

Seminole Leadership: Changing Substance, 1858-1958

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In discussing Seminole leadership it should be understood that the concept of leader was considered in much different terms by the Indians than the whites. To the whites, the leader was one who issued orders, took the initiative in planning matters and whose orders, he hoped, should be followed. To the Indians, the traditional leader was a spokesman who determined and represented the consensus opinion of the group.¹ Decisions made by the Seminoles were group decisions which were binding upon all with no leader telling the others what to do.² Before the so-called leader made a move, he consulted with persons who had influence in order to clarify his thinking or to judge how the matter would be received by others. Should the issue be in doubt, the decision-making process was delayed or ever set aside.

Generally speaking, important tribal decisions were deliberated at councils and at the annual Green Corn Dances. Leaders of the tribe gathered during the Second Seminole War to decree a policy of death to those advocating surrender and in 1855 to decide that the military surveying parties should be attacked; thus starting the Third and final Seminole War. On Court Day held during the annual Green Corn Dance, all of the males gathered at a meeting where the Medicine Man and his

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assistants were seated in a small open structure and the others sat on logs or stood.³ To some white observers, the grouping of the Medicine Man and his several assistants represented a political and judicial council with the Medicine Man acting as a chairman. Elevation to the council was by selection by council members and Medicine Man from the ranks of those who had taken a prescribed course of training as a boy.

On Court Day at the annual Green Corn Dance charges were brought against those who had committed crimes and problems confronting the group or tribe were discussed. All males were encouraged to speak but the opinion of the Medicine Man, council members and oldest man of each clan present seemed to carry the most influence. Sometimes punishment has been decreed by the group that a person be banished from the group and cannot take part in any rituals or ceremonies. Should he decide to rejoin the group, he must put himself in the hands of the Medicine Man who tested him with various treatments designed to "break down his anti-social attitude." Only after he had obeyed all of the Medicine Man's orders to the fullest, was he allowed to take part in the group's activities. When punishment other than treatment by the Medicine Man was required, the male members of the clan of the wronged person met and decided upon a proper penalty for the culprit. In 1892 Charley Tiger, while drunk, told a white man that Big Tommy had killed the members of a white family during a pre-Civil War outbreak. The Seminoles met and decided that Charley Tiger be banished from the tribe and, in addition, should suffer the loss of part of one ear.⁴ Such punishment was carried out and thence forth Charley was known to the whites and Indians as Crop Ear Charley. Johnny Billie had killed two members of the Tiger clan on different occasions when he was drunk. Nevertheless, the tribe took no drastic action except prohibiting him from taking part in ceremonies for it was hoped he would be rehabilitated. Finally in 1938 after his beating a pregnant woman, the Tiger clan met and decided that Johnny Billie could not be reformed and should be executed. The oldest member of the clan was given a gun, taken to where Johnny Billie lived, and he killed him.⁵

All of the above incidents involved Seminoles with the violations of tribal and white law taking place on either reservation or non-reservation land. When Indians were involved in violations of the white laws that involved whites they were tried by the regular courts. When Sonny Billie was involved in two hit and run accidents in Miami, he was apprehended and required to make restitution.⁶

During the 1920-1940 period many changes took place in Seminole

way of life with the drainage of parts of the Everglades, the construction of the Tamiami Trail across the center of the Everglades and the opening of the Everglades National Park, many Seminole families that had formerly been scattered throughout much of lower southern Florida moved to points along the Tamiami Trail where they built homes near the highway and sold items in shops and charged admission to tourists who wished to visit their homes and watch the usual activities.

When cattle were introduced to the Muscogee-speaking Seminoles of the Brighton Reservation, the process started a trend that would lead to the introduction of democratic ideas to the majority of the Seminoles. Under the terms of the trust agreement approved by the Commissioner of Indian Affairs on September 12, 1939, three Seminoles were to be elected as tribal representatives to transact business in connection with the cattle program. Still, nominations had to be approved by the Superintendent and, in turn, by the Commissioner of Indian Affairs. First trustees of the cattle program were John Josh, Charlie Micco and Willie Gopher.⁷

Thomas Jefferson would not have been happy at this first experiment in democracy for the Seminoles. In preparing the Indians for their first election Fred Montsdeoca, the Extension Agent, and Willie King, a Creek Baptist Missionary from Oklahoma, serving as interpreter, explained the need for elected trustees. In the vote, the women gave scattered votes to virtually everybody and Willie Gopher, a man who knew much more about horses than cattle was elected as one of the trustees.⁸ The requirements for the elected trustees at this time seemed to be a knowledge of English and the fact that they were instrumental in furthering good white-Indian relations. Actually the election meant very little for Montsdeoca gave the orders. The Extension Agent was the one who tried to introduce new techniques to the cattle-owning Indians and, next to the agent, he was the most important white man on the reservation. Still, any decisions had to be accepted by the bulk of the owners and, if they were not in complete agreement, the decision would be delayed until officials had a chance to persuade certain individuals that a change was needed.⁹

In 1941, one hundred and fifty head of Florida cattle were acquired for the Big Cypress Reservation and, within a short time, the range cattle industry was able to make some good advances on the reservation. By 1944 the Indians at Big Cypress Reservation wanted their own separate cattle trustees. It was Josie Billie, accepted as spokesman for the Big Cypress group by the whites, who said through interpreter Stanley Smith, "the Brighton Indians signed some type of paper, what was it?"¹⁰

Consequently, as a result of this March 18, 1944 meeting held at Big Cypress, a new trust agreement was drawn up and approved by the Commissioner of Indian Affairs on August 8, 1945.

The above pact provided for the establishment of two groups, the Brighton Agricultural and Livestock Enterprise and the Big Cypress Agricultural and Livestock Enterprise. Each group was eligible to select three trustees but such selection was subject to approval by the Agency Superintendent and Commissioner of Indian Affairs. Besides provision for the cattle trustees, there was provision for the selection of tribal trustees. Each of the two trustee groups would select one trustee, the Superintendent would make another appointment, and the three selections would constitute a body representing the entire tribe.¹¹ In theory, it was the first time that a group was formed that would represent all of the Seminoles but actually the tribal trustees were given very little power either by the Indians or the Federal authorities. With the substitution of an appointive or elective power structure to take the place of the traditional one, persons who had been converted to the Christian faith were selected for high positions. Of the four elected for the Big Cypress positions, one was a former medicine man, two active Christians and one to be soon converted.¹² The principal reason these men were selected was that they were adept at mediating between the Indian and the white world. In explaining the Bible to the congregation or Sunday School class, they understood a little English and realized the necessity for consensus decisions.¹³

With the rise of the elected councils the Green Corn Dance Council declined in power in terms of political authority and tribal administration. Within a few years the authority of the council was restricted to the actual dance itself with selection of site, principal participants and other pertinent details. Since many of the new breed of leaders were or had been Christians, they did not take part in the Green Corn Dances. Nevertheless some Christians attended the annual ceremony and some Green Corn adherents attended church.

Although the two livestock groups and the tribal government unit seemed weak, it became the apparatus for a major move by the tribe. As early as October, 1948 several Indians met with Superintendent Marmon and attorneys concerning the prosecution of tribal claims against the United States Government. By October 15, 1949 a contract was signed with attorneys John O. Jackson and Roger J. Waybright of Jacksonville to represent the Seminoles in a \$50,000,000 claim case to be tried before the Indian Claims Commission.¹⁴ Those who signed on behalf of the tribe

were: Brighton Agricultural and Livestock Enterprise Trustees, Frank Shore, Jack Smith and John Henry Gopher; Big Cypress Agricultural and Livestock Enterprise Trustees, Morgan Smith, Junior Cypress and Jimmy Cypress; Hollywood Reservation Business Committee Members, Sammy Tommie, Ben Tommie and Bill Osceola and Seminole Tribe Trustees, Josie Billie, John Cypress and Little Charlie Micco.¹⁵ Non-reservation Indians representing forty percent of the tribe were quick to claim that they were not represented in this grouping and that the Superintendent had been the prime mover in the lawsuit and the retention of attorneys.¹⁶

In 1934, the Wheeler-Howard Act had been passed by Congress. Title I of the act reaffirmed the right of each Indian tribe living on a reservation to establish a system of self-government. When the Wheeler-Howard Act had been passed by Congress, the Seminoles saw no reason to become incorporated but by April, 1955 there were some compelling reasons to reconsider the decision. Both Bureau of Indian Affairs officials and tribal leaders were conscious of the fact that the tribe had no control over reservation land or use of funds and wanted a change. Although the tribe held \$116,000 in funds, it could not use those funds for improvement of the Hollywood reservation and construction of a community house because the Bureau of Indian Affairs noted that the Seminoles had no legal organization and would not release the funds.¹⁷

In 1957 Rex Quinn, Program Officer of the Bureau of Indian Affairs, came from Washington to assist the Seminoles in preparing a suitable constitution. After Quinn had drafted a preliminary version, he and Superintendent Kenneth Marmon went over each paragraph with a committee selected by the Indians debating each point and changing some concepts.¹⁸ Marmon and Quinn were doing their best to draw up a constitution which would be acceptable to the guidelines regarding tribal government in *Indian Affairs Manual 83-1* which would be issued on October 1, 1957.¹⁹ On March 5, 1957 the committee met with the tribal attorney Roger Waybright for three hours discussing such points as governmental control over membership status, budget requests and rules for election. The attorney explained that some controls were needed until the tribe proved that it was capable of managing itself.²⁰ Members of the constitutional committee included Bill Osceola, chairman; Jackie Willie, Hollywood; Mike Osceola, Miami; John Henry Gopher, Brighton; Jimmie Osceola, Big Cypress and Frank Billie, Big Cypress. The finished document which included a constitution and charter was approved July 11, 1957 by Assistant Secretary of the Interior Roger Ernst, submitted to

the tribe August 21, 1957 and given approval by a vote of 223 for and 5 against. Laura Mae Osceola had done much ground work for adoption by visiting all three reservations and explaining the details of the constitution and charter. Since the vote had included 55% of the 448 eligible voters, the charter and constitution were considered to be legal and binding.

The constitution and by-laws provided for a tribal council of eight members with the offices of chairman, vice-chairman, secretary and treasurer. In the charter there were provisions for an eight member board of directors. Elected as the first chairman of the tribal council was Billy Osceola and, as the first president of the board of directors, Frank Billie. Enactment of the constitution gave the tribe and its council limited control over the three Florida reservations and power to enact regulations to safeguard health, safety and progress of the tribe.²¹ Under resolutions adopted by the council, state and county civil and criminal authorities have been given jurisdiction within the Federal reservations but outside authorities were requested only when a serious crime had been committed or a white person was involved. In 1974, the legislature of the State of Florida established special improvement districts in which the Indians were able to plan and govern their own police, health care and public housing facilities.

Although the traditional leaders believed in a consensus or "low key" approach, there arose at this time white-oriented leaders who would tell the others what to do and took the place of the traditional leaders. Almost all of these new leaders had been trained in the methods and styles of the Christian church. Consequently, two of the most prominent preachers were elected as leading officers of the tribal organization for the next eight years. Most of the persons elected to posts prior to 1968 were mature men but in recent years younger persons including women have been elected. Nevertheless, Baptist, English-speaking cattle owners have been the ones who have been the leaders since the adoption of the tribal constitution.

Leadership under the constitution adopted in 1957 was not strong for there was little power for enforcement of authority. Since the leader was weak he must rely upon moral persuasion and economic threat. Representatives of the Federal government attend all meetings of the elected council and cattlemen and often control the trend of the meeting. Thus, elected officials needed to be able to please the agency people and yet be able to adjust to the need for virtually unanimous approval action to be taken by the Indians. Whenever the leader determines that there is some opposition to a proposal, the decision is delayed or sometimes never acted

upon. After seven years of "self government" under the Constitution of 1957, the Indians complained that due to a heavy turnover of Bureau of Indian Affairs personnel including the superintendents, credit officers and branch chiefs, little could be done at first for the Indians had to study the man's character in the office. Should they misjudge the superintendent, he could become angry and effectively undercut any of their programs.²² Nevertheless the Tribal Council and Boards were able to initiate a Corporate Revolving Credit Fund for repair of old houses and construction of modern ones and emergency loans for other projects including the purchase of furniture and cattle. Other activities stemming from incorporation included the Seminole Arts and Crafts Center, Okalee Village Enterprise and Land Development Enterprise.

NOTES

1. Merwyn S. Garbarino, *Big Cypress: A Changing Seminole Community* (New York, 1972), 183.

2. James O. Buswell "Florida Seminole Religious Ritual: Resistance and Change." Ph.D. dissertation, Saint Louis University, 1972, 59.

3. Louis Capron "The Medicine Bundles of the Florida Seminole and the Green Corn Dance." Bureau of American Ethnology, *Anthropological Papers*, 35 (Washington, 1953), 196, hereafter cited as "Bundles."

4. Charles W. Pierce *Pioneer Life in Southeast Florida*, edited by Donald W. Curl, (Coral Gables, 1970), 38-39.

5. "Bundles," 197-98.

6. Superintendent Kenneth Marmon to Chief of Police, Miami, Florida, November 6, 1953, 921 Employment, Record Group 75, Records of the Bureau of Indian Affairs, Federal Records Center, East Point, Georgia, hereafter cited as FRC.

7. Marmon to Commissioner of Indian Affairs, March 18, 1944, 930 Stock Raising, FRC.

8. Robert T. King "Clan Affiliation and Leadership Among the Twentieth Century Florida Indians," *Florida Historical Quarterly* L6V (October, 1976), 146.

9. Garbarino, *Big Cypress*, 118.

10. Marmon to Commissioner of Indian Affairs John Collier, March 18, 1944, 930 Stock Raising, FRC.

11. Marmon to W.O. Roberts, Area Director, March 30, 1951, Tribal Relations, FRC.

12. Buswell "Florida Seminole Religious Ritual," 419-420.

13. *Ibid.* 385.

14. *Hearing Before the United States Senate Select Committee on Indian Affairs* Distribution of Seminole Judgement Funds, 95th Congress, Second session on S. 2000 and S. 2188, March 2, 1978 (Washington, 1978), 217.

15. Marmon to Roberts, March 30, 1951.
16. *Hearing*, 210.
17. Minutes of Board of Directors of Seminole Tribe, April 4, 1955, 064 Tribal Matters, FRC.
18. King "Clan Affiliation," 148.
19. *Indian Affairs Manual* 83 IAM, Tribal Government, Bureau of Indian Affairs, Department of the Interior (Washington, 1959), 6.1.
20. Roger Waybright to Rex Quinn, April 15, 1957, Rex Quinn Papers, University of Florida, Gainesville, Florida.
21. La Verne Madigan "The Most Independent People: A Field Report on Indian Florida," *Indian Affairs* Number 31, (April, 1959), 4.
22. "Seminoles of Florida, Ten Year Program," June 1, 1966, Rex Quinn Papers, University of Florida.