

# The Role of Education in the Struggle for Native American Sovereignty

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**Abstract:** This article explores the enduring struggle of Native Americans to preserve their land, culture, and sovereignty in the face of European colonization and U.S. expansion. The Native American population, estimated between five and 18 million prior to 1492, was drastically reduced to 250,000 by the early 20th century due to colonization's harsh realities. Education emerged as a critical battleground for preserving tribal identity, as the U.S. imposed its system to erase native cultures. Native American children were coerced into feeling ashamed of their heritage, all while the nation denied them equal opportunities. Educational autonomy is intrinsically linked to the broader fight for Native American sovereignty, enabling tribal nations to wield political and economic power as sovereign entities within the U.S. boundaries. The narrative covers the encroachment and division policies of the Reconstruction Era, exemplified by the Homestead Act and the Dawes Act, which led to the loss of tribal land and imposition of Western culture. It also delves into the establishment of off-reservation boarding schools, such as the Carlisle Indian Industrial School, which sought to assimilate Native American children through familial separation and a curriculum that suppressed cultural identity. This historical overview reflects the hurdles overcome and the remaining obstacles in Native Americans' quest for educational autonomy and self-determination, ultimately serving as a testament to their enduring resilience and determination in the face of centuries of adversity.

**Keywords:** Resilience; Autonomy; Cultural preservation; Sovereignty; Struggle

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## 1. Introduction

Native Americans have struggled to preserve their land and culture since the beginning of European colonization. Though figures are disputed, prior to 1492, the land now known as the United States (U.S.) was estimated to host a population of between 5 and 18 million people. By the turn of the 20th century, however, that number was reduced to 250,000. Over the course of colonization and the establishment of the U.S., Native American communities underwent a series of exterminations and other dehumanizing treatment that extended beyond the loss of life to include efforts to eradicate the cultural qualities that defined them. Education thereby became a prominent battleground for the preservation of tribal identity, and the U.S. imposed its educational

system on Native Americans under the guise of cultural assimilation in an attempt to eradicate what little identity tribal communities had left.

In fact, for much of the 19th and 20th centuries, the government's efforts to control the education of indigenous children were expressly intended to force the "Indian" out of them. Native American children were taught to feel ashamed of their heritage and reminded of the uncivilized savagery of tribal life while being forced to participate in a nation unwilling to provide them with equal opportunities. As explained by Albert White Hat, a Lakota activist and teacher, "The white man taught us English only so that we could take orders, not so that we might dream." So, it became of the utmost importance that Native Americans find a way to take control of their education so as to ensure that the U.S. would not be able to strip away their cultural identity.

In this respect, the pursuit of educational autonomy is inseparable from the larger Native American struggle for sovereignty, and "the inherent right of each tribal nation to exercise political and economic power as a sovereign entity" despite existing within the borders of the United States cannot be realized without an educational system controlled by Native Americans. The following provides a historical overview of this struggle for educational autonomy and self-determination, reflecting the numerous hurdles that Native Americans have already overcome as well as the remaining obstacles to further progress.

## **2. Encroachment and division policies of the Reconstruction Era**

During the Reconstruction Era after the Civil War, the U.S. government's longstanding strategy toward Native Americans gradually shifted from a campaign of exploitation and extermination – as exemplified by the American Frontier Wars – to one of cultural assimilation, which sought to "Americanize" them by erasing their cultural identities. Although the stated intention of this campaign was to "civilize" them and save them from their own savagery, its larger purpose was in fact to acquire land and exploit communities that the country would never consider equals. Congress's vision for the dilution of Native American power and identity is reflected in the Homestead Act of 1862, which incentivized Americans in the east of the Mississippi River to move westward into land occupied by the Indians. The Act offered large amounts of land for a nominal price to non-Natives willing to relocate, and for many experiencing the economic and personal toll of the Civil War, it was a golden opportunity. The repercussions of this westward expansion into the Native American's territory were profound. Settlers not only claimed a wide swath of property that had previously belonged to the Indians but also imposed Western culture onto Native American tribes, whom they continued to regard as primitive and barbaric.

This hostility toward Native American culture is also reflected in the General Allotment Act of 1887, more commonly known as the "Dawes Act," which sought to assimilate Indians into the American society by subdividing their land into individual plots and pressuring them to adopt western agricultural practices. Property that had previously belonged to reservations was also sold to non-Native settlers, leading to the loss of about 90 million acres of tribal land, while other provisions of the Act were geared toward cultural assimilation. Under Section 5, for example, funds intended for the purchase of reservation land would also be "subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof."

To some extent, the reeducation campaign established under the Dawes Act, which was incentivized with subsidies and tax breaks for religious organizations, was nothing more than a bad-faith attempt to deprive Native Americans of land under the guise of American-branded education and opportunity. As explained in a 1969 report on the status of Native American education in the United States, the law was essentially a bait-

and-switch ploy: “It is clear in retrospect that the ‘assimilation by education’ policy was primarily a function of the ‘Indian land’ policy. The implicit hope was that a ‘civilized Indian’ would settle down on his 160 acres and become a gentleman farmer, thus freeing large amounts of additional land for the white man.” In fact, the Dawes Act was only one of many policies to come in the years ahead that appeared to offer assistance while delivering subjugation with empty promises of integration.

In practice, the government’s allotment of reservation land resulted in many tribal populations losing much of their territory. While Native Americans who took up the government’s offer were able to keep individual parcels on behalf of their tribes, many only received a fraction of the stipend promised to them and the property itself no longer belonged to the tribal communities as a whole. This strategy of enticing Indians with land on the condition that they assimilate also served to reduce solidarity among the tribes.

### **3. “Kill the Indian, save the man”: Boarding schools of the 19th century**

As the Christian-led campaign to reeducate and assimilate Native Americans spread, concern over its lack of success began to arise. According to an 1880 report by the Board of Indian Commissioners, efforts to assimilate Native Americans may have done more to embolden their identity than suppress it.

The most reliable statistics prove conclusively that the Indian population taken as a whole, instead of dying out under the light and contact of civilization, as has been generally supposed, is steadily increasing. The Indian is evidently destined to live as long as the white race, or until he becomes absorbed and assimilated with his pale brethren.

Instead of acknowledging the persistence of Native American identity in the face of assimilation, however, the Commission used it as a reason to pursue more aggressive approaches designed to “fit [Native Americans] by education for civilized life.”

It was during this time that the Commissioner of Indian Affairs, Ezra A. Hayt, opened a line of communication with Brigadier General Richard Pratt, a veteran of the American Frontier Wars. Pratt had become known for his successful efforts to assimilate Native American prisoners from the Red River War through English language requirements and other measures, which he used to immerse Indians in Western culture throughout the 1870s. As Pratt himself said, the purpose of this assimilation was to “kill the Indian... and save the man.” So, in 1879, with support from the Commissioners of Education and Indian Affairs, Pratt founded the Carlisle Indian Industrial School, the first off-reservation boarding school for Native Americans. Under the direction of the War Department, Pratt was also tasked with capitalizing on the conflict between the Lakota and the United States by recruiting students from the Dakota Territory, which often involved abducting Native American children and transporting them across the country. Pratt’s model of schooling thereby promoted assimilation by familial separation and other forceful measures, “attacking indigenous notions of community identity and property” with an “intellectually and emotionally deadening” curriculum.

Pratt was also adept at marketing, even as the imagery of Native American students in scholastic, sports, and work uniforms which he presented as a testament to the success of his assimilation efforts, concealed a darker reality. In fact, most of the students enrolled at the Carlisle School were bored and confused as to why they were being subjected to an unfamiliar form of education in a language that was not their own. Yet the Bureau of Indian Affairs (BIA) took notice of what Pratt was selling and assisted in the establishment of 24 additional off-reservation boarding schools. In 1891, the government also passed a law empowering BIA to enforce obligatory schooling of Native Americans and allowing for the distribution of food and land to be withheld unless Indians complied with the new law. Thus, by the end of the 19th century, principles of national

sovereignty and the protection of tribal education were essentially eradicated as the government continued its campaign of Americanization.

#### **4. A turning point: Reassessing educational policy in the early 20th century**

If the 19th century witnessed the forcible removal of land and the imposition of cultural assimilation, much of the early 20th century aimed to further dismantle Native American sovereignty through naturalization. Yet while some Indians were assimilated into American culture through such coercive tactics as the Dawes Act, many remained without U.S. citizenship for fear that it would further erode their indigenous identity. Rejecting citizenship thus served as a form of protest against the previous century's losses, though even this act of resistance would soon be taken away with the passage of the Indian Citizenship Act in 1924, which automatically deemed all Native Americans born within the borders of the United States U.S. citizens. Yet while some tribal leaders viewed naturalization without consent as the latest affront to their sovereignty, other voices within the Native American community cautiously welcomed citizenship in the belief that naturalization would help protect the tribal communities and lands that were being exploited by non-Native citizens.

At the same time, however, signs began to emerge that non-Natives had begun to recognize the adverse consequences of the government's assimilation efforts. Factors such as the diversion of public funds into World War I exacerbated the already troubled welfare of Native American communities, while disease spread among the populace and lifespans dwindled. For many Americans, including sociologist John Collier who studied the oppression of Pueblo tribes in the first half of the decade, the reality of these hardships became hard to ignore. Having been educated by the locals on the roots of their struggle, Collier became an outspoken advocate of Native American sovereignty, spending the remainder of the 1920s lobbying against the Dawes Act and calling for progressive changes to the U.S. policy on the preservation of Native American culture.

Nearly 40 years after the Dawes Act was enacted, Collier lobbied the Department of the Interior to commission an investigation into the outcome of the law, which resulted in the publication of the Meriam Report in 1928. Painting a stark portrait of the government's role in the eradication of Native American communities, the report was a blistering condemnation of the largely unspoken intent behind the policy of Americanization. Challenging the pretense of goodwill masquerading as a means of saving the Native American community from a primitive lifestyle, it emphasized the repercussions of government control over Native American education and reserved special criticism for the off-reservation boarding schools, pointing out their lack of nutritious meals, overcrowded conditions, and the forced recruitment of children who were not mentally prepared for a boarding school environment. The modern enslavement of children, illegal in most states at the time, was described as follows:

In nearly every boarding school one will find children of 10, 11, and 12 spending four hours a day in more or less heavy industrial work, dairying, kitchen work, and laundry. The work is bad for children of this age, especially children who are not physically well-nourished; most of it is in no sense educational since the operations are large-scale and bear little relation to either home or industrial life outside, and it is admittedly unsatisfactory even from the point of view of getting the work done.

Thus, the pretense of assisting Native Americans through education was exposed as the exploitation of child labor, suggesting that the role of education was in fact to destroy Native American culture while showing little interest in providing equal opportunity which the promise of assimilation offered. Based on these criticisms, the Meriam Report essentially recommended that the policy of Americanization be reversed by advocating for the inclusion of classes focused on Native American culture into the existing curriculum. It also

called for a prohibition on the admission of young children to off-reservation boarding schools, though these schools would continue to thrive in the coming decades.

More generally, the Meriam Report represented a pivotal moment in the nation's recognition of the bad faith policies of America's past, helping to change the conversation in Washington and transform the BIA from an agency promoting assimilation to one more open to cultural preservation. To some extent, it also led to a newfound interest in the lives of Native Americans while arousing sympathy for their hardships. As historian Sherry Smith notes, "Writers produced books for popular audiences that offered new ways to conceptualize Indian people, alternatives to the images that had transfixed Americans for centuries," thereby helping Americans see Indians through a warmer lens and understand that their "cultural perpetuation would benefit all Americans." Little by little, more people, including individuals in government, exerted pressure to improve the conditions of reservations and tribal communities.

What followed in the decades to come was a complex politicization of Native American sovereignty. With the federal government no longer focused entirely on cultural eradication, a growing minority of policymakers emerged to safeguard and protect Native American rights, though the fate of Native Americans would begin to rely heavily on whoever occupied the White House. The same year that the Meriam Report was published also saw the election of Herbert Hoover and his running mate, Charles Curtis, who would become the first Vice President of tribal origin. In his memoirs, Hoover empathized with the sentiments expressed in the Report and echoed its criticisms:

Indian tribes were infested with human lice in the shape of white men who sold them hard liquor in violation of the law, married the young squaws to get their land inheritances and oil rights, or conjured up fictitious claims and pushed them through Congress with profit-sharing lawyers.

Unfortunately, these years had also witnessed a Native American population on the verge of cultural collapse, having buckled under the pressure of years of assimilation. Thus, it was only when the remaining tribal population had reached these tragic lows that the nation finally acknowledged its own culpability. With the reexamination of the government's promotion of forced schooling and indoctrination, the door was opened for the restitution of Native American education based on a model of cultural preservation.

## **5. Transitioning away from assimilation: The Indian Reorganization Act**

If the 1920s served as a moment of clarity for the U.S. government, then much of the following decade would commit itself to translating this new perspective into tangible change. According to historian Francis Paul Prucha, "the agitation for reform that had been building up through the previous decade now turned into substantial and, to some degree, revolutionary action," which included efforts by the federal government to direct more money and other resources into Indian schools.

After Hoover appointed Charles Rhoads as Commissioner of Indian Affairs, he began to place prohibitive regulations on off-reservation boarding schools, which resulted in the closure of six of them. By limiting the ability of these schools to recruit younger children and putting an end to violations of child labor laws, these new restrictions helped move Native American students away from the boarding school environments and encouraged localized public schooling, allowing children to spend more time with their families. As a result, between 1930 and 1932, Native American attendance in public high schools jumped from 38,000 to 48,000.

Then, when Franklin Roosevelt was elected president in 1933, the progress made by the government's policy to preserve Native American culture, and in some cases return Native American territory, accelerated with the appointment of John Collier as the head of the BIA. As Ann Allbright points out, by "using the Meriam

Report as a springboard, Collier developed the Indian Reorganization Act (IRA), which President Roosevelt signed into law on June 18, 1934,” becoming “the most sweeping change in Indian policy since the Dawes Act of 1887.” Among the most consequential provisions of the IRA was its authorization of Native American communities to vote on their own constitutions as a stepping stone to self-governance, thereby allowing them to operate their own education programs. By 1940, the law would result in the ratification of 135 tribal constitutions across the United States, setting the groundwork for Native Americans to reclaim control of their own schooling.

Moreover, while Collier did not have the power to shut down the off-reservation boarding schools entirely, he was able to counter their influence by allocating nearly \$1.5 million to the development of BIA-sponsored schools on reservation sites in the hope that they would become a preferred alternative for Native American communities. Architectural touches such as the construction of BIA-sponsored Navajo schools resembling hogans signified a newer, more deferential approach to indigenous culture, and the increased funding initiated by Collier was one of many wider contributions in what came to be known as the Indian New Deal.

## **6. The Termination Era**

Yet this shift in Native American education policy also found critics from within Washington. Many policymakers of the late 1930s held a personal vendetta against Collier, believing him to be a communist sympathizer, and initiated partisan investigations of the BIA. In 1943, for example, the Senate Committee on Indian Affairs issued a report that denounced the BIA for strengthening tribal government and recommending an end to federal subsidies for Native Americans. Though some of these criticisms arose out of financial concerns in a country ensnared in a world war, they were also a product of nationalistic “America First” sentiments which questioned the wisdom of granting Native Americans the power to govern themselves.

The relative prosperity provided by the Indian New Deal would also come to a close during the Second World War, which deprived these programs of both funding and personnel. The BIA was particularly weakened as many of its employees were enlisted in the war effort, and Collier stepped down in 1944. The 1940s also spawned a growing public backlash against the progressive education system, whose efforts to challenge a romanticized history of the United States were criticized for its lack of patriotism. A system designed to acknowledge the atrocities done to Native Americans would not stand during wartime, and pressure from the global conflict limited the federal government’s ability to manage domestic public works. As a result, many social programs, including education, were redirected from the federal to the state level, placing schools geared toward the preservation of Native American culture under new scrutiny.

Sensing the pendulum of American sentiment toward Native American sovereignty swing back to assimilation, several Indian employees of the BIA set up the National Congress of American Indians (NCAI) in 1944. Organized in an attempt to lobby against the withdrawal of funding for Native American programs like schooling and federal protections, the organization’s power was nonetheless limited by the rapid spread of a renewed belief in Americanization among both Washington and the public. This bleak outlook on Native American sovereignty was further cemented by the publication of the Hoover Commission Report in 1948, which acknowledged educational failures within tribal communities and considered these communities to be broken beyond repair. A return to a policy of cultural assimilation was proposed as the only way forward: “The basis for historic Indian culture has been swept away. Traditional tribal organization was smashed a generation ago...Assimilation must be the dominant goal of public policy.”

This would set the tone for the next decade. In 1950, a sympathizer to the Hoover Commission’s

assessment, Dillon Myer, was appointed Commissioner of Indian Affairs. Myer's handling of Native American communities was in many ways reflective of his previous role as the Director of the War Relocation Authority, which had been responsible for the internment of Japanese Americans during the Second World War. He expressed open distrust of reservations and believed that the federal government was still providing too much in the way of services for Native American communities. According to Myer:

Reservation life leads to a continuation of certain old ways of life and nowadays leads to a welfare type of state for the simple reason that there is not enough work available in many of the reservation areas. Therefore, poverty, problems of relocation, problems of education, and problems of health and sanitation all go more or less hand in hand.

In fact, the hardships experienced by Native American communities at the time were hard to ignore. Post-war life expectancy for Native Americans was 42 years (two decades below the average American), only 60% of Navajo children were enrolled in school, and the high school graduation rate was only 5%. Lakota's unemployment rate was between 80–90% and the Quinault Reservation provided only 200 jobs for a community of 1,500 residents. Yet while Myer and much of the American public were well aware of the destitution experienced by Native Americans during the 1950s, they either fundamentally misunderstood the underlying reasons for such poverty or failed to acknowledge their role in it. In their eyes, "reservation Indians simply had not joined America; they lacked an enterprising economic spirit, and education levels and health conditions remained abysmal."

Generally speaking, Myer believed that this state of poverty was therefore self-inflicted and that as a new global superpower, Americans were duty-bound to share the American experience with Native Americans in order to save them from themselves. Such views demonstrated a lack of appreciation for the Native American struggle for national sovereignty, and Myer's belief that education should provide assimilation through immersion harked back to the U.S. policy at the turn of the 20th century.

It is my recommendation that the Department continue to press toward the transfer of its responsibilities for direct educational operations to the local school districts or the state departments of education and also to encourage further use of boarding schools wherever this is feasible.

Others on Capitol Hill also shared in this myopic belief that it was the government's duty to free Indians from the shackles of their culture as white knights of the American Dream. One of these advocates, Senator Arthur Watkins, even championed terminating Native American status as part of a crusade to save Native Americans from themselves. As he put it, "Following the footsteps of the Emancipation Proclamation ninety-four years ago, I see the following words emblazoned in letters of fire above the heads of the Indians – THESE PEOPLE SHALL BE FREE!"

Then, in 1953, Congress enacted Public Law 280 and House Resolution 108 which granted states extensive jurisdiction over civil and criminal offenses where Indians or Indian lands were involved. This bucking of responsibility to the states was a disservice to both Native American populations and the states now in charge of their oversight, which lacked the resources and experience necessary to preside over Indian affairs. Many Indians also felt betrayed by the law's passage as it was made without consulting tribal communities and had not gained their approval. The weakening relationship between the federal government and the Indian nations also introduced a new level of uncertainty by exposing the tribes to jurisdictions that were not necessarily prepared for the task. This marked the beginning of what became known as the Indian termination policy.

In the words of historian Sherry Smith, the long-term goals of the termination policy included "eliminating tribal governments, liquidating reservations, ending treaty rights forever, and destroying native cultures." While it was a set of objectives that would not be executed in a singular piece of legislation, several smaller

bills targeted individual Native American communities with devastating effects. Throughout this decade, the government would also implement a protocol for liquidating tribes. First, it dissolved federal recognition of the tribe, thereby “giving the land back” to the tribe without the protections provided by the previous century of treaties. This in turn made the land taxable, forcing tribes with little economic means to sell. The termination of federal recognition also resulted in the total loss of federal health and education programs, placing education in the hands of the states and encouraging children to attend BIA-sponsored boarding schools which were fully invested in the assimilation of Native American culture.

The revival of this assimilation policy was also reflected in the Indian Relocation Act of 1956, also known as the Adult Vocational Training Program, which aimed to further dissolve tribal communities by offering Native Americans vocational training and incentivizing them to relocate to urban areas with a government-sponsored stipend. It also provided other assistance such as subsidies for the purchase of household goods, grants for homes, and medical insurance for those willing to move, and was widely perceived by critics as a perpetuation of settler colonialism and another thinly veiled effort to cripple existing tribes through assimilation. Yet the sustained undermining of tribal lands and culture by 15 years of targeted policy had weakened tribes such as the Menominee. Faced with a sinking economy, perpetual tuberculosis outbreaks, and shrinking access to education, the Menominee nation could no longer overcome its government-afflicted challenges by itself and was forced to embrace the “benefits” offered by such laws as the Indian Relocation Act.

House Concurrent Resolution 108, which terminated 109 Indian nations in the eyes of the federal government, further contributed to the dissolution of tribes like the Menominee. Federal protections associated with reservation status vanished, thereby allowing the acquisition of land by private citizens and businesses, and over 2.5 million acres of trust land was ceded to individual, largely non-Native buyers. Upon losing recognition, many Native Americans who had accepted the offer under the Indian Relocation Act struggled to adapt to their new urban surroundings and soon discovered that the quality of their life differed greatly from what was promised:

Employers refused to hire Native workers, and landlords would not rent to them. Police followed and harassed American-Indian men. Teachers pushed students to forget about Native languages and cultures. Social workers conflated poverty with neglect, and social services took Native children into custody at up to eighty times the rate of the general population.

During this era, whatever trust in the BIA that had accumulated throughout the 1920s and 1930s vanished, and the agency, under Myer’s supervision, became vilified as a tool for terminating tribes. The BIA imposed strict budgetary control over reservation lands and appointed superintendents to oversee the economies of reservation communities despite lacking any history with the communities they managed. There was also no interest in establishing a dialogue with Native American communities when making decisions on their behalf, as many of the superintendents were believers in the cause of assimilation and viewed the handicapping of these communities as a necessary step to set them on a path to Americanization.

This dramatic shift in the function of the BIA between the 1930s and the 1960s validated concerns that every change in administration could result in the agency becoming an ally or enemy of Native American sovereignty and that it could no longer be trusted to aid in the struggle for self-governance. It soon became clear that tribal communities would now have to find new ways to reclaim their autonomy.

## **7. Activism, resistance, and the rise of Native-American-controlled schooling**

The Indian termination policy was devastating for Native American tribes, over a hundred of which were



terminated as a result. Much like the assimilation efforts of the 19th century, the goal of the policy was to dismantle Native American communities without providing any meaningful assistance for the new hardships they faced, and it unsurprisingly resulted in even more destitution among Native American populations than before.

Yet while the policy largely achieved its objectives, its effectiveness stirred alarm and gave rise to a pronounced, organized resistance among Native American communities and their allies, generating grassroots activism to combat the systematic erasure of indigenous culture. Much as the campaign of assimilation through the establishment of off-reservation boarding schools in the 19th century led to rejection, anger, and fear, the termination policy animated tribes to unify against the growing threat. With the number of recognized tribes dwindling, it was vital for Indians to reach beyond their own communities and seek coalitions with other Native American communities and allies across the nation.

Schools were particularly vulnerable to the dissolution of tribal identity. As the BIA had shown itself to be an unreliable custodian of indigenous-oriented education, Native American communities needed to find a way to shake themselves from their dependency on schools that did not have their best interests at heart. In this respect, the activism of the 1960s would prove invaluable in enabling individual communities to establish larger inter-tribal networks to address educational challenges.

The seeds for taking control of Native American education were first planted in the Ramah Navajo Reservation. Recognizing that the BIA's unpredictable oversight of education put tribal identity at risk, the Navajo understood that it would have to assume ownership of its own schooling and that depending on the BIA to provide pedagogic security was no longer feasible. If the community wanted to assume ownership of its education, it would have to do so itself. In this way, the Ramah Navajo Reservation became a testing ground for reclaiming control over education through new tactics of political savvy. As explained by Charles Wilkinson, "Navajos had learned one lesson: When threatened by opposition at one level, negotiate with a higher level of power."

The inroad Navajo activists needed first emerged during the administration of President Johnson, whose domestic priorities included the war on poverty, with Native Americans being among the most impoverished people in the country. As part of this initiative, the Office of Economic Opportunity (OEO) was established in 1964, and Lakota native, Dr. James Wilson, was tapped to lead it. As head of the OEO, Wilson made efforts to ensure that federal funding would fall into the hands of tribal communities without interference from other agencies like the BIA. The OEO thereby became the largest source of federal funding for Native American education since the 1930s, with the tribes given full discretion on how the money should be used.

In 1965, a year after the OEO's establishment, members and sympathizers of the Ramah Navajo Reservation seized the opportunity to request funding, with tribal leader Allen Yazzie pitching the project of Rough Rock as a pilot for the establishment of Native American-controlled schools on reservations without interference from the BIA. Central to the project were curricula crafted by Native Americans for Native Americans, and OEO funding was secured with the assistance of Robert and Ruth Roessel, a non-Native couple who had worked closely with the Navajo to resist termination in the 1950s and who "decided they were going to run a community-based school and empower the native American families and particularly the chapter heads of the tribe."

In 1966, the Rough Rock Demonstration School (RRDS) opened as the first Native-controlled school of the 20th century by utilizing the facilities of what once was a BIA-sponsored school, with Robert Roessel appointed director. Widely viewed as forging a path to educational autonomy for other Native American communities, the opening of the school was met with praise by Indians around the country, and the parents of

the students became actively involved in its day-to-day operations. At the same time, the willingness of Native American communities to free themselves from the BIA's management highlighted the lack of faith Indians had in the agency's abilities while posing a direct challenge to its authority and calling its future in education into question.

The establishment of RRDS was also met with polarized responses from BIA personnel, who came from a range of backgrounds and held conflicting views on how tribal education should be managed. This in turn caused an identity crisis within the agency as its legitimacy as an institution to oversee Native American education came under increased scrutiny. Some employees continued to promote the status quo upholding the traditional role of the BIA as responsible for all aspects of Native American education, and were concerned either that RRDS would perform worse than the schools under BIA management or that its success would potentially highlight the past ineffectiveness of the agency.

Yet those who sided with the OEO approach of giving tribal communities more control over their education and believed that the BIA's role was to facilitate an autonomously functioning community praised the success of RRDS and encouraged the establishment of other Native-controlled schools while planting the seeds for what would become known as Native self-governance. A year after the school's establishment, these employees also formed the National Indian Education Advisory Commission to advance the promotion of Indian leadership within schools that had a sizable Native American population.

Soon enough, the success of RRDS triggered another ambitious project on the same Navajo reservation, which led to the establishment of Navajo Community College (NCC) in 1968 with Robert Roessel again acting as president. Although modeled on RRDS, NCC presented a whole new set of challenges when it came to developing the curriculum, with questions arising as to what exactly the school should be preparing students for. The education provided by NCC thereby extended beyond the arts and crafts often barred by BIA schools, and ventured into critical explorations of modern tribal issues designed to "teach [students] who they were in order that they might not suffer an identity crisis when thrust into Anglo society." This approach was generally appreciated by the students, who valued the education they were receiving as a celebration of their own identity. As one student put it, "NCC is what we have always needed. It teaches our young people to become leaders among our own people...what we, the American Indian, want to learn."

From an administrative point of view, however, questions and controversies surrounding educational philosophy were quick to arise. Who should these schools serve? Did non-Natives have a place as students or faculty? How exclusive should the schools be? In the case of NCC, the decision to teach all courses in Navajo made it virtually impossible for non-Natives to enroll as students, and while some of the faculty were non-Natives, they lacked any decision-making authority and had no guarantees of being rehired should the college find a candidate of Navajo background. Roessel's tenure as president of NCC was also controversial, and he was soon replaced by Navajo member Ned Hatathli, who proclaimed that "we don't want any people other than Indian to dictate what is good for us." NCC thereby adopted a strategy of aggressive exclusivity which was designed to foster a purely Navajo educational experience.

Despite these controversies, the establishment of RRDS and NCC with the support of the OEO had an enormous impact on Native Americans across the country. As explained by Michael Gross, a non-Native attorney with the Diné be'iiná Náhiłna be Agha'diit'ahii, or DNA Legal Services Program, who worked to defend the rights of Native-controlled schools on the Ramah Reservation:

Ramah served a vital function in showing both Congress and other Indian communities that controlling their own government programs, especially schools, was a key to advancing their lives both educationally, socially, and in all manner of enriching their lives....[It] gave them control as much as possible over their own

children and their futures, which had been deprived by the years and years and years of rejection of Indians and subjugation of Indians that dominated the first couple of hundred years of the American experience.

The success of these schools also extended well beyond the Ramah Reservation, as other tribal communities adopted the RRDS approach to secure funding from the OEO, thereby using the political system as a means of promoting Native American sovereignty. In 1969, educators from around the country also established the National Indian Education Association, later known as the Coalition of Indian Controlled School Boards, which set out to convert old BIA day schools into tribal schools and worked to install Native-majority school boards in state schools in the vicinity of reservation lands.

Among these other tribal communities, the Sioux Rosebud Reservation was particularly effective at establishing Native-controlled schools modeled after RRDS, though their educational policies were somewhat different. While NCC adopted a curriculum that prioritized Navajo identity and the use of the Navajo language, Sinte Gleska University, which Rosebud established in 1971, encouraged enrollment by Natives and non-Natives alike in order to challenge the widespread perception that Indians were incapable of providing meaningful education. In effect, it was decided that the best way to prove that the system worked was to craft a program that opened its doors to non-Native students, and the diverse nature of the student body was seen as an advantage. Frank Pommersheim, a former professor of Sinte Gleska, emphasized the importance of fostering the integration of Native and non-Native students as follows:

The most striking attributes of these exchanges are legitimacy and humanity: legitimacy in the sense that most non-Indians begin to recognize and appreciate the legal and ethical thrust of Indian people to develop and it improves their institutions and government; and humanity in the sense that they begin to appreciate the human faces behind these exertions.

Members of the American Indian Movement chapter of the Twin Cities in Minnesota also joined in this education trend by opening the Survival School in 1972, which sought to enroll those Native American students who had been struggling in the public school system. The resulting influx of students resulted in the establishment of two other Indian-controlled institutions: the Red School House in Saint Paul and the Heart of the Earth School in Minneapolis. While the Red School House focused primarily on Native American identity, language, and culture, the Heart of the Earth School adopted a curriculum that resembled that of local public schools but with additional classes in indigenous language and culture. Despite these differences, however, both schools struggled with the issue of integrating Native American content into the curriculum without sacrificing the coursework typically offered in public schools and jeopardizing students' preparedness for higher education.

Generally speaking, this plurality of approaches to education did not result in competition as to which model was more effective, but rather highlighted the role of educational sovereignty in allowing tribal communities to pursue their own paths. Each school essentially paved its own way in defining what Native American education should look like, thereby serving as a microcosm of autonomous community building. For those involved, being able to take control over their own schooling led to a "feeling of great pride in the people – pride in what they are doing for their community, pride in what they are doing for their school, and pride in what they are doing for their children." According to Charles Wilkinson, tribal communities were finally given "the power to make their own mistakes, the right to be wrong, and the right to be right."

Although the establishment of Native-controlled schools represented an enormous step towards self-governance, they were still considered experimental and were unable to accommodate the majority of indigenous children, which is why grassroots change within existing public and BIA-sponsored schools was just as important. Lakota activist Birgil Kills Straight was an advocate of this approach to improve non-Native-controlled schools from within, and his early project, New Careers, sought to establish training programs for

Native Americans for positions at BIA schools. Yet while he dedicated himself to strengthening indigenous presence from within the BIA, his proposals were often met with racist trepidation by the schools themselves. As the principal of one such school told him, “We could never do it. I mean Indian people...they’re unreliable and they don’t have education. They don’t have the facilities up here to even be an educator. They made good aides. They could work the kitchen and bus drive, that kind of stuff. You know, that’s just their dream.” This resistance confirmed the out-of-touch and paternalistic management of the BIA and gave Kills Straight all the more reason to double his efforts.

In 1969, Kills Straight returned to his alma mater Red Cloud Indian School (formerly known as Holy Rosary Mission) to form an indigenous-majority school board as part of a larger effort to gain control from within the non-Native system of education. This in turn inspired other Native educators to take control of non-Native schools, and indigenous-majority school boards soon began to emerge across the country, eventually forming the Coalition of Indian-Controlled School Boards in 1972. With the legal assistance of allies like Michael Gross, this organization was able to secure federal funding and more effectively target individual issues within each school, helping to provide them with an added level of protection, especially when challenged by some of the larger school districts.

The establishment of Native American-controlled education generally required two types of activists: those like Robert and Ruth Roessel and Kills Straight who sought a means to control the schools themselves and those like Comanche activist, LaDonna Harris, who relied on political savvy to secure additional education funding and protections. Originally from Oklahoma, Harris’ interest in the education of Native Americans began when she discovered that several state schools had been keeping federal aid money dedicated to Native Americans even after the target students had already left. This pattern of abuse motivated Harris to do away with such practices with the assistance of her husband, Fred Harris, whose position as a state senator gave her an outsized voice. As Harris put it, “If you were even a state senator’s wife, I found they paid a little more attention to you than if you were just a Comanche girl.”

Then, when her husband was elected to the U.S. Senate, LaDonna Harris’ activism became a national effort. Among the couple’s new neighbors in Washington was Sargent Shriver, the head of the Office of Economic Development and founder of the OEO who had helped secure funding for Native-controlled schools like RRSD. A powerful ally of Native American rights, Shriver, forged an instant rapport with Harris and his position as Robert Kennedy’s brother-in-law allowed him to serve as a point of entry into the most powerful political family in the country. Impressed by the country’s failures over Native American education, as explained by Harris and Shriver, Kennedy took a trip to the Pine Ridge Reservation one month into his presidential campaign and was taken aback by the poor quality of life experienced by the Lakota. In fact, its effect on Kennedy was so profound that he established the Indian Education Committee within the Department of Interior and proceeded to hold numerous campaign events at Indian reservations and Indian schools.

Kennedy’s advocacy would meet a tragic end when he was assassinated only two months after his visit to the Pine Ridge Reservation. Yet what could have brought Harris’ efforts to a halt instead resulted in a domino effect of positive change that would have an immeasurable impact on the future of Native American education. In 1969, in honor of the late Senator’s interest in Indian education, the Committee on Labor and Public Welfare issued what would become a consequential indictment of the United States’ responsibility for the failures of Native American education in what later became known as the Kennedy Report.

In many ways, the Kennedy Report echoed the criticisms first presented by the Meriam Report in 1928. But what made the findings of this later report so searing was that the BIA had failed to address so many of these issues over the course of the intervening years, preferring instead to “blame its own failures on the Indian

students.” In fact, one of the themes running through the Kennedy Report was its attribution of poor academic performance, low attendance, and meager graduation rates to Native American distrust of BIA-sponsored education. It then went on to denounce the Bureau’s fundamental disinterest in accommodating the academic needs of Native American students as well as its obliviousness to the insensitivity of the material being taught:

A history created by the white man to justify his exploitation of the Indian, a history the Indian is continually reminded of at school, on television, in books, and at the movies. It is a history that calls an Indian victory a massacre and a U.S. victory a heroic feat. It is a history that makes heroes and pioneers of gold miners who seized Indian land, killed whole bands and families, and ruthlessly took what they wanted.

The report also concluded that the dehumanization and humiliation of Native American students enrolled in BIA-sponsored schools had gone unnoticed or ignored for decades. According to Bobbie Kilberg, an advocate for Native American rights and eventual aide to Richard Nixon, the objective of the BIA-sponsored schools was as follows:

Make [Native American students] conform to the definition and standards of excellence of the Caucasian society that lived in cities around them that had no relationship to them and a very little relationship to them and when you tell a child that their values and their background is useless or defective in some way, it has a major impact on the kid.

Given that the BIA had facilitated an educational environment that promoted the inferiority of Native American culture and taught students to be ashamed of their own heritage, the Kenney Report concluded that it was only natural for tribal communities to reject it.

Ultimately, many of the recommendations offered by the Kennedy Report, some of which expressly targeted the improvement of Native American education, were already being executed on the Ramah Reservation. Some of these recommendations included increasing federal funding available to BIA-sponsored schools, establishing benchmarks for monitoring the progress of Native American students, and documenting illiteracy and dropout rates. Yet perhaps the most consequential of these recommendations involved the proposal that “a comprehensive Indian education act be presented to Congress to meet the special education needs of Indians both in the federal...and in the public schools.” According to the Committee, the existing model for funding Native American education, which relied on a piecemeal approach of allocating funds through multiple agencies, worked to the detriment of Native Americans and needed to be centralized and streamlined. In this respect, the Kennedy Report foreshadowed the pivotal legislation of the so-called self-determination policies.

## **8. The Self-Determination Era**

If the path to self-governance in education was first paved in the 1960s, the focus of the following decade was to codify an educational system that would “allow for everyone to develop economies and lifestyles of their own choosing and remain Indians.” This pursuit of educational freedom would play a central role in what became known as the Self-Determination Era, but to achieve this goal, Native Americans would need an ally on a national level <sup>[1]</sup>.

In a stroke of improbable luck, Richard Nixon became that ally. During his university years at Whittier College, Nixon had formed a bond with his football coach, Richard Newman, a Luiseno Native whom, in the words of Nixon himself, he “admired more and learned more from than any other man aside from my father.” As Nixon’s aide Bobbie Kilberg put it, Newman “was like a surrogate father to him and he promised that if he ever became president, he was going to right native American wrongs on behalf of Coach Newman, and by golly, he did it.” Nixon thereby became the first presidential candidate since World War II to run on a platform

of Native empowerment and would go on to seek Newman's counsel on Indian affairs, such as the occupation of Alcatraz, throughout his terms in office <sup>[2]</sup>.

Once he became president, Nixon focused on the idea of "self-determination without termination," working to reverse nearly a century of policies meant to assimilate Native Americans into white society, as the new standard in U.S. policy <sup>[3]</sup>. As he stated in his 1970 Special Message on Indian Affairs lamenting the country's history of failures to Native Americans:

Federal termination errs in one direction, Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy that truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination...The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions <sup>[4]</sup>.

What followed was a slew of legislation designed to enshrine self-determination among Native American communities. With the passage of the Indian Education Act in 1972, which aimed to address deficiencies in Native American education, federal funding was allocated based on the number of Indian students enrolled in public schools, underserved Native American lands were provided funds to construct new Native-controlled schools, and the Office of Indian Education was established to assess the progress of educational reform. The Education Act also served to strengthen the channels of communication between Native American parents and public schools while assuring certain protections for Native American children attending these schools <sup>[5]</sup>.

Then, in 1975, the Indian Self-Determination and Education Assistance Act was passed as the centerpiece of Nixon's campaign to promote Native American autonomy. By authorizing the federal government to enter into contracts for health, education, and welfare grants directly with tribal organizations, this law created a system of funding nearly identical to the system already in place for federal funding of individual states, thereby granting tribal communities a form of quasi-statehood and allowing them to use the money as they saw fit <sup>[6]</sup>.

According to Michael Gross, the impact of the Self-Determination Act "provided the means for American Indians to achieve a level of self-control, self-determination, self-fulfillment that our Constitution basically guarantees for everyone." While the reach of the law extended well beyond education, it also played a critical role in the struggle for Native American control over their own schooling <sup>[7]</sup>. According to Gross, educational sovereignty "was the engine that drove the passage of the Indian Self-determination Act. Therefore, educational improvement was the main governmental program that established for the betterment of all Indians the idea of self-government as a right under the law of the United States."

The 1970s thus witnessed a dramatic change in the quest for Native American rights, allowing them to achieve a level of self-governance, as well as the freedom to oversee the opportunities and challenges of their own educational institutions, which they had not enjoyed since the founding of the United States. Following the passage of the Self-Determination Act in 1975, numerous other laws designed to promote Native American prosperity were also passed, including the Native American Religious Freedom Act (1978), the Indian Child Welfare Act (1978), the Indian Gaming Regulatory Act (1988), the Native American Graves Protection and Repatriation Act (1990), the Indian Energy Resources Act (1992), and the Indian Tribal Energy and Development and Self-Determination Act (2005), all of which reflected a national pledge to reverse the policy of termination while encouraging tribal economic, political, and cultural power.

To a great extent, this legislation has also had its intended effect. Locally, reservations like Rosebud have seen a spike in performance as graduation rates have climbed from 24% to 69%. On the national scale, Native American enrollment in universities has also exploded, growing from around 2,000 in the 1950s to more than 10,000 in the 1970s and reaching as high as 147,000 in 2000. By the turn of the century, there were also over

100 tribally controlled elementary and secondary schools and an additional 1,200 public schools in or near reservation lands with enrollments of at least 25% Native American students <sup>[8]</sup>.

As discussed above, the road to sovereignty has not been without its hurdles. For most of the history of the United States, the yearning for agency among Native Americans has been drowned out by a nation set on their subjugation and eventual extermination, which weaponized education as a means of shaming them into an assimilated life <sup>[9]</sup>. Since control over their schooling was never going to be given back, it had to be taken through perseverance, collectivization, and political activism <sup>[10]</sup>. Yet despite all of these victories in the fight for educational sovereignty, the rights secured by Native Americans are not guaranteed to last <sup>[11]</sup>.

While there have been substantial improvements since the late 1960s, Native American performance continues to lag behind national averages <sup>[12]</sup>. In 2018, for example, due to ongoing socio-economic struggles and the tendency of the metrics for measuring academic success to favor non-Native students, only 24% of Native Americans aged 18–24 were enrolled in university, whereas the national average was 41% <sup>[13]</sup>. A rise in anti-government conservatism as well as policies favoring the privatization of education also pose a risk to federal funding of Native-controlled schools <sup>[14]</sup>. Yet the progress that has already been made over the last century is undeniable, and the Native American struggle for national sovereignty and educational autonomy continues.

## Disclosure statement

The author declares no conflict of interest.

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