The Indian Reorganization Act of 1934 (also known as the IRA or the Wheeler-Howard Act) was the signature piece of Office of Indian Affairs (OIA) commissioner John Collier’s “Indian New Deal.” The subject of much controversy despite being less sweeping than originally intended, it still ranks among the most significant pieces of Indian-related legislation passed during the twentieth century.

The IRA owed its origins to a sharp critique of the disastrous allotment policy that developed during the 1920s, fallout from the 1928 Meriam Report, the New Deal’s creative momentum, and the vision and energy of John Collier himself. Though a relative newcomer to Indian causes, Collier had earned a national reputation in the fight against the notorious Bursum Bill and advocated for the restoration of Native tribalism in the public arena and through his American Indian Defense Association.

Soon after becoming commissioner in 1933, Collier moved aggressively to address reservation poverty and substandard Indian education and to redirect policy away from forced assimilation and toward an appreciation for Indian cultural values. But lasting reform rested with the communities themselves, and so in 1934 he submitted to Congress a comprehensive plan to remake tribal governing bodies.

Drafted by the commissioner and talented attorneys Felix Cohen and Nathan Margold, the “Collier bill” focused on four key areas. Title I (government) authorized recognized tribes to establish governments with authority over legal affairs, tribal lands and resources, personnel, and the administration of federal services. Title II (education) promised to place Indians in the OIA, provide for enhanced educational opportunities, and support curricula incorporating Indian culture and history. Title III (land) abolished allotment and committed the OIA to reversing its effects by restoring the tribal domain, either through purchase or by consolidating individual allotments. Title IV (law) addressed the tangled legal and jurisdictional conditions by creating a national Court of Indian Affairs with jurisdiction over reservation crimes, the status and disposition of tribal lands, and civil cases where at least one of the parties was Native American.

Because Collier’s bill represented a comprehensive restructuring of Indian policy, it generated considerable opposition. Longtime advocates of forced assimilation, like the Indian Rights Association,
denounced Collier for what they saw as robbing Native people of the opportunity to participate completely and meaningfully in American society. Western politicians and their allies in business and industry feared that restoration of a tribal land base (held in trust by the federal government) would prevent investment and development. Many Christian leaders objected to renewed support for traditional cultural practices, and other opponents linked Collier’s objectives with the collectivism supposedly espoused by advocates of the New Deal in general.

Native opposition surfaced as well. Some Indians wondered whether tribal governments could manage reservation resources competently, and others felt directly threatened by provisions for compulsory consolidations of individual land allotments. Many had adjusted to the current policies and were uneasy about yet another change in direction. Native American political conservatives, most famously Creek businessman Joseph Bruner, lambasted Collier for imposing communism when, he believed, Indians really needed a strong dose of individualism.

Collier responded by organizing ten regional congresses across Indian Country in the spring and summer of 1934. A virtually unprecedented move—seeking Indian input on pending legislation—the meetings largely failed to generate the hoped-for grassroots support. Native attendees grilled Collier and ultimately secured a promise to make land consolidations voluntary. This concession failed to convince those suspicious of federal bureaucrats bearing gifts, however, and many also remained disappointed that the proposal neglected specific local concerns like water rights, unfulfilled treaty obligations, and relations with white neighbors.

A frustrated Collier turned to powers in Washington to save his proposal. Senator Burton K. Wheeler, chair of the Senate Subcommittee on Indian Affairs, cut Collier’s bill from forty-eight to just four pages, effectively stripping it of its most revolutionary components. Franklin Delano Roosevelt signed the truncated Indian Reorganization Act, or Wheeler-Howard Act, on June 18, 1934.

The provisions for firm commitment to Indian self-government, the Court of Indian Affairs, and tribal authority to acquire allotments and oversee OIA budgets and personnel were all gone from the revised bill. The act excluded Native communities in Oklahoma and Alaska until 1936 when specific legislation extended most, though not all, provisions to those groups. Despite its diluted nature, the resulting act still ended allotment and provided for tribal elections to accept or reject its provisions and to organize governments. It established a revolving fund to assist organized tribes with economic development projects; authorized a process for restoring unallotted lands to the tribal domain; exempted Indians from civil service regulations; and created a loan program for Native students seeking vocational, high school, or college education.

Though securing tribal consent through referenda was a significant step in the direction of self-determination, the process by which this took place proved quite controversial. To defeat the IRA, 50 percent of all eligible voters had to cast negative votes, whether they showed up at polls or not. To many, the process seemed rigged in favor of passage, a perception that only added to suspicion about Collier, the Indian Office, and the act itself.

More than two-thirds of the 258 tribes holding referenda approved the IRA, and of those 92 wrote new constitutions while 72 drafted charters of incorporation. But just 40 percent of total votes endorsed the IRA, and several groups, from the Crows in Montana to Iroquois nations in New York, rejected Collier’s masterpiece by large margins. Many preferred to retain existing political institutions, which they saw as authentic expressions of self-government. For the Navajo Nation, largest in

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population and land area, support for an existing business council form of government and anger over
the Indian Office’s forced stock reduction policy irretrievably damaged Collier’s reputation, and the IRA
got down to defeat by a vote of 7,992 to 7,608.

Problems did not end there. Reorganized tribes found that the creation of new governmental structures
reopened social and political divides inside communities. On the Pine Ridge reservation, the political
contest pitting “Old Dealers” against “New Dealers” paralyzed tribal politics for more than a generation
and is blamed for the political turmoil that overtook those communities during the 1970s. Other tribes
chafed under a highly circumscribed form of self-government in which decisions made by tribal councils
still were subject to approval by the secretary of the interior. By 1938 Collier and his signature act
faced devastating attacks in the halls of government.

In the end, the effects of the act were decidedly mixed. While some tribes found the results
disappointing, even destructive, others, like the Blackfeet in Montana, used the act to invigorate
governing institutions and develop reservation resources. Some created governments, consolidated a
tribal land base, and prepared for extensions of self-government that came later. Still others used the
revolving fund to build up livestock herds. And many Natives benefited from new educational
opportunities. That the IRA failed to produce fully self-governing tribal nations is undeniable. But
wedged as it was between the eras of allotment and termination, it is also clear that the prospect of a
more fully realized tribal sovereignty likely was unacceptable to most policy makers of the period.

See also American Indian Defense Association; Bursum Bill; Cohen, Felix S.; Collier, John; Indian
New Deal; Meriam Report; Wheeler, Burton K.

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APA

Chicago

Harvard

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