New Deal. Prucha’s work is important for giving an in depth overview of this controversy and examines the effect the New Deal had on many different tribes throughout the U.S.


Elmer Rusco taught political science at the University of Nevada, Reno for 23 years and was also the founder and president of the American Civil Liberties Union of Nevada. His work focused primarily on racism and discrimination in America. In his article on John Collier, he describes the platform for which Collier stood while pushing the passage of the IRA and explains in detail how his position was different from the assimilationist policies of Commissioner Collier’s predecessors. Rusco goes on to discuss what other contemporaries have written about John Collier and to what extent he believes their assertions to be relevant.


Dr. Taylor was an assistant professor of history at Dalhousie University in Nova Scotia. In his book, Taylor argues that because the Indian Reorganization Act imposed changes to aspects such as the political structure, Native Americans again felt pressured by the Federal
government. He goes on to describe the continuing struggle between the government and various tribes throughout John Collier’s term as Commissioner of the BIA.


Although there is not much information on Charles Weeks, his article has been heavily cited by several other works. The *North Carolina Historical Review* is available at the UNCA library in the bound section and can be viewed through JSTOR digitally. His article concentrates on the Eastern Band’s reaction to the Indian New Deal and how the Great Depression affected its people. Weeks also describes the tribe’s voting behaviors on different bills and issues that were presented to the Eastern Band.


Dr. Whisnant is an adjunct associate professor of history at the University of North Carolina, Chapel Hill. For her doctoral work, she chose to focus on the controversy over the building of the Blue Ridge Parkway between the Eastern Band of Cherokee and the Federal government. Using the research from her thesis, Whisnant provides a good overview in her book of the arguments taking place as well as general information that help to explain why this disagreement is happening. This is beneficial in trying to understand the culture of distrust between Natives, particularly the Eastern Band and the United States government.