



The Chickasaw Nation

Secondary Student Curriculum

Unit 3: Lesson 2

Overton James and the Chickasaw Constitution

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Reference Material

Tribal leadership has always been an essential part of Chickasaw history, and it has adapted to the ever-changing needs of the tribe over time. Since first contact with the Europeans, the Chickasaws traditional governmental structure of clan systems had been shifting. By the time of Removal in 1837, the Chickasaw people had developed, and were operating under, a code of written laws. However, these laws changed when the Chickasaw Nation became a district within the Choctaw Nation in Indian Territory, where they had to follow the Choctaw Nation's laws. Unhappy with this arrangement, Chickasaw leadership campaigned for separation. This was granted with the signing of the Treaty of 1855.

In 1856, the Chickasaw people gathered at Good Spring (known today as Tishomingo, Oklahoma) on Pennington Creek to draft their own constitution. It provided for a three-branch system of government—executive, legislative and judicial. With minor changes over the years, this document served the Chickasaw people well until its dissolution in 1906 in preparation for Oklahoma statehood. From 1906 until 1971, through federal legislation, U.S. presidents appointed Chickasaw Nation governors. These governors were charged with the oversight of tribal land and the closing out of remaining business interests.



Figure 1: Gov. James being sworn in at Seeley Chapel in October of 1963

More than 100 Chickasaws gathered at Seeley Chapel, a small church outside of Tishomingo, Oklahoma, in October of 1960 in an effort to re-establish control of tribal government. Soon, Seeley Chapel became a meeting place for Chickasaws to gather, discuss their political future and share their culture through language, food and song. It is only fitting that when President John Kennedy appointed Overton James governor of the

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Chickasaw Nation in 1963 he take his oath of office there, at Seeley Chapel, where the grassroots movement had begun.



Figure 2: The Chickasaw Motor Inn in Sulphur, OK

Through the self-determination policies of the Nixon administration, the Chickasaws could once again hold official tribal elections. President Nixon believed that the federal government needed to recognize the capacities and insights of Native Americans. After much debate, Congress passed the Indian Self-Determination and Education Assistance Act in 1975.

In 1971, Overton James became the first elected governor of the Chickasaw Nation since Oklahoma statehood in 1907. This was a crucial time period for the Chickasaw

people, and his leadership was vital to the political and cultural resurgence that continues to transform the Chickasaw Nation today. When James became governor, he was the tribe's only employee, and the tribe did not have any of the programs or services that are offered to their citizens today. But that was all about to change.

Gov. James lobbied the Indian Health Service (IHS) and Speaker of the U.S. House of Representatives Carl Albert for better health care, and in 1968, IHS opened a clinic in Tishomingo, Oklahoma, the first health care facility of any kind in the Chickasaw Nation. In 1972, he was instrumental in the purchase of what was then known as the Artesian Hotel. Renamed the Chickasaw Motor Inn, it was the first tribal business owned and operated by the tribe. With appropriate renovations and a new business plan, the Motor Inn quickly became a profit-making venture for the Chickasaw Nation, earning approximately \$100,000 for the tribe in its first year of operation. In the course of his tenure as elected governor, the number of tribal employees grew from about 30 to nearly 200, and tribal revenues increased from \$750,000 to approximately \$11 million.

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During Gov. James' administration, the Chickasaw and Choctaw Nations began work with Cherokee colleagues to pursue legal rights to the Arkansas riverbed—rights which extended to revenues derived from oil and gas development of those lands. That struggle culminated in a U.S. Supreme Court victory in 1970 and—after three more decades of negotiation—a congressionally approved trust settlement.

Gov. James combined service to his own tribe with service to all American Indians. He served five terms as president of the Inter-Tribal Council of the Five Civilized Tribes. He also served as president of the Choctaw-Chickasaw Confederation, chairman of the State Indian Affairs Commission and trustee of the National Indian Athletic Hall of Fame. Additionally, he was a member of the Indian Education Subcommittee of the National Council on Indian Opportunity and a member of the National Congress of American Indians.

During Overton James' time in office, a draft of a new constitution began to be developed in 1979 based on the old 1856 version. In the four years that followed, tribal officials worked tirelessly to revise, update and formulate a constitution to fit the needs of a modern Chickasaw society. This was accomplished with the ratification of an official tribal constitution in August of 1983. Like the original document, the new constitution established a three-branch system of government. The executive department, which is the governor and lieutenant governor; a legislature, which is made up of 13 people called legislators; and a judicial department, which is made up of a supreme court and a district court.

The new constitution included seven fundamental differences. These were: the length of the governor's term, term limits for elected and appointed positions, whether to have a lieutenant governor and if salaries should be set by the legislature or governor, blood quantum requirements for the executive department, the location of the seat of government and the election of tribal judges. With the implementation of the new constitution, Chickasaw sovereignty was taken to a higher level, and the tribe continues to be self-governed today.

Overton James served as governor of the Chickasaw Nation from 1963 to 1987. He passed away on September 16, 2015 at the age of 90. He was the youngest man to

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serve as governor of the tribe, the first person inducted into the Chickasaw Nation Hall of Fame, and he left an amazing legacy of Chickasaw history behind. The resounding “I bring you greetings from the great unconquered and unconquerable Chickasaw Nation” was his standard greeting at speeches and gatherings. This quote became a traditional greeting and continues to be used to this day.

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Discussion Questions

1. What impact did the Nixon administration have on the Chickasaw Nation? Be specific.
2. Why do you think it was important for the 1856 version of the Chickasaw Constitution to be revised? List some reasons this revision might have been necessary.
3. In the lesson, we discussed several tribal and governmental groups. Name some of them, and discuss what they are or were important. (This may take additional research.)
4. Discuss the growth of the Chickasaw Nation during Gov. James' time in office. Examine areas such as tribal employment, revenues and anything else you feel is relevant.
5. Why do you think it was important that the United States allow tribes to elect their own governors as opposed to them being appointed by the President of the United States?

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Student Activity

Solve the cryptogram by discovering which letters in the table are represented by the letters below the lines. W and C have been given to you.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
		W	C																						

"

G N T G J V F D A V T Y Y S G J V Z R T D M

S K Y V T Y X S A J **C** W D J L A Y T Y **C** X J **C**

C A J W D J L A Y T X N O Y **C** W K G W H X Z X P J X S G D

"

J P X Z V D I Y T J D T E X M Y Z Z S X J **C** X T **C**

V T Y Y S G J V X S Z U Y Y W K Y Z X J **C**

V X S K Y T G J V Z

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Student Quiz

1. What did the Treaty of 1855 do?
 - a. It authorized the removal of the Chickasaws from their Homeland.
 - b. It granted the Chickasaws a formal separation from the Choctaws.
 - c. It established Ft. Cobb.
 - d. It made it illegal for Native Americans to have tribal governors.
2. What document was drafted at Good Spring on Pennington Creek?
 - a. There was no document, it was a tribal gathering.
 - b. The Indian Health Services Act.
 - c. The Treaty of 1855.
 - d. The Chickasaw Constitution of 1856.
3. Between 1906 and 1971 who had the authority to appoint Chickasaw governors?
 - a. The President of the United States.
 - b. The Chickasaw people.
 - c. The Choctaw people.
 - d. The Oklahoma people after statehood.
4. Which president appointed Governor James?
 - a. Kennedy
 - b. Nixon
 - c. Albert
 - d. Regan
5. Who was the first person inducted into the Chickasaw Nation Hall of Fame?
 - a. *Tishominko*
 - b. Overton James
 - c. Carl Albert
 - d. Richard Nixon
6. What nation did the Chickasaws reside amongst after their Removal?
 - a. Choctaw
 - b. Shawnee
 - c. Kiowa
 - d. Cherokee

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7. What is Good Spring known as today?
 - a. Ada, Oklahoma
 - b. Oklahoma City, Oklahoma
 - c. Pennington, Oklahoma
 - d. Tishomingo, Oklahoma

8. What year did Overton James become the first elected governor of the Chickasaw Nation?
 - a. 1971
 - b. 1963
 - c. 1907
 - d. 1968

9. What was the name of the first business the Chickasaw Nation owned and operated?
 - a. The Chickasaw Cultural Center
 - b. Council House Museum
 - c. Chickasaw Motor Inn
 - d. Bedré Chocolates

10. What important piece of law was rewritten while Gov. James was in office?
 - a. The United States Constitution
 - b. The Chickasaw Constitution
 - c. There were no laws rewritten during this time.
 - d. Women were given the right to vote.

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