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# The Federal Campaign for the Admission of Indian Children Into Public Schools, 1890-1934

IRVING G. HENDRICK

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The four decades prior to the release of the Meriam Report in 1928 and the appointment of John Collier as Commissioner of Indian Affairs in 1933 have not been viewed as a period of significant accomplishment by writers on Indian education.<sup>1</sup> Indeed, it is possible to conclude, as Senator Edward M. Kennedy's Special Subcommittee on Indian Education concluded in 1969, that such a time has yet to arrive; that the Government's overall record on the subject has been a "failure of major proportions."<sup>2</sup> Historians and other commentators on the Federal Government's record in Indian relations have properly viewed the comprehensive and highly respected Meriam Report as a document which stimulated at least reform mindedness, if not lasting reform, by calling for an end to the Government's policy of de-Indianizing Indians, as well as a phasing out of grossly inadequate Government boarding schools.<sup>3</sup>

Commissioner Collier is remembered for his determined and controversial efforts to implement the policy recommendations of the Meriam Report, and for encouraging, albeit with minimal success, a rebirth of Indian culture, self-sufficiency, and self-determination.<sup>4</sup> Collier's major achievement in education was the Johnson-O'Malley Act of 1934, an act which provided federal

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funding to qualifying states for educating Indian children in regular state supported public schools.<sup>5</sup>

Even though the reception Indian children received from public school authorities was frequently less than cordial, the Meriam investigation was moved to report:

Any one observing Indian children in various types of schools—boarding schools, day schools, and public schools—throughout the country, as members of the survey staff did, is forced to conclude that on the whole Indian children in public schools are getting a better opportunity than others.<sup>6</sup>

Public schools had already become the primary institution for the education of Indian children approximately a decade prior to the Meriam Report. That notwithstanding, historians and others interested in federal Indian policy in education have continued to focus primarily on government boarding schools, day schools, and private contract schools. Given the unique nature of these institutions—much of it uniquely inappropriate—one can appreciate the interest they have generated. Still, an accurate perception of the Federal Government's policy in Indian education must include appropriate attention to state supported elementary and secondary schools.

Begging for the moment the issue of educational quality, and turning to the narrower issue of encouraging the enrollment of Indian children in state schools, the Meriam Report, Johnson-O'Malley Act, and Collier influence were largely limited to amending and further implementing a policy of long standing. Assimilationists during the late 19th and early 20th centuries sought to "civilize" and "Americanize" American Indians through the instrumentality of the public school, an institution best calculated by influential citizens of the day to succeed at inducting any and all persons—including Indians—into the mainstream of national life. Beginning with the administration of Ulysses S. Grant in the early 1870s, the Government's official policy became one of purging the Indian character of its historic culture, traditions, and identity. Overwhelming practical considerations prohibited the state common school system from being identified as the first instrumentality for achieving this goal. Still, the assimilationist doctrine was clearly compatible with a major mission of public schooling.

A system of education based on the common school pattern had been operating among the Five Civilized Tribes in the Indian Territory as early as the 1830s, well before the white man's free public

school system became a common reality, even in New England and the North Atlantic states. By 1878 the Cherokees, largest of the five tribes, and most advanced by white standards, reportedly enrolled 3,000 children in their eighty common schools, four boarding schools, two seminaries, manual labor school, and school for training orphans.<sup>7</sup> Although these and other Indian directed schools were not without their problems, they were pointed to by Secretary of the Interior Lucius Lamar in 1885 "as conclusive proof" that Indians had the capacity to educate their children in the requirements of advanced civilization.<sup>8</sup> All that remained to do was for Indians to be given appropriate instruction in the white man's ways.

During the last two decades of the 19th century most statements concerning the urgency of transforming the Indian's character looked pretty much alike. Secretary of the Interior Henry M. Teller put it this way in his 1883 report: "Civilization and savagery cannot dwell together; the Indian cannot maintain himself in a savage or semi-civilized state in competition with his white neighbor, and he must adopt the white man's ways or be swept away by the vices of savage life, intensified by contact with civilization."<sup>9</sup>

Even as federal officials were making frequent reference to the inherent inferiority of "pagan" Indian culture and corresponding reference to the superiority of the white man's civilization, some appeared optimistic about the Indian child's native intelligence and his ability to be assimilated eventually. "Indian children," stated Commissioner Ezra A. Hayt in 1880, "are as bright and teachable as average white children of the same ages."<sup>10</sup> His faith, and that of many of his contemporaries, seemed to hold that an education devoid of the debasing influences of "savage" parents in tribal surroundings would produce a desired transformation of character.

Government run boarding schools, both the reservation and non-reservation varieties, constituted the primary institutions for educating Indians during the final quarter of the nineteenth century, but other institutional arrangements were in the picture as well. Government day schools were making their debut in parts of the West, while mission schools, operated for Indians by the Catholic Church, continued the work they had begun with passage of the Civilization Act of 1819. Overseeing the entire range of educational programs was the person holding the new position of Indian School Superintendent, a position established by Congress in 1882. That same year Congress authorized \$17,000 for training 100 Indian children not belonging to the Five Civilized Tribes at

"established industrial, agricultural, or mechanical schools in the several states."<sup>11</sup> Aside from the educational advantages seen in the arrangement, it was assumed that placing Indian children in white communities would produce additional benefits.

By the mid 1880s, during the national administration of Grover Cleveland, the Board of Indian Commissioners began to press for policies that would accelerate moving Indians into the status of intelligent citizenship, a direction destined to enhance the attractiveness of public schools. Dr. Merrill E. Gates, president of Rutgers College and a member of the Commission, charged in 1886 that the Government had failed to encourage Indians to develop independence; had pauperized them by failing to provide adequately for their education; had herded them upon reservations, and cultivated habits of abject laziness through providing them with free rations and food. What Gates and his fellow Commissioners desired was a way to break up the reservations, giving each qualified Indian his own share of the land, while protecting the rights of Indians from aggressive, land grabbing, whites.<sup>12</sup>

Over the next two years the Commissioners and other friends of the Indian mounted a vigorous campaign for individual land allotments, coupled with a system of compulsory education. Easily the most important product of their enthusiasm was the Dawes Severalty Act of 1887, a piece of legislation supported by both land hungry Westerners and humanitarian "friends of the Indian."<sup>13</sup> In brief, the Act provided that the President, at his discretion, could have any Indian reservation, or any part thereof, surveyed and the lands allotted in severalty to any Indian located thereon. The results were disastrous. Indians, earlier having lost the bulk of their land and been forced to accept reservations, were now on the brink of losing the most valuable parts of the reservations to scheming whites. By the time the policy was halted after passage of the Indian Reorganization Act of 1934, the Indian land base had been reduced from 140 million acres to approximately 50 million acres of the least desirable land.<sup>14</sup>

Clearly the Dawes Act and its consequences had a direct impact on the Government's interest in encouraging the attendance of Indians at public schools. First, it was plain that educational efforts would have to be stepped up in order to prepare Indians to cope with their soon to be conferred status as citizen-farmers, since each allotment was attended by citizenship status. Presumably that status included state citizenship and the right to attend state schools.

Second, it was apparent that Congressional appropriations would never be adequate to the task of providing special Government schools for all Indians in need of schooling. Finally, although the Government needed to have its own educational efforts supplemented by state public schools, it was also alert to the necessity of providing financial assistance to local school districts in order to compensate them for revenue losses resulting from the presence of Indian held tax-exempt lands.

Even though the Office of Indian Affairs was to become notorious for the shifting nature of its policies, it did remain committed over the years to the assimilation and civilization goals. The first Commissioner of Indian Affairs actively to promote educating Indians in public schools was Thomas J. Morgan, himself a public school educator who served in that office for nearly four years during the administration of President Benjamin Harrison. As an advocate of nothing less than universal education for Indians, Morgan is best remembered for undertaking policies intended to develop a nonsectarian, completely articulated, and systemized educational program. Camp schools, agency boarding schools, and industrial schools were all to have a role, and, so far as possible, all were expected to pattern their work after the state common school system.

Morgan's determination that the dominant culture should prevail was made emphatic as he spoke of supplanting a foreign language by English, "the destruction of barbarous habits by the substitution of civilized manners," "the displacement of heathenish superstitions by the inculcation of moral principles," and the "awakening of sluggish minds to intellectual activity."<sup>15</sup> Through the efforts of Dr. Daniel Dorchester, Superintendent of Indian Schools, the Indian Office organized and directed an aggressive policy of forced assimilation. A uniform course of study, together with a harsh and detailed code of rules for the conduct of discipline and order at Indian schools, were key parts of the new policy.

The goals which Morgan and Dorchester adopted for Indian education, goals of order, efficiency, and systematization, were not unlike those which were being cultivated by U. S. Commissioner of Education William T. Harris for American education writ large. Indeed, even Harris's belief that Indians needed to be converted to the superior and more advanced ways of American culture was very similar to those of Morgan and other Indian Office officials of his generation. Immediately after defining his

plan for Indian education, Morgan sought and reportedly received the endorsement of Harris, as well as endorsements from numerous other educators, including leaders of the National Education Association and white organizations purported to be "friends of the Indian."<sup>16</sup>

Although his principal emphasis in Indian education remained with Federal boarding and day schools, Morgan's interest in pushing Indian attendance at public schools was more than token. Both he and his superior, Secretary of the Interior John W. Noble, believed that access to the white man's schools was a natural step to accompany the individual allotment of land under the Dawes Act. Furthermore, both appreciated the necessity of compensating local school districts for the absence of tax revenue from Indian held lands.

Beyond boosting the systematization of Indian education, the larger focus of Morgan's effort was to move Indian education and educators into the mainstream of American pedagogical thinking. Their ultimate goal was to integrate Indians into the public school system, physically as well as programmatically. Morgan's speech before the National Education Association's meeting of 1890 captures the essence of his view:

When these Indians shall have become citizens of the United States, occupying their own farms, paying their share of taxes, participating in all the activities of social, economical, and political life, there will be no more reason for maintaining by the General Government separate schools for Indians than there will be for maintaining by the General Government separate schools for any other class of people. The Indians, after one generation of them have been properly trained, will very readily assimilate with our people, attend the common schools, and will not require any special oversight which is not given by the General Government to other classes of citizens.

Already, in some instances, Indian children are welcomed into the common public schools, and mingle freely with other children in the pursuit of knowledge; and it is extremely desirable that this process shall be fostered and encouraged. If they are to become fellow citizens the best preparation that they can receive is that which is offered in the public schools.<sup>17</sup>

That same year, 1890, Morgan launched his public school drive, announcing that not only was he desirous of bringing the Indian school system into relation with the public schools, but that "when-

ever possible I am placing Indian pupils in the public schools."<sup>18</sup> Judging from his NEA speech, Morgan believed that the transfer of responsibility from Government schools to state schools would be a relatively simple matter. He observed that the total number of Indians was modest outside of the Indian Territory and Arizona, numbering fewer than 70,000 total in the states of New York, Michigan, Minnesota, Nebraska, Wisconsin, Washington, Oregon, Montana, and California. It followed, he assumed, that since only about 20 percent of that number would be of school age (from 6 to 16 years), states could absorb the Indian pupils at "a very moderate expense" and with minimal inconvenience.<sup>19</sup>

Operationally his plan called for contracting with school districts near reservations for the tuition of Indian pupils at the rate of \$10 per pupil per quarter, the offer being contained in a letter sent to state and territorial school superintendents.<sup>20</sup> Of the seven replies Morgan received, only the one from the Territory of Arizona was negative and aggressively hostile. The others were either positive or matter of fact acknowledgements that the Commissioner's offer was being transmitted to local school districts.

Thus was initiated a long, sometimes eager, sometimes timid, and nearly always frustrating effort by top Indian Office officials to convince state, county and local officials to provide public schooling for the children of newly enfranchized Indians. In the first year, 100 Indian children from nine school districts in six states were enrolled under the policy. Not only would Indians be more rapidly civilized, but it was hoped that white youth would become more accepting of Indians.<sup>21</sup> During the final years of Morgan's term, the new public school policy appeared to be making reasonable, if not spectacular, progress, growing in enrollment from 100 students in the first year, to 212 during the second year, and 268 in the third year.<sup>22</sup>

Morgan's successor, Commissioner Daniel M. Browning, was impatient with the slow rate of progress and complained about the reluctance of states and counties to accept the Government's "generous" tuition payments, now temporarily raised to \$12.50 per student per quarter. States were admonished by Browning to take advantage of this opportunity rather than raise "ignorant young heathens in their midst."<sup>23</sup> Like Morgan, the new Commissioner expected that Indian pupils would learn not only from their teachers, but from the white children with whom they associated. By 1896, Browning and his superintendent of Indian education, W. N. Hailman, had succeeded in stimulating local school superintendents

to accept 558 Indian children under contract with the Office of Indian Affairs. The Board of Indian Commissioners had no quarrel with the policy, seeing it as a step toward the eventual transference of the entire Indian education program to the states.<sup>24</sup>

Still, the difficulties of enrolling Indian children and maintaining those enrollments were formidable, leaving the 1896 statistics the highest they would become for a decade. Even though Superintendent Hailman believed that public schools were theoretically the best hope for assimilating Indians with the white population, he was brought to acknowledge that such obstacles as language differences, extreme poverty among Indians, and general cultural conflict, would not be overcome without considerable time and effort.<sup>25</sup> Those problems notwithstanding, Hailman was prepared to pursue the public school policy by pressure and persuasion. In the short run, the enormity of the problem increased, while the perseverance of subsequent Indian Office officials declined, a combination of circumstances destined to produce inaction and retrenchment.

Among the consequences of William McKinley's election as President in 1896 was the appointment of William A. Jones as Commissioner of Indian Affairs. Although the policy of encouraging states to enroll Indian children in public schools was not formally ended by Jones, neither was it pursued with the enthusiasm of previous years. More impatient than Superintendent Hailman or Commissioner Browning, Jones advocated throwing Indians on their own resources, making them conform to Government expectations, and enforcing those expectations by cutting off their rations if necessary. The period was distinguished by the extreme oppression of Government policies, and by desperation arising from a slower than expected movement toward civilization.<sup>26</sup>

Yet, even though public school contracts were on the decline, some measure of public school orientation was retained within the Indian Office. The Board of Indian Commissioners reminded readers of its 1901 report that its eventual goal was the abolition of "all distinctly Indian schools and the incorporation of Indian pupils in the schools of the country."<sup>27</sup> By 1904, his last year in office, Commissioner Jones expressed frustration with a lack of progress in Indian education, and indicated that the Government could not indefinitely provide separate schools for Indians. According to Jones, the earlier and more conscientiously the states and territories undertook their political duty to the children of "their red citizens," the easier would be the transfer of responsibility to the states.<sup>28</sup>

The contrast in outlook between Commissioner Jones and his successor, Francis E. Leupp, was substantial, perhaps the greatest contrast between two sequential administrations in the long history of the Commissioner's office. It was with the beginning of Leupp's term as Commissioner in 1904 that Indian Office personnel were urged to permit Indians to preserve their cultural identities and sense of self-worth. Unlike his predecessors, Leupp felt constrained to apologize for America's treatment of its native residents. "Was ever a worse wrong perpetrated upon a weaker by a stronger race," he asked; "if so, history has failed to record it."<sup>29</sup>

Dramatic changes in policy were not prominent in legislative terms, but references to "pagan savages" and other disparaging descriptions of Indian people were becoming increasingly rare. In concrete terms, Leupp's more congenial attitude toward Indians was translated into a new initiative to have Indian children accepted into public schools. In 1905 only six schools, enrolling 84 students, were recorded by the Indian Office as receiving federal tuition payments.<sup>30</sup> That number was in sharp contrast with the 45 schools and 413 students covered by the program in 1896. Rather than blaming his predecessors for the decline, Leupp attributed the heavy drop to local school authorities who declined participation in the program when the Government sought to enforce the contracts. According to the Commissioner, school districts raised no objection to receiving federal money, only to delivering the schooling called for on terms even approaching that offered to whites.

Officially the Government's policy was still to "encourage" the attendance of Indian children in public schools. In response to a question addressed to him at the National Education Association's annual meeting in Los Angeles, July, 1907, Commissioner Leupp stated: "In regard to the public schools, I will say that the more Indian children we can get into them the better it will suit me. I should like to have every one of them in a public school instead of in a Government school."<sup>31</sup> Although public school contracts increased during Leupp's first year, the gains were modest, attributable in his view to the prejudice of whites and the timidity of full-blood Indians. The policy of "encouragement" did involve more than ignoring the problem, but it fell considerably short of bringing legal pressure on states to admit Indians. Thus, local school authorities who refused to admit Indians were not pressed. Uncertainties regarding the Indian's legal status doubtlessly contributed to an overall atmosphere which discouraged more than tactful lobbying efforts.

In view of actual conditions, Leupp and subsequent commissioners were not prepared to advocate the early termination of Government schools. Leupp did, on the other hand, advocate the elimination of certain nonreservation boarding schools, and demonstrated a preference for reservation schools, both the boarding and day varieties, so that Indian children could be close to their families. In rare places where mission, public, and Government day schools were all available, the Indian Office's policy was to give Indians a choice. As more of them were becoming absorbed into the dominant culture, or at least the fringes of that culture, public school attendance became more common. In 1908, while only four school districts and thirty-one students were placed in public schools under contract, thirty-one districts and 555 students were enrolled in public schools without any cost to the Federal Government.<sup>32</sup> By 1910 it was estimated that the nation's public schools enrolled 3,000 Indian children.<sup>33</sup>

The absence of more extensive public school opportunities for Indians led Leupp and his successor, Commissioner Roberg G. Valentine, to push day schools, the number of which grew from 138 to 167 between 1905 and 1908.<sup>34</sup> That increase notwithstanding, the policy remained one of encouraging states to assume a larger share of the obligation for Indian education, as indeed they were doing, both grudgingly and otherwise. By 1911, over 11,000 Indian children were enrolled in public schools, a number which represented more than a quarter of the total being provided schooling of any kind.<sup>35</sup> A year later the 17,011 Indian students in public schools came close to matching the number in Government boarding schools, 18,803, and far exceeded the 6,384 enrolled in Government day schools.<sup>36</sup> Commissioner Valentine attributed this dramatic increase to the fact that Indian children were ranking with whites in the quality of their academic work, and that their habits of cleanliness were becoming more acceptable to the larger community in places where enrollments were growing.

The official policy, however, remained one of encouraging public school attendance, but not pressing reluctant school districts too hard. Part of the frustration, as well as success, of Indian Office officials in this regard was expressed in their correspondence. Special Agent for the California Indians C. E. Kelsey offered the following observation on the problems he faced in getting local school districts to accept Indians:

It is remarkable, I have sometimes thought, how friendly people are toward Indians and Indian education, as long as we talk in the abstract. But when we want them to take some Indian children into their own school, there are forty thousand ways of how not to do it. I think we are getting where we can surround a whole lot of them though.<sup>37</sup>

Two months later, the recipient of that letter, Calvin H. Asbury, Special Agent in Reno, sought guidance from H. B. Peairs, Supervisor in Charge of Indian Schools, on the specific question of how much pressure he should apply in getting Indians admitted into public schools. Peairs advised him that it was fine to press for compulsory attendance of Indians, but that it must be done tactfully. Direct appeals to state legislatures and mixing into state politics were forbidden.<sup>38</sup>

Nevertheless, by 1914 there were more Indian pupils enrolled in public schools than in all Indian schools under Federal control. Cost was likely the Government's chief incentive for enrolling as many children as possible in public schools. Federal boarding school costs, even at \$167 per pupil per year, likely were high enough to stimulate a continuing interest in alternative, less costly, arrangements. Before leaving office in 1921, Commissioner Cato Sells became increasingly firm in his desire to reserve Indian schools for those children who did not have access to regular public schools. Local districts were offered payments in an amount equal to the daily cost of teaching a white child in that district.<sup>39</sup>

Notwithstanding some early progress in gaining the admission of Indian children into public schools, some hard legal issues remained to be solved. Confusion over whether the Indian was a ward of the Government or a citizen in his own right encouraged both federal and state officials to beg off from taking decisive responsibility for his education. From the federal point of view, Indian children were citizens of the several states, and thus entitled to local and state school facilities. To state officials, Indian children were "wards" of the Government. An illustration of the problem is represented by an exchange of correspondence in 1920 between Commissioner Sells and California Attorney General U. S. Webb.

Sells had attempted to elicit from the state Attorney General an opinion indicating that reservation Indians in California were entitled to enroll in public schools. Webb did not accommodate him, the concluding sentence in his eight page response stating that

"the only Indians entitled to attend the public schools of this state are those otherwise qualified, not living in tribal relationship or not living on an Indian Reservation."<sup>40</sup> Occasionally the public school cause suffered from conflicting advice within the federal bureaucracy, as, for example, when the Office of the Comptroller in the Treasury Department ruled that it was not permissible for the Indian Service to expend funds for tuition at public schools in California.<sup>41</sup> Although that restriction stood for only two years, it did not inspire confidence in the Government among local school authorities who had been depending on the funds.

Even with some conflict over state vs. federal responsibility, the number of public school contracts grew impressively. In 1916, 45 public schools enrolling 853 pupils were covered under the contracts, excluding eastern Oklahoma which was inhabited by the Five Civilized Tribes. A year later, contracts were made with 194 public schools in nine states, enrolling 2,194 pupils at an expense of \$57,126, again exclusive of the Five Civilized Tribes.<sup>42</sup> The states included California, Oklahoma, Minnesota, Montana, Nebraska, Nevada, South Dakota, Utah and Washington. In California, the growth of a comparatively well run public school system benefited Indian children as well as the population generally. Counting those enrolled with and without benefit of federal contracts, 315 Indian children were reported as having attended public schools there in 1915, increasing to 1,469 in 1916, 1,541 in 1917, 1,820 in 1918 and 2,199 in 1919, an increase of over 700 percent in four years.<sup>43</sup>

Although officials within the Office of Indian Affairs had ample incentive to stress the public school alternative, both for furthering their assimilationist goal and minimizing costs, it is unlikely that the gains would have been as dramatic as they were had it not been for the active pressure produced by voluntary associations proclaiming themselves to be friends of the Indian. Relying on a California example, the work of the Indian Board of Cooperation comes to mind. Led by its field secretary, the Reverend Frederick G. Collett, the organization worked cooperatively with state and federal officials to expand and improve public school opportunities for Indians.<sup>44</sup> While Indian Office personnel felt constrained against applying pressure to reluctant state and local school officers, the Indian Board of Cooperation felt no such compunction.

By 1920 the readily available opportunities for advancing Indian enrollment in public schools had already been taken advantage of. What remained to be worked on were the difficult cases. Public

schools simply were not located in places where Indians lived throughout much of the West. Nevertheless, the Government's interest in pursuing the public school alternative continued in states such as California, where the effort held promise. Changes in national administrations seemed to make little difference.

With the enrollment of Indian children in public schools becoming the rule rather than the exception, attention was turned to related problems, including attendance and segregation. In spite of considerable progress, about 25 percent of the 82,856 Indian children of school age in the United States were not in school during 1920-21.<sup>45</sup> An undetermined number did not attend because of flaws in the enforcement process, while another group, several thousand perhaps, did not attend because school facilities were unavailable. The latter problem was most notable among the Navajo or Arizona and New Mexico, but also extended to Indians in Oklahoma, North Dakota, Minnesota and other states.

Legislation approved by Congress in February 1920 required Federal officials to cooperate with appropriate state officials in enforcing state compulsory attendance laws on Indian reservations.<sup>46</sup> It could not *require* state officials to enforce attendance laws on Indian reservations. The only incentive for states remained the Federal Government's offer to pay tuition for each pupil of not less than one-fourth Indian blood whose parent was a non-taxpayer. Where a local school district *chose* not to accept Indian children, and the state *chose* not to enforce attendance laws on Indian reservations, the Federal Government was virtually helpless. In spite of these major loopholes, state enforcement of compulsory attendance was sometimes more complete than local white communities desired. Such was the case in California, where state education officials, ever mindful of their mission to extend common school opportunities to children of every village and hamlet in the Golden State, worked closely and generally well with Indian Office officials. It was success with enforcement, coupled with racial tension in a few rural communities, that stimulated the legislature in 1921 to add a provision to the school law requiring Indian children, whether living on a reservation or not, to be excluded from public schools if they lived within three miles of a federal Indian school.<sup>47</sup> On the other side of the question, W. W. Coon, Federal Supervisor of Indian Education for the Pacific Coast District, was particularly unyielding in his belief that Indian children should be admitted to public schools on a desegregated basis.

The case of the small Mecca District School in California's Riverside County is particularly instructive for revealing both the strengths and limitations of the Federal Government's persuasive powers. In 1922 district officials notified the Mission Agency that Indian children were no longer welcome. Within four months an accommodation was reached which resulted in the Indians being admitted, but on a segregated basis.<sup>48</sup> Unfortunately, the compromise solution between state and federal officials was not particularly helpful. Indian families knew that their children were not wanted, demonstrated little interest in the school, and attended irregularly, if at all. So bad had the situation become by January, 1925, that Supervisor Coon, even with a strong personal preference for public schools, expressed the wish that "there was some way to force [the Indian children] to attend Sherman Institute or St. Boniface at Banning."<sup>49</sup> Occasionally the state's heavy hand of enforcement was applied to reluctant parents, as well as to discriminating local school officials. Mission Agency records reveal several instances where Indian parents in Riverside and San Diego Counties were fined during the early 1920s for keeping their children out of school.

Increased Indian attendance and enforcement of that attendance was probably more widespread in California than elsewhere in the West, but even there it was occasionally necessary to rely on court decisions in order to enforce the law.<sup>50</sup> In the case of *Piper v. Big Pine School District of Inyo County*, 1924, the California Supreme Court declared unconstitutional the exclusion and segregation features of the California school law. The case was initiated when an Indian father, Pike Piper, filed suit on behalf of his daughter, Alice, after she had been refused admission to the Big Pine School solely because she was an Indian and had access to a federal school. The fact that the girl had never lived in a tribal relationship on Indian land had made no difference to local school officials, thus the necessity for a legal challenge.<sup>51</sup>

Two years later the obligation of state public schools to admit Indian children was reenforced again, this time when the father of Wesley Peters, who did live in tribal relationship with his family on the Pauma Reservation in San Diego County, successfully brought suit to have Wesley admitted to the Pauma public school.<sup>52</sup> For more than a decade prior to 1926 Indian Office officials had tried to persuade the Pauma School District's Board of Education to admit Indian children into that community's public

schools. At the request of the Indian Office, the county superintendent was brought in to help with the persuasion, but to no avail. Both the Piper and Peters cases, as well as similar cases from other states, helped to affirm the responsibility of local school authorities to admit Indians.

Getting Indian children admitted to public schools was progressing with some success, but success was hardly an apt description for national Indian policy on education as a whole. Hopes for integrating Indians into the mainstream of American life were being frustrated on many fronts. In late 1923 Secretary of Interior Hubert Work appointed a Committee of One Hundred to advise him on Indian affairs, the Committee's recommendations being released to the press on January 3, 1924.<sup>53</sup> Among the several observations and recommendations of that body was one calling for increased Congressional appropriations in order to appoint more competent teachers in Government schools. A second recommendation called for keeping public schools open to Indians as a means of preparing Indian youth for citizenship. Unlike the more comprehensive Meriam Report of four years later, the impact of the Committee of One Hundred Report was not great. Of much greater significance, symbolically as well as legally, was the passage by Congress on June 2, 1924 of legislation granting citizenship to all Indians not already enjoying that privilege by virtue of qualifying under Dawes Act provisions.<sup>54</sup>

By 1926 the Government was spending \$311,000 in payments to 737 public school districts for enrolling 8,752 Indian children. Not included in those totals was financial assistance to 149 districts enrolling slightly over 15,000 pupils in the Indian Territory. All told, 35,124 Indian children were reported as having attended public schools during 1926-27, as contrasted to 24,901 who attended Government schools during 1926.<sup>55</sup>

Precise information concerning the regularity of attendance and the quality of education provided is unavailable, but enough is available to know that the picture was not bright. According to the limited contemporary perspective of Supervisor Coon in California, Indians who attended school with white children seemed to be more interested, remained in school longer, and reached the higher grades.<sup>56</sup> As a point in fact, there were only five separate public schools maintained for Indians in California during the 1926-27 term, along with an undetermined number of racially isolated classes in districts not officially maintaining separate schools.<sup>57</sup>

Doubtlessly white prejudice played a dominant role in producing segregation, even as educators insisted that it was most difficult to meet the educational needs of Indian and white children in the same classes.

By the 1920s, during Charles H. Burke's term as Commissioner, 1921-1929, the public school trend had become unmistakable. Annual drives to boost Indian attendance were held during "Enrollment Week" each fall, with various meetings and rallies encouraged by the General Superintendent. In some jurisdictions, such as the before mentioned Mission Agency in California, all teachers, farmers, and certain other employees of the Indian Service were instructed to visit every reservation home with children, and interview families who were working away from the reservation whenever possible.<sup>58</sup>

Though commendable, it is likely that all-out efforts of this kind were relatively rare. Furthermore, as would be pointed out in the soon to be released Meriam Report, the emphasis in school attendance drives needed to be placed not so much on efforts to force attendance, but on efforts to "remove the causes of non-attendance."<sup>59</sup> In defense of Indian Office personnel, Congress had not provided the resources necessary for accomplishing that goal.

By 1932, over 48,834 Indian children were enrolled in local public schools, as contrasted with 38,637 who were enrolled in all manner of other schools, Government, mission, and private.<sup>60</sup> To be sure, the transition to public school attendance was far from complete, with numerous logistical, financial, and administrative problems left to be worked out on a continuing basis. Difficulties with transportation remained, as did federal and state conflicts over the amount of Government tuition owed, and—in spite of a much clearer legal mandate—a sometime continuing reluctance on the part of local school officials to enforce compulsory attendance laws on reservation lands.

Nevertheless, as inadequate as public school opportunities were, they still constituted the Indian's best hope. The Meriam Report leveled its most serious criticism at boarding schools for being "grossly inadequate" educational institutions staffed by weak personnel.<sup>61</sup> More than that, they were depicted as places where Indian youth suffered from inadequate diets, low quality foods, overcrowded conditions, and inadequate medical care. The brief history of Indian education in public schools, on the other hand, was viewed with cautious optimism. Because inadequate public school facilities, coupled with unwilling school boards and uninspired

teachers, were all too common, the Report's authors did not make a blanket endorsement of public schools.

While concerned about the temptation of Indian Office authorities to rush uncritically toward placing all Indian children in public schools in order to divest themselves of responsibility and save money, the Meriam Report revealed a generally favorable judgment on the Government's public school policy:

The friendly attitude of the migrated Indians toward the public schools of the communities in which they reside is particularly noteworthy and suggests several conclusions. In the first place it is an endorsement of the recent policy of the Indian Service insofar as possible to place Indian children in the ordinary public schools. This policy should be continued and pressed as rapidly as the ordinary public schools are ready to receive the Indian children and give them at least as good an education as the national government schools. Insofar as this enthusiasm for public schools is based on the defects of the government schools, it suggests the remedying of these defects.<sup>62</sup>

For all of the reformist flair that anthropologist John Collier brought to the Bureau of Indian Affairs upon assuming the Commissioner's office in 1933, his initiatives in education, conducted under the capable supervision of Directors of Education Will Carson Ryan and Willard W. Beatty, were directed mainly at improving the Indian school system and making it relevant to the lives of Indian people. Collier's major educational initiative with Congress, the Johnson-O'Malley Act of 1934, did concern the public schools, but it was more of an administrative innovation than a major shift in policy. Requiring the Government to deal with states rather than directly with local school districts in disbursing federal funds was new; providing federal assistance to public schools that admitted Indians living on or near reservations was not.

It is an irony of sorts that the Government's public school policy—a policy that has survived—was the product of uninspiring times in the history of Government-Indian relations. Although conceived for both noble and ignominious motives by now forgotten bureaucrats, public schooling did give many Indian youth a major alternative to the much criticized federal boarding schools. Yet to be proven is whether or not this development produced a net advance for Indian people. On the face of still sketchy evidence one may suspect that it did.

## NOTES

1. Much of the serious scholarship on Indian education has been limited to doctoral dissertations. Two of the most readily available published accounts on the subject are Evelyn C. Adams, *American Indian Education* (New York: Arno Press, 1971), and Margaret Szasz, *Education and The American Indian, The Road to Self-Determination, 1928-1973* (Albuquerque: University of New Mexico Press, 1974).
2. U. S. Congress, Senate, Committee on Labor and Public Welfare, Special Subcommittee on Indian Education, *Indian Education: A National Tragedy—A National Challenge*. 91st Cong., 1st sess. (Washington: U.S. Government Printing Office, 1969), p. XI.
3. Lewis Meriam, *Problem of Indian Administration*, Institute for Government Research, Studies in Administration (Baltimore: The Johns Hopkins Press, 1928).
4. Several notable studies have described the role of government officials and private organizations in the lengthy campaign to assimilate Indians into the dominant culture. These include Francis Paul Prucha, *American Indian Policy in Crisis: Christian Reformers and the Indian, 1865-1900* (Norman: University of Oklahoma Press, 1976); Prucha, ed., *Americanizing the American Indians, Writings by the "Friends of the Indian" 1880-1900* (Cambridge: Harvard University Press, 1973); Robert W. Mardock, *The Reformers and the American Indian* (Columbia: University of Missouri Press, 1971); Wilcomb E. Washburn, *The Indian in America* (New York: Harper & Row, 1975); Henry E. Fritz, *The Movement for Indian Assimilation, 1860-1890* (Philadelphia: University of Pennsylvania Press, 1963); Loring B. Priest, *Uncle Sam's Stepchildren, The Reformation of United States Indian Policy, 1865-1887* (New Brunswick: Rutgers University Press, 1942); and Kenneth R. Philp, *John Collier's Crusade for Indian Reform, 1920-1954* (Tucson: The University of Arizona Press, 1977).
5. 48 Stat. 596 (1934).
6. Meriam Report, p. 415.
7. *Report of the Commissioner of Education, 1878*, p. 282.
8. *Report of the Secretary of the Interior*, Vol. 1, 1885, p. 13.
9. *Report of the Secretary of the Interior*, Vol. 1, 1883, p. iii.
10. *Report of the Commissioner of Indian Affairs, 1879*, p. 73.
11. 22 Stat. 68 (1882).
12. "Report of the Board of Indian Commissioners," in *Report of the Secretary of the Interior*, Vol. 1., pp. 763-85.
13. 24 Stat. 388 (1887). See also Jay P. Kinney, *A Continent Lost, A Civilization Won: Indian Land Tenure in America* (Baltimore: Johns Hopkins Press, 1937).
14. *Indian Education: A National Tragedy—A National Challenge*, p. 9.
15. *Report of the Commissioner of Indian Affairs, 1890*, pp. ix-x.
16. *Ibid.*, p. viii.
17. National Education Association, *Journal of Proceedings and Addresses, 1890*, p. 492.
18. *Report of the Commissioner of Education, 1890*, p. xiv.
19. N.E.A., *Proceedings, 1890*, p. 492.
20. *Report of the Commissioner of Indian Affairs, 1890*, pp. CLXIX-CLXXI;

1891, p. 71.

21. *Report of the Secretary of the Interior*, Vol. 1, 1891, p. xxxvi.
22. *Report of the Commissioner of Indian Affairs*, 1893, p. 17.
23. *Ibid.*
24. "Report of the Board of Indian Commissioners," in *Report of the Secretary of the Interior*, Vol. 2, 1894, pp. 1023-24.
25. "Report of the Superintendent of Indian Schools," in *Report of the Commissioner of Education*, Vol. 2, 1895, pp. 337-38.
26. *Report of the Commissioner of Indian Affairs*, 1898, pp. 5-15; letter from Commissioner W. S. Jones to the Superintendent, Greenville School, California, January 13, 1902, National Archives, Archives Branch, San Francisco, California.
27. "Report of the Board of Indian Commissioners," in *Reports of the Department of Interior*, Vol. 24, p. 803.
28. *Report of the Commissioner of Indian Affairs*, 1904, p. 44.
29. *Report of the Commissioner of Indian Affairs*, 1907, p. 18.
30. *Report of the Commissioner of Indian Affairs*, 1905, p. 1.
31. National Education Association, *Journal of Proceedings and Addresses*, 1907, pp. 1020-21.
32. *Report of the Commissioner of Indian Affairs*, 1908, p. 47.
33. *Report of the Commissioner of Indian Affairs*, 1910, p. 15.
34. *Report of the Commissioner of Indian Affairs*, 1908, p. 44.
35. *Report of the Secretary of the Interior*, 1910, Vol. 1, p. 39.
36. *Report of the Commissioner of Indian Affairs*, 1912, Vol. 1, p. 427.
37. Letter from C. E. Kelsey to Calvin H. Asbury, October 14, 1917, National Archives, Archives Branch, San Francisco, California; Record Group 75, Files of Special Indian Agent Col. L. A. Dorrington, Box 6.
38. Letter from H. B. Peairs to Calvin M. Asbury, December 24, 1912, Dorrington File, Box 10.
39. *Report of the Commissioner of Indian Affairs*, 1918, pp. 28-29.
40. Letter from U. S. Webb to Cato Sells, May 25, 1920, National Archives, Archives Branch, Los Angeles, California, FRC No. 33244, Box 32, File 803.
41. Memorandum to the Secretary of the Interior from George E. Downey, Comptroller, October 23, 1913, National Archives, Archives Branch, Los Angeles, California, FRC No. 58471.
42. *Report of the Commissioner of Indian Affairs*, 1917, p. 17.
43. Malcolm McDowell, "Report of the Landless Indians in California," 1919, pp. 17-18; Department of Special Collections, University of Oregon Library, Eugene, Oscar H. Lipps Papers.
44. A comprehensive study of the role played by voluntary associations in the extension of educational opportunity to Indian children is found in Frances J. Fischer, "The Third Force: The Involvement of Voluntary Organizations in the Education of the American Indian with Special Reference to California, 1880-1933." Ph.D. dissertation, University of California, Berkeley, 1980.
45. *Fifty-second Annual Report of the Board of Indian Commissioners*, 1921, pp. 11-12.
46. *Report of the Commissioner of Indian Affairs*, 1921, Vol. II, pp. 7-8.
47. California Statutes 1921, c. 685, Sec. 1, 1662.
48. An extensive file of correspondence concerning the problem in Mecca is available at the National Archives Branch, Los Angeles, FRC 58475, File, General Correspondence March-August, 1922.

49. "Report of Mission Schools," A report from Supervisor W. W. Coon to the Commissioner of Indian Affairs, January 30, 1925; National Archives Branch, Los Angeles, FRC 96240, File 860.

50. In 1915 a total of 316 Indians attended public schools in California. By 1916 the number had increased to 1,469, and by 1919 it stood at 2,199, roughly half of the eligible Indian children in the state. A more detailed account of the situation in California is found in Irving G. Hendrick, "Federal Policy Affecting the Education of Indians in California, 1849-1934," *History of Education Quarterly* 16 (Summer 1976): 163-85.

51. *Piper v. Big Pine School District of Inyo County*, 193 Cal 664 (1924). A detailed exploration of the case is included in Charles M. Wollenberg, *All Deliberate Speed, Segregation and Exclusion in California Schools, 1855-1975* (Berkeley: University of California Press, 1976).

52. *Peters v. Pauma School District of San Diego County*, 91 Cal. App. 792 (1928).

53. "Department of the Interior, Memorandum for the Press, January 3, 1924," National Archives Branch, Los Angeles, FRC 33238, File 129, "Committee of 100."

54. *Report of the Commissioner of Education*, 1924, p. 20.

55. *Report of the Commissioner of Education*, 1926, p. 7; *Report of the Secretary of the Interior*, 1927, p. 10.

56. Letter from Supervisor W. W. Coon to Commissioner of Indian Affairs, April 19, 1927, National Archives Branch, Los Angeles, FRC 96240, File 860.

57. All five of the segregated schools were in Northern California, four in Mendocino County, one in Lake County. California Biennial Report of the Superintendent of Public Instruction, 1927-28, Part 2, p. 88.

58. Letter from District Superintendent in Charge to General Superintendent of Indian Schools H. B. Peairs, September 6, 1927, National Archives Branch, Los Angeles, FRC 58975, File "Commissioner Correspondence, July 1, 1927-February 28, 1929," Folder No. 1.

59. *Meriam Report*, p. 37.

60. *Report of the Commissioner of Indian Affairs*, 1932, p. 57.

61. *Meriam Report*, p. 11.

62. *Meriam Report*, p. 670.