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## When Tribal Sovereignty Challenges Democracy: American Indian Education and the Democratic Ideal

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*The lessons of American Indian education—a grand experiment in standardization—can lead to a more equitable educational system for all U.S. citizens. While masquerading as a tool for equal opportunity, standardization has marginalized Native peoples. We argue for diversity—not standardization—as a foundational value for a just multicultural democracy, but diversity is feared by some as a threat to the nation’s integrity. Critical historical analysis of the apparently contradictory policies and practices within American Indian education reveals a patterned response to cultural and linguistic diversity, as the federal government has attempted to distinguish “safe” from “dangerous” Native practices. Examples of the contest between Indigenous self-determination (rooted in internal sovereignty) and federal control illustrate the profound national ambivalence toward diversity but also the potential to nourish “places of difference” within a healthy democracy.*

**KEYWORDS:** *American Indian education, critical democracy, federal Indian policy, multicultural education.*

Like the miner’s canary, the Indian marks the shift from fresh air to poison gas in our political atmosphere; and our treatment of Indians, even more than our treatment of other minorities, reflects the rise and

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fall of our democratic faith. (Felix S. Cohen, scholar of international law and legal ethics and architect of American Indian law during and after his tenure as Assistant Solicitor of the Department of the Interior in the Franklin D. Roosevelt administration [1953, p. 390])

We concur with Cohen's astute understanding of American Indians as exemplars of how justice has been applied, and misapplied, in the development of the United States. We also recognize that the example is not only historical. The Native struggle for sovereignty and self-education is a powerful model for all U.S. citizens because public education in the United States was founded on the principle of local control. In this article we make explicit the ways in which the lessons from Indigenous America—the fight to protect and conserve sovereignty, and contests over education in particular—can illuminate and enrich the national debate surrounding educational issues that affect us all. American Indian education teaches us that nurturing “places of difference” within American society is a necessary component of a fully functional democracy.<sup>1</sup>

We begin by acknowledging history as a social construction. We do not claim to be disinterested outsiders but note that no historical account is disinterested or politically neutral. As scholars of American Indian education trained in sociocultural anthropology, we come to this discussion with a strong interdisciplinary orientation and a stance as both “insiders” and “outsiders.” Each of us works with Native and non-Native students and educators. This work has involved us in historical research on colonial education of Native peoples and on federal Indian policy (Archuleta, Lomawaima, & Child, 2000; Lomawaima, 1993, 1994, 1996, 1999, 2000, 2002; McCarty, 1993a, 1998, 2001, 2002), and in action-oriented, collaborative research (Dick & McCarty, 1996; McCarty, Watahomigie, & Yamamoto, 1999). The understandings developed through our scholarly and applied work inform the present analysis.

### **Democracy, Diversity, and Native Peoples**

From its inception, the United States has struggled to define itself as a new kind of democratic society. Following the lead of the British, French, Dutch, and Spanish, those who came to identify as Americans often defined themselves against the Indigenous Other.<sup>2</sup> Indigenous people have sometimes been imagined as a counterexample—as everything that a civilized, Christian, agrarian, democratic society wished to believe it was not. Another strategy has been to lay claim to Native qualities as being essentially “American”—a love of nature and freedom—while justifying the expropriation of Native qualities on the grounds that Native people are endangered, vanishing, or in fact extinct. In this second strategy, the essentialized, imagined American Indian has provided a romantic, spiritual, ecological, and noble ideal for the non-Indian citizenry to look up to, but typically that stereotype has not translated into tolerance for real Native people pursuing sovereign goals.

American Indian survival—of peoples, cultural practices, and languages—constitutes real and meaningful diversity at the heart of our nation. But diver-

sity is by no means universally embraced. Many Americans view diversity as a threat to the national fabric, as a problem. If the United States is going to realize its potential as a democracy, its citizens must face the Indian “problem.” The problem is that despite persistent stereotypes, American Indian people insist on surviving on their own terms, as real human beings, not as celluloid manifestations of a mythic fantasy or as passive and powerless victims.

We view diversity and democracy as inextricably linked. Democracy is not simple rule by the majority. Rather, democracy is a value, a policy, a practice that respects, protects, and promotes human rights. A democratic citizenship requires civic courage (Freire, 1998) and a multicultural consciousness that recognizes and confronts the historical and institutional roots of oppression. Our concepts of democracy and diversity are founded on a critical construct of the democratic ideal (see, e.g., Aronowitz & Giroux, 1985; Darder, 1991; Freire, 1978, 1998; Giroux, 2001). We purposefully frame critical democracy as an ideal, recognizing the “contradictions between an espoused theory of democracy and a lived experience of inequality” (Darder, 1991, p. 63). We argue that this ideal can and should stand as a vision of what our democracy aspires to and might become.

Critical democracy demands that the United States be a nation of educational opportunity for all, not merely a homogenizing and standardizing machine, unable to draw strength from diversity. We conceive of more than a benignly neutral diversity that “celebrates” cultural differences while muting the ideological forces that privilege certain differences and marginalize others. Rather, diversity embodies the heart and soul of promise, of opportunities, of what might be, for a socially just and fully democratic nation. A fully democratic society cannot systematically deny certain privileges to certain citizens, or selectively deny full citizenship to its members, or systematically privilege certain elites. To flourish, individual human beings as well as social groups need room—and opportunity and resources—to develop and implement their values, philosophies, and beliefs. They need places where difference is not perceived as a threat, even as the pressures for standardization gather momentum across the United States and, indeed, across the globe.

How the U.S. government and its nontribal citizens have treated American Indians in the past and how they continue to wrestle with their relationship with tribes lie at the core of the question of whether social justice and democracy can coexist. The current political resurgence of tribes clearly threatens many U.S. citizens, who are struggling to understand (or fighting vigorously to deny) tribal sovereign rights to hunt, fish, tax businesses, or operate casinos in various contexts. No wonder, then, that focusing on American Indian education—the enterprise charged with remaking and standardizing Indigenous people as “Americans”—forces us all to confront the fault lines in the topography of the American democracy. If our nation cannot tolerate American Indians living as they might choose, both as Native people and as U.S. citizens, what does that mean for the democratic ideals of equality and freedom? If the nation-state cannot forge itself as a healthy, productive, and diverse society in its relations with American Indians, what hope

can other citizens hold that their rights, beliefs, practices, and values will be respected and protected?

We believe that Native America's experiences provide lessons from which all citizens can learn and that these lessons illustrate both the challenges and the opportunities that lie before us. As Felix Cohen cogently remarked a half-century ago, the place and role of American Indian tribes in the United States far overshadow Native population numbers. American Indians are more than the miner's canary, whose full utility is realized only in its death. Indian experiences and survival point the way toward the best possibilities inherent in the critical-democratic ideal: a democracy not balancing precariously on the adversarial see-saw of "majorities" versus "minorities" but rather flourishing from the roots of liberty, equality, justice, and respect for all.

### **"Safe" Versus "Dangerous" Difference**

The history of American Indian education can rightfully be conceptualized as a grand experiment in standardization. The goal has been "civilization" of American Indian peoples—sometimes, revealingly, termed simply "Americanization." This term assumes that what is required is the complete and utter transformation of Native nations and individuals: Replace heritage languages with English, replace "paganism" with Christianity, replace economic, political, social, legal, and aesthetic institutions. Given the American infatuation with the notion that social change can best be effected through education, schools have been the logical choice as the institutions charged with the responsibility for Native American cultural genocide.

In the last century-and-a-half, schools have purposefully and systematically worked to eradicate Native languages, religions, beliefs, and practices. American Indian children have been at the very center of the battleground between federal powers and tribal sovereignty; the war has been waged through them and about them, and the costs of Indian education have largely been borne by Indian people. Economic and social indicators used to quantify and classify status and quality of life for the U.S. population are notoriously grim for Native American populations: lowest per capita incomes, highest rates of infant mortality, extraordinarily high rates of depression and teen suicide (Snipp, 1989). Educational statistics are no better. Of the 500,000 American Indian students in U.S. schools, it has been predicted that 60% will leave school before graduating (National Center for Education Statistics, 1995).

Our goal is to examine the struggle between tribal aspirations and federal constraints on American Indian education. Yet if simple opposition were the whole story, it would be equally simple to describe and explain. When we scrutinize the history of American Indian education, we see numerous paradoxes and seeming contradictions. For example, if we assume a federal commitment to obliterate Indigenous languages and cultures, how do we explain the periodic appearance in Indian schools of programs to teach Native languages and crafts, or of policies allegedly intended to promote Indigenous self-determination? These paradoxes illustrate the entangled

forces that have both fettered and enabled Indigenous educational control. We argue that the apparent contradictions in federal Indian education policy can be understood as attempts by the government to determine which aspects of Indian life are “safe” and allowable and which are so radically different that they are perceived as dangerous to the nation-state. The dance between “safe” and “dangerous” difference well illustrates how problematic diversity has been for the nation-state. The contradictory swings between cultural intolerance and tolerance also reveal the windows of opportunity that Native people have employed to further Indigenous or tribal goals.

The contest between Native educational sovereignty and federal constraints constitutes the heart of our story. We begin with a brief overview of the bases and definitions of tribal sovereignty, followed by a summary of 20th-century Indian educational history. Throughout the 20th century, gains have been made in Native input into, or control over, educational processes and institutions. These gains, however, have often been short-lived or localized, and they have been strictly circumscribed by federal powers. Perhaps most illustrative of this is the recent rise of Indian community-controlled schools and the related movement for linguistic human rights. Our analysis brings into focus another apparent paradox in the concept of self-determination: How and why are apparent gains in Native educational autonomy matched or overturned by increasingly repressive federal controls?

We argue that the struggle for Indigenous self-determination may be conceptualized as a struggle between two very different yet coexistent realities. One is the reality of a revolution in Indigenous education, of opportunity seized by Native people in the name of self-determination. The second is the reality of an entrenched federal bureaucracy that, despite its public rhetoric, has stifled and sabotaged self-determination at every turn. When Indigenous initiatives have crossed the line between allowable, safe difference and radical, threatening difference, federal control has been reasserted in explicit, diffuse, and unmistakably constricting ways.

These dual realities raise the question of the legitimacy of Indigenous education control. Is genuine self-determination possible, or is it, as Senese (1986) argues, an illusion that serves to perpetuate rather than dismantle federal paternalism? We believe the federal policy of self-determination can be a vehicle for Indigenous empowerment, but only if the ideologies that have motivated federal repression of tribal sovereignty and cultural/linguistic difference are exposed and transformed.

## **Tribal Sovereignty**

Against this background of history and of struggle and hope, the federal law governing Indian affairs may be viewed not, as it has too often been viewed, as a curious collection of anachronisms and mysteries, but rather as a revealing record in the development of our American constitutional democracy. (Nathan R. Margold, Solicitor of the Department of the Interior during the Franklin D. Roosevelt administration, cited in Bennett & Hart, 1942/1986, p. xxii)

Sovereignty is the right of a people to self-government, self-determination, and self-education. Sovereignty includes the right to linguistic and cultural expression according to local languages and norms—the right to “write, speak, and act from a position of agency” (Giroux, 2001, p. xv). As a political construct, sovereignty does not require complete independence—what nation today is completely unfettered? For example, the U.S. contracts treaties and agreements with other nations, including American Indian nations, and the federalist system of government balances federal sovereignty against that of the states. The fact that tribes are not completely independent polities is not a contradiction of their status as inherently sovereign polities (Wilkins & Lomawaima, 2001).

Tribes have a singular legal status that both predates and is recognized by the U.S. Constitution.<sup>3</sup> The Commerce Clause delegates the power to Congress “to regulate Commerce with foreign nations, and among the several States, and with the Indian tribes” (quoted in Pommersheim, 1995, p. 214, note 40). The Constitution empowers the President to negotiate treaties with foreign nations (ratification requires a two-thirds vote by the Senate); and the formative United States used the treaty process—as did earlier colonial powers—to conduct diplomatic relations with Indian nations (Wilkins & Lomawaima, 2001). The statements of the Constitution—coupled with subsequent federal legislation, the bureaucratic rules of the federal agencies charged with supervising Indian affairs, and judicial decisions—have shaped the contours of life in Indian country today.

These words—*diversity*, *democracy*, *sovereignty*—are not simple abstractions or lexical tags. They carry whole domains of human experience. Insofar as the words diversity, democracy, and sovereignty constitute a shared—although certainly contested—field of reference, they are built on the backs of human lives, human stories, and personal, individual reality. What has been the reality for Native peoples in U.S. schools and in the American democracy? We turn now to a deeper consideration of that question.

### **The Struggle for Self-Determination in Indigenous Education**

What sort of treatment dominant groups give to subject groups—how governments treat minorities—and how big countries treat little countries: this is a subject that comes down the centuries, and never was it a more burning subject than in this year 1939. . . . so the question: How has our country treated its oldest and most persisting minority, the Indians; how has it treated them, and how is it treating them now? (Harold S. Ickes, Secretary of the Interior under President Franklin D. Roosevelt, cited in Margold, 1942/1986, p. xxi)

We begin our analysis of the history of Indigenous educational self-determination with Harold Ickes’s 1939 statement because he spoke so directly to questions of equity that still dominate American life. Native students, parents, and communities have fought many battles in the last century over rights to heritage languages, cultural and religious expression, and control over the content and style of curriculum and pedagogy. We cannot

in the space allotted address all the complexities of this history, but we will highlight key moments, issues, and players to examine recurring motifs.

### **Struggles and Reforms Within American Indian Education, 1900–1969**

The history of federal and public education for American Indians is rife with examples of the contest between tribal sovereignty and federal powers. Many episodes illustrate the federal dilemma that has endured to the present day: how to judge what might be allowably safe, innocuous expressions of Native beliefs and practices and how to manage or eradicate beliefs and practices judged too dangerously different or subversive of mainstream values—for example, Native religions, economic activities that depend on access to common lands, social arrangements that sanction more than one spouse at a time, or traditional architectures (Lomawaima, 2002). The following examples demonstrate the great difficulty the federal government has had in dealing with what we term “places of difference,” those spaces and moments where Native peoples have fought to preserve and express their heritage languages and cultural practices. In each case, we see how steps toward positive valuations of Native cultures and languages, and apparent gains in Native influence on schools, have been diverted or overturned.

In 1898, President McKinley rocked the political establishment by nominating a woman to a federal political position high enough to require Senate ratification. The woman was Estelle Reel (1862–1959), a staunch Republican and superintendent of public instruction in Wyoming, who had helped carry that state for McKinley in the presidential election. Her federal position was Superintendent of Indian Schools, responsible for the hundreds of federal schools for Indians. Reel subscribed to the scientific theory of “race” prevalent at the turn of the last century, which proposed that the “colored” races were inferior and childlike. In her words,

Allowing for exceptional cases, the Indian child is of lower physical organization than the white child of corresponding age. . . . The very structure of his bones and muscles will not permit so wide a variety of manual movements as are customary among Caucasian children. . . . In like manner his face . . . is without free expression, and . . . his mind remains measurably stolid because of the very absence of mechanism, for its own expression. (quoted in Lomawaima, 1996, p. 14)

Reel’s low expectations for Native students were matched by her disdain for Indian cultural beliefs, but she did see a place for selected women’s crafts as important economic mainstays for Native families. The production of pottery, basketry, and rugs brought much-needed cash into economically marginalized reservation communities and so seemed to Reel to be worth encouraging. She introduced classes in these arts into selected federal schools, employing Native teachers who were accomplished weavers and potters.

Some scholars have interpreted Reel’s actions as “breaks in the absolute ethnocentrism” of federal curricula, reflections of a “remarkable sensitivity”



(Prucha, 1984, p. 829). Reel's experiment was doomed, however. Since "instruction by native women . . . inevitably brought girls into contact with the kind of tribal women whose authority and respectability the schools were trying to undermine, that part of Reel's plan . . . did not survive her retirement" in 1910 (Lomawaima, 1996, p. 19). The economic advantages attached to Native craft production, as substantial as they were in many Native communities, could not outweigh the perceived disadvantages. Basketry, pottery, and rug weaving were too deeply embedded in cultural matrices that were too different from federally endorsed norms. The government might tolerate them on isolated reservations, but could not endorse them in the schools.

The next two decades witnessed a return to the standard operating procedure of federal education for Indians: No vestige of Native language, clothing, hairstyle, art, religion, or personal expression was allowed to students, especially those enrolled for years at a time in boarding schools. By the 1920s, however, the increasing professionalization of the field of education, the rise of the progressive education movement, and increasing agitation by liberal Whites for reform in the notoriously corrupt Office of Indian Affairs resulted in limited educational changes. On-reservation day schools were constructed, boarding schools were directed to curtail enrollments of very young children, and public school education began to be made available to Indian children, but the changes tended to be small-scale and piecemeal (see, e.g., Szasz, 1999, 3rd ed.). Nevertheless, mounting public pressures for reform in Indian affairs resulted in a landmark evaluation and critique of the federal bureaucracy that motivated some significant changes in Indian education.

On June 12, 1926, the Secretary of the Interior formally asked a private research firm, the Institute for Government Research (also known at the time as the Brookings Institute), to survey "the economic and social condition of the American Indians" (Meriam et al., 1928, p. vii). With private funds, institute staff member Lewis Meriam assembled a team of professional educators, social workers, medical personnel, and other experts to visit "ninety-five different jurisdictions, either reservations, agencies, hospitals, or schools, and also many communities to which Indians . . . migrated" (Meriam et al., 1928, p. vii).<sup>4</sup> Their final exhaustive report, *The Problem of Indian Administration*, was published in 1928 and has been known ever since as the Meriam Report. The report was an excoriating critique of the work of the Office of Indian Affairs, and because of its impact the Meriam Report is still viewed as a watershed in Indian education. We wish to highlight the Meriam staff's vision of their assignment because they proposed a view of Indian life that simultaneously endorsed the "civilizing" campaign to transform Indians and the unprecedented possibility of maintaining a distinctively Indian life:

The object of work with or for the Indians is to fit them *either* to merge into the social and economic life of the prevailing civilization as developed by the whites *or to live in the presence of that civilization at least in accordance with a minimum standard of health and decency.* (Meriam et al., 1928, p. 86; italics added)

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The first of these alternatives was so clear on its face as to require no further explanation. The second, however, required elaboration:

Some Indians proud of their race and devoted to their culture . . . have no desire to be as the white man is. . . . the survey staff . . . would not recommend the disastrous attempt to force . . . Indians . . . to be what they do not want to be. . . . Such efforts may break down the good in the old without replacing it with compensating good from the new. (Meriam et al., 1928, pp. 86–87)

The Meriam Report acknowledged that Native cultural practices could not, and should not, be preserved untouched as museum specimens in a “glass case” for the benefit of curious Whites. What was unprecedented in their proposal was the idea that Indian people should have the power to make choices and that the federal government should support them in their choices:

The position, taken, therefore, is that the work with and for the Indians must give consideration to the desires of the individual Indians. He<sup>5</sup> who wishes to merge into the social and economic life of the prevailing civilization of this country should be given all practicable aid and advice in making the necessary adjustments. He who wants to remain an Indian and live according to his old culture *should be aided in doing so*. (Meriam et al., 1928, p. 88; italics added)<sup>6</sup>

More than 70 years ago the authors of the Meriam Report envisioned the possibility that the nation not only could allow but could nurture places of difference within the U.S. democracy. The ways in which their view was alternately implemented and thwarted in the following decades illustrate perfectly the ongoing federal dilemma: Which aspects of Indian cultural life are perceived as safe enough to encourage, and which are too dangerously different to be tolerated?

Motivated by the Meriam Report’s criticisms, one of the changes in federal schools was the introduction of bilingual instruction in selected locales. Like other efforts to reform the Bureau of Indian Affairs (BIA),<sup>7</sup> federal efforts to develop bilingual programs and materials for American Indian students were cut short by World War II but nevertheless were key transitions in the history of Indian education. Innovative bilingual programs involved both elements of past assimilation agendas and efforts to develop culturally relevant curricula. These innovations ultimately did not survive the tug-of-war between preserving “safe” cultural practices and eliminating “dangerous” difference, but we can see the struggle being played out in the pages of student texts (Lomawaima, 2002). In the 1940s, BIA educational personnel worked with Native language speakers and Native illustrators to develop the *Indian Life Readers*, including the Pueblo Series, Sioux Series, and Navajo Series. Some were English-only texts that “celebrated native values and practices” (Lomawaima, 2002); others legitimized and even encouraged the

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“development of active bilingualism upon the part of both children and their elders” (Beatty, 1943, p. 91).

Some readers, however, such as the “Just-For-Fun” Lakota story, *The Hen of Wabpeton* (Clark, 1943), used bilingual text to promote federal agendas. In an era when reservation agents were promoting sanctioned forms of stock raising, gardening, and agriculture, *The Hen of Wabpeton* tells the story of the War-Bonnet family’s special incubator chick who learns to read and sing opera. The War-Bonnet family was an agency superintendent’s dream come true.

The War-Bonnet family  
were very fine people.  
They did as they should do  
and they bought  
what was good for them. (Lomawaima, 2002)

Here, the federal imperative to economically transform and assimilate Indian people subverted bilingual education to advance federal, rather than tribal or local community, goals.

Another example of the tug-of-war between federal and tribal interests was the Navajo Special Education Program established after World War II. Young Navajo veterans returning from military service joined with Navajo people who had entered the war-effort labor force to demand that the federal government honor its treaty obligations regarding education. “We need schools so that our children can compete with other children,” Navajo Tribal Chairman Henry Chee Dodge argued in 1946 before the Senate Committee on Indian Affairs (Boyce, 1974, p. 217). Congress responded, but not by providing the on-reservation boarding schools that the tribe had requested. Navajo children instead were bused to distant schools in Oklahoma, California, and Oregon. Once again, partial tribal gains were offset by coercive federal actions.

By the 1960s, a rising tide of political and cultural activism was sweeping the nation, and American Indians were flexing the political skills they had acquired through the social and political battles waged since the turn of the century. Many of those battles had been fought on the turf of education, and education was clearly a highly valued commodity among Indian people despite the inhospitable, even inhumane, school environments endured by many students. As more American Indian people sought undergraduate and graduate degrees through the 1950s and 1960s, the majority of those degrees were in education (Lomawaima, 1995, p. 334).

Local, tribal, and national Indian leaders and young people spoke up throughout the 1960s and early 1970s, as the American public seemed to become more receptive to their messages. Tribal leaders such as Stanley Smartlowit (Yakima), tribal educators such as Annie Wauneka Dodge (Navajo) and Esther Burnett Horne (Shoshone), political activists such as Dennis Banks (Ojibwe) and Russell Means (Lakota), and scholars such as Vine Deloria, Jr. (Lakota), Helen Scheirbeck (Lumbee), and Alfonso Ortiz (Tewa), and myr-

and, dedicated others pushed for tribal sovereignty: self-government, self-determination, and self-education. The federal government responded with a shower of legislation and agency reconfiguration. The 1964 Economic Opportunity Act supported Head Start, Upward Bound, Volunteers in Service to America (VISTA), and Indian Community Action Programs. These initiatives fed directly into the Indian community-controlled schools movement, discussed in the next subsection.

Clearly, times and circumstances were changing, but the dilemma of how to effectively incorporate—let alone nurture—American Indian places of difference within the U.S. democracy did not disappear. From 1970 to the present, American Indians have had further opportunities to implement what has been their will and wish for more than 200 years: to take leadership roles in educational systems and institutions, to guide and design policy, and to implement innovative and locally responsive curricula and pedagogies. In the next subsection, we examine the realities of this opportunity structure.

### **The Rise of Indigenous Community-Controlled Schools**

I think it is safe to say that from any angle you want to look at the [BIA's] education policy today—and increasingly so in the future—you will see emblazoned on the school walls: Indian control. (Morris Thompson, Commissioner of Indian Affairs under President Richard M. Nixon, 1973, p. 3)

American Indian community-controlled schools present an ideal case to examine contemporary developments in education. As is suggested by their name, these schools are prime arenas for the exercise of Indigenous leadership and education control. In practice, local control confronts bureaucratic constraints so overwhelming that federal self-determination legislation has been critiqued by Native and non-Native observers alike as a thinly disguised tool for strengthening the federal stranglehold over Indigenous affairs (see, e.g., American Indian Policy Review Commission [AIPRC], 1976; U.S. Congress, 1977; Senese, 1986).

The year 1970 has been portrayed as a turning point in Indian affairs (AIPRC, 1976; Fuchs & Havighurst, 1972; Szasz, 1999). In that year, President Richard M. Nixon delivered a message to Congress on Indian policy, promising “self-determination without termination” (AIPRC, 1976, p. 111). “[W]e believe that every Indian community wishing to do so should be able to control its own Indian schools,” Nixon declared (AIPRC, 1976, p. 111). Later that year, Nixon’s Commissioner of Indian Affairs, Louis R. Bruce, outlined plans to implement the President’s message to Congress. “For Indian educational programs to become truly responsive to the needs of Indian children and parents, . . . control of those programs should be in the hands of the Indian communities,” Bruce maintained (AIPRC, 1976, p. 117). He went on to promise that the BIA would be transformed “from a management to a service organization” and that tribes would have “the option of taking over any or all BIA program functions” (AIPRC, 1976, p. 117).

Nixon's historic pronouncement did not, of course, emanate from sudden federal enlightenment or largesse. Rather, his statement came in response to a widely publicized and negative assessment of failed federal policies and BIA mismanagement and equally well-publicized Indigenous initiatives to assert educational rights. Just months before, the Senate Special Subcommittee on Indian Education, chaired by Robert Kennedy and, after his death, by his brother Edward, had released a report on a two-year congressional investigation of Indian education. Condemning federal Indian policy as "one of coercive assimilation," the report cited dismal statistics of Indian student failure and the denigration of Indigenous languages and identities in federal schools, which "had disastrous effects on the education of Indian children" (U.S. Office of Education, 1969, p. 21).

In counterpoint to the Senate Special Subcommittee report, a fledgling self-determination movement had taken root in several Indigenous communities. In 1966, the first American Indian community-controlled school was founded at the small Navajo community of Rough Rock, Arizona. An outgrowth of the Johnson administration's War on Poverty and the Economic Opportunity Act, the Rough Rock Demonstration School was created through a unique contract between the Office of Economic Opportunity, the BIA, a tribal trustee board, and a locally elected school board. The school was named Tsé Ch'ízhí Diné Bì'ólta'—Rough Rock, The People's School.<sup>8</sup>

The mission of the Rough Rock Demonstration School was to provide education in the broadest sense, cultivating local talent and supporting community development. In its first years the school instituted a host of economic development projects designed to build local capacity and to generate employment. "We brought the entire community into the school," school cofounder Robert Roessel reflected. "This was what the school was all about" (McCarty, 2002, p. 84).

Bilingual/bicultural education naturally complemented the school's community outreach focus, and Rough Rock's curriculum included Navajo language and cultural studies and a program in which parents and elders provided moral education and traditional storytelling in school dormitories. In its second year, the school launched the first center dedicated to producing American Indian curricula. At the same time, the school board began "growing its own" bilingual faculty, providing funds for local people to work toward their teaching degrees.

The demonstration project did not go unnoticed by politically powerful outsiders. Hundreds of visitors passed through the community and the school. The school's visitor roster included former U.S. Senator and Vice President Walter Mondale, Robert Kennedy and his niece, Caroline Kennedy, and squadrons of legislators, journalists, filmmakers, educators, and social scientists. As the Senate Special Subcommittee investigation gained momentum, Rough Rock was described as an exemplar in American Indian education. Following one momentous subcommittee hearing, Robert Kennedy averred that Rough Rock should serve as a model for a comprehensive "new national Indian policy" (U.S. Office of Education, 1969, p. 1055).

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This was the subtext for Nixon's 1970 policy pronouncement. By 1971, four other Indian communities had contracted to operate their own schools. In 1969, Rough Rock cofounders established the first tribally controlled community college at Many Farms, Arizona, about 15 miles east of Rough Rock.<sup>9</sup> During the same period the National Indian Education Association and the Coalition of Indian Controlled School Boards were established. Named in one national report as "the most important thrust in the education of Indian children today" (AIPRC, 1976, p. 257), the Coalition served as a clearing-house and source of technical assistance to dozens of reservation schools (Szasz, 1974, p. 162).

In this social-political environment, the U.S. Congress passed two of the 20th-century's most significant pieces of American Indian legislation. In 1972, Congress authorized the Indian Education Act as a Title IV (now Title IX) amendment to the 1965 Elementary and Secondary Education Act. Title IV was the first federal legislation to support Indigenous bilingual/bicultural materials development, teacher preparation, and parent and community involvement. In 1975, the Indian Self-Determination and Educational Assistance Act (P.L. 93-638) was passed, formalizing the procedures for tribes and Indigenous communities to contract to operate social and educational programs. Together with the 1968 Bilingual Education Act (Title VII of the Elementary and Secondary Education Act), the Indian Education and the Indian Self-Determination Acts created the legislative and financial framework for placing Indigenous education under community control (McCarty, 1997, p. 46).

By 1978, there were 34 Indigenous community-controlled schools. Supported by Title VII and Title IV grants, Native American materials-development projects flourished at these and other reservation schools (see, e.g., Spolsky, 1974). People still speak passionately about those times. "I recall feeling excited about all that was occurring as far as Navajo education was concerned," Navajo linguist Irene Silentman writes. "Many more Navajo teachers were certified and trained for bilingual programs, the . . . public schools were implementing some form of bilingual instruction . . . , and everyone was developing sequential curricula for their schools (1995, pp. 10, 12–13).

Local initiatives linked efficiently with regional and national resources. The Massachusetts Institute of Technology offered a fellowship program that graduated some of the first American Indian PhDs in linguistics. American Indian Teacher Corps programs proliferated. Working with academic linguists, Hualapai educator Lucille Watahomigie founded the American Indian Language Development Institute to provide university-accredited training to American Indian bilingual program personnel (McCarty, Watahomigie, Yamamoto, & Zepeda, 2001). These programs not only helped to prepare a cadre of Indigenous teachers but also publicly valorized Indigenous languages and identities. "We came to value our own language," Silentman observes, and "to see [ourselves] as equals with non-native teachers and administrators" (1995, p. 16).

Meanwhile, evidence was mounting that the academic achievement of students in some community-controlled schools equaled or surpassed that

of students in schools with conventional English-only curricula. Following a rigorous longitudinal study of student achievement at Rock Point Community School, Rosier and Farella (1976) reported significant increases in English achievement among Navajo fourth and fifth graders. Rock Point students, who learned to read first in Navajo and had content instruction in Navajo while learning English, “scored significantly higher in Total Reading on the Stanford Achievement Test than did Navajo students in monolingual English BIA schools” (Rosier & Farella, 1976, p. 379).<sup>10</sup> Students also had the advantage, of course, of becoming literate in Navajo, and they exhibited “considerably more self-confidence and pride” (Holm & Holm, 1995, p. 148; see also Rosier & Farella, 1976, p. 388). A national survey of Indian education reinforced these local findings. Indian community-controlled schools, the American Indian Policy Review Commission reported, restored “self-image and interest in learning among young people,” lowered school dropout rates, and graduated students who possessed necessary academic skills (AIPRC, 1976, p. 265).

Supported by federal legislation and policy—much of it influenced by the leadership of community-controlled schools—Indigenous communities across the nation were producing a corps of local teachers, a corpus of Native language teaching materials, and evidence of substantial student benefits. “I saw this as a time for native people to renew their strengths, preserve their cultures and languages, and improve the education of their children,” Silentman states. “There was a bonding developing among Indian nations of the country” (1995, p. 7). Those bonds created a powerful lobbying force on behalf of Indian education that had not previously existed.

The community-controlled school movement marked a turning point in American Indian education, opening a window of opportunity that had been barred shut just a few years before. In the words of Anita Pfeiffer, a prominent leader in the struggle, a major shift in opinion and orientation was under way. What had once been “unthinkable” had, she said, become “doable” (Pfeiffer, 1993, quoted in McCarty, 2002, p. 123).

#### “A Monumental . . . Hoax”

The system we operate under would defeat the President of General Motors. The system is a monumental fake and hoax. It is a political game in which the community or school that refuses to lie down and die wins just enough to stand up for the next punch. (Ethelou Yazzie, Director of the first American Indian community-controlled school, 1976, p. 311)

Another perspective on these times reveals a federal bureaucracy that constrained, even throttled, local opportunity. Despite the rhetoric of government officials such as Commissioner Bruce and the U.S. president he served, the BIA had not been transformed “from a management to a service organization”; the “option of taking over any or all BIA functions” was fraught with conflict and duress.

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At the heart of the conflict is a system of school funding that has been both inadequate and wildly unpredictable. Unlike public school districts financed chiefly by property taxes, reservation schools must rely on congressional appropriations for the majority of their funding.<sup>11</sup> This obligation is entailed by treaties and the federal trust relationship but is equally a consequence of marginalized reservation economies. Also, unlike nonreservation public schools, community-controlled schools are independent units that must provide all the services necessary for their operation. The costs of these largely rural schools are significantly higher, yet their financial resources are more limited and volatile than those available to nonreservation public schools.

These realities force community-controlled schools to knit together instructional programs from disparate and often conflicting federal grants.<sup>12</sup> The result is chronic financial uncertainty and institutional fissioning, both exacerbated by the contracting procedure itself. For years, Indian community-controlled school boards operated with only the vaguest of BIA guidelines on the contracting procedure. Delays in annual base budget negotiations were notorious. In 1976, Ethelou Yazzie, then director of the Rough Rock Demonstration School, gave the following testimony to the American Indian Policy Review Commission:

It is June:

The BIA contract is not signed. We have no idea what our budget for fall will be. No teacher is certain that his/her job will be funded. No money has yet arrived to fund the clinic, our arts and crafts co-op is locked. . . . Our summer school is severely limited in its offerings and staff size, relying heavily on volunteers.

This is the way it is at Rough Rock. We expect a crisis a month, and we are never disappointed. (AIPRC, 1976, p. 259)

This dire financial situation was further complicated in the late 1970s by new federal rules for negotiating indirect cost rates. Initially, the rules stipulated that indirect costs would be paid as a percentage of the negotiated school budget. Later, the rules were changed in favor of lump sum agreements. Questions about how schools would receive indirect cost monies and how much they would receive kept school leaders shuttling between the BIA's Washington and regional offices, sometimes delaying contract negotiations for years. "We are made to feel like the proverbial stepchild," the Coalition of Indian Controlled School Boards testified. "Too much time and effort goes into securing funds rather than focusing on the educational needs of our children" (AIPRC, 1976, p. xii).

Fundamental national policy shifts increased the chaos. With his election in 1980, President Ronald Reagan initiated what were euphemistically called "budget consolidations." Title IV, the Indian Education Act that had inaugurated the policy of self-determination less than a decade earlier, was among the first programs placed in jeopardy. In his 1983 budget announce-



ment, Reagan's Secretary of Education, Terrell Bell, announced that Title IV would be replaced with the Indian Student Equalization Program, whereby funds would be awarded on the basis of annual student "counts." In Indian schools across the United States, a practice ensued that continues to this day: For 5 days during each school year, school officials scramble to get as many students into classrooms and dormitories as possible; a funding formula is attached to each student.

No other U.S. school system functions under such a cloud of uncertainty. No other U.S. school system must invest the prodigious time and energy that this chaos requires. The pernicious results are that funding is neither permanent nor adequate and that Indigenous students are all but guaranteed an inferior education. The school at Rough Rock is typical: Its funding rate of \$3,300 per student per year is two thirds that of students in Arizona public schools—and Arizona ranks *50th* in the nation on per-pupil expenditures.

This too has been the reality of Indigenous community-controlled schools. Forced to ride a roller coaster of policy shifts and rule changes, these schools have operated under conditions of constant financial, curricular, and staff instability. Worse, tribes are forced into competition with each other and among their own programs for resources, and these efforts yield only the slimmest of financial support. Except for their body count, nowhere is it evident within this system how Indigenous students do, in fact, count. This constellation of conditions can only be described as institutionalized racism (McCarty, 2002).

### **"A Natural and Inherent Right"?**

On April 28, 1988, Congress authorized the Hawkins-Stafford Elementary and Secondary School Improvement amendments, known as P.L. 100-297. In introducing the Indian education bill that would become part of P.L. 100-297, Senator Dennis DeConcini, Democrat from Arizona, reaffirmed the federal government's "special duty to the Indian tribes to assure the availability of the best educational opportunities," a duty that he insisted "must be fulfilled . . . in a manner consistent with . . . Indian self-determination" (White House Conference on Indian Education, 1992, p. 6).

Among other things, P.L. 100-297 provided a forward-funding system for Indigenous community-controlled schools, allowing school boards to opt out of the contracting procedure and seek "grant status," an arrangement that would assure a lump sum base budget each year, although the final budget would await the outcome of student count week and any discretionary funding the school might obtain. Grant status seemed to offer a pathway out of chronic financial insecurity by adding greater predictability to the budget process and enabling schools to invest the lump sum.

Unfortunately, achieving grant status is not simple. Congress and the BIA require grant schools to meet standards determined not by local school boards but by national or regional accrediting boards. Indigenous schools and educators have been forced into the treacherous terrain of standards, "account-

ability,” and high-stakes testing. Rough Rock provides a case in point. In the late 1980s, having survived a bankruptcy and near-receivership—episodes precipitated by the financial arrangements described above—Rough Rock sought North Central Association accreditation as a means of attaining grant status. To fulfill NCA’s requirement of a “planned program of school improvement” (Commission on Schools, 1983), school administrators adopted an outcome-based education (OBE) program. The OBE philosophy is stated in positive terms (“all students can learn and succeed,” “success breeds success”; see, e.g., Danielson, 1989); but a critical reading of the program’s documents makes it clear that *some* students are guaranteed school-defined success, whereas others must be drilled and coaxed and even then are likely to fail. For example, the OBE *Practitioner Implementation Handbook* identifies “corrective activities” to ameliorate student “deficiencies,” including re-teaching and instructing students to re-read their textbooks. Juxtaposed to these are “enrichment” activities for “fast learners to broaden their horizons” (Danielson, 1989, pp. 82–86). Although many bilingual teachers at Rough Rock resisted this program, non-Indian school administrators and the Navajo board deemed it necessary for the school’s survival.

Hence, despite Senator DeConcini’s call for a policy “consistent with Indian self-determination,” the conditions for Indigenous schools authorized by P.L. 100-297 continue to lock these schools in a system of federal constraint. Woven throughout the system is a web of coercive power relations that buries the voices of Native educators and compromises local control. The fact that Indigenous communities have managed to survive in this system is a tribute to their ingenuity and belief in education as a vehicle for self-empowerment. “Our people believe that control of education is a natural and inherent right,” Dorothy Small, a member of the Rocky Boy School, testified in 1976 (AIPRC, 1976, p. 261). More than 25 years later, that fundamental human right is still being contested.

### Linguistic and Cultural Self-Determination

[English], which is good enough for a white man and a black man, ought to be good enough for the red man. . . . Teaching an Indian youth in his own barbarous dialect is a positive detriment to him. (J. D. C. Atkins, Commissioner of Indian Affairs under President Grover Cleveland [1887/1992, pp. 49–51])

If a child learns only English, you have lost your child. (Navajo elder, 1996 [cited in McCarty, 2001, p. 285])

The previous section examined what one Native educator has called “the life and death struggle” of Indigenous community-controlled schools (cited in McCarty, 2002, p. 143). Just as self-education is necessary to sovereignty, so too are the collective and individual rights of self-expression and of socializing one’s children in the community language. For American Indians, language rights have been a source of contention since the first Indigenous

encounters with Europeans. The battle to maintain Indigenous languages and identities also has been waged in the schools, initially in the context of colonial education and more recently in community-controlled schools.

Linguists estimate that at first contact with Europeans, as many as 300 distinct languages were spoken by people Indigenous to what is now the United States (Krauss, 1996, 1998). Today, 175 of these languages are still spoken, but of these, only 20 are being passed on to the young (Krauss, 1998). We are sometimes asked why we should be concerned about the fate of these languages; after all, they have relatively few speakers, and children need to master national and international languages to survive and succeed in a global economy. We do not argue with the latter point. The question is, given innate human abilities to master more than one language, must proficiency in the languages of wider communication come at the price of the mother tongue?

Languages are not mere abstractions or replaceable products; language issues are always “people issues” (Warner, 1999, p. 89; see also Dauenhauer & Dauenhauer, 1998; Fishman, 1991). As the Navajo elder’s words in the epigraph above demonstrate, to its speakers, heritage language loss is a concrete tear in the web of family life—a crisis of identity and of whether children will, in fact, be “lost,” disconnected from the words and worlds of their forebears.

These losses cannot be divorced from their historical antecedents. Genocide, containment on reservations, and the forced transformation of Indigenous social systems have created the present circumstances. Schools and education policies are also complicit; for many Native people, the punishments inflicted in the boarding schools for speaking the Native language left a firm resolve that their children would not face a similar fate.

What is important for the present analysis is the fact that many Native people still *want* their children to acquire the heritage language, so that “we and our kids can talk the same language, and so we won’t be mainstreamed with people of other races” (Parsons-Yazzie, 1996/1997, p. 64). Language reclamation and maintenance are thus elemental to self-determination.

The critical question is what to do to reverse the loss. Some, including the parents and grandparents with whom we work, believe that schools must play a strong role in reversing language loss (see also Parsons-Yazzie 1996/1997). Others insist that schools are tangential to language revitalization efforts (Fishman, 1991, 1996; Krauss, 1998). Our research suggests that the pressures on families to abandon the heritage language are so intense that if left to individual families alone, the crisis of language loss will go unabated (see, e.g., McCarty, 1998, 2002). “When more children gain access to formal education, much of the . . . language learning, which earlier took place in the community, must now take place in the schools,” Skutnabb-Kangas points out (1999, p. 10). “Parents need all the help they can get,” Holm (in press) states, adding that “schools must become the allies” of parents who want their children to acquire the Native language (quoted in McCarty, 2002, p. 183).

Can schools—historically tools of forced assimilation—be repositioned as agents of Indigenous language reclamation? We believe that schools are as essential as they are problematic. As we have shown, even when they are

under Indigenous community control, schools lead away from the community that they ostensibly serve (Fishman, 1984, p. 55; Wax, Diamond, & Gearing, 1971). Yet in reservation communities, schools are typically the most significant economic, social, and political resource. These structural arrangements position schools as natural, if imperfect, instruments for mobilizing community action. "We have to depend heavily on the school," Holm (in press) asserts. "We cannot know whether the schools are capable of helping. But we cannot give up on them without trying" (cited in McCarty, 2002, p. 184).

Once again, we return to the case of Rough Rock to illustrate the dilemmas and possibilities in using schools as vehicles for Indigenous language maintenance and revitalization. Our analysis reveals the ways in which Native communities continue to assert their linguistic and educational rights, even as they confront enormous constraints.

### **Language and Indigenous Community Empowerment**

A major finding of long-term evaluations of bilingual/bicultural education at Rough Rock was that bilingual students who had the benefit of cumulative early literacy experiences in Navajo made the greatest gains on local and national measures of achievement (McCarty, 1993b, 2002). These findings reinforce those of other long-term evaluations of bilingual education, including the Navajo programs at Rock Point and Fort Defiance, Arizona (Holm & Holm, 1990, 1995; Rosier & Farella, 1976; see also Ramírez, 1992; Thomas & Collier, 1997). The Rough Rock data also demonstrate that literacy in a second language is mediated by first-language literacy, a finding supported by numerous earlier studies in a variety of linguistic and socio-cultural settings (e.g., Crawford, 1997; Cummins, 1989, 1996; Krashen, 1996; Moll & Díaz, 1993).

At Rough Rock these findings reinforced bilingual teachers' confidence and willingness to creatively work around the constraints of school accreditation and a prepackaged mastery learning program. With these teachers' support, in 1998 the Rough Rock School received two federal grants for a pre-K–12 Navajo immersion/language maintenance program. The program was designed so that children would receive the majority of their instruction in Navajo from preschool through second grade. Beginning in third grade, approximately half the day would be devoted to instruction in Navajo and half to English. Thematic units on culturally relevant topics were integral to the program design. In this bilingual/bicultural program, Rough Rock educators sought to blend the old with the new—to construct discourses and practices that, in the words of the bilingual program director, would "prepare students to function in two languages and two worlds" (Dick, 1998, p. 25). These educators' work can be seen as a form of resistance to the legacy of teachers' own educational pasts.

Similar school-based language revitalization initiatives are under way among Indigenous communities throughout the United States (see, e.g., Ah Nee-Benham, 2000; Henze & Davis, 1999; Hinton & Hale, 2001; Kipp, 2000;

May, 1999; McCarty, Watahomigie, & Yamamoto, 1999). Systematic evaluation of the effectiveness of these programs awaits further research. However, there is growing evidence that the academic performance of children who receive long-term, uninterrupted schooling in the heritage language equals or surpasses that of their peers in monolingual English classrooms—regardless of students' proficiency in the heritage language and English when they begin heritage language schooling (Holm & Holm, 1995; Kamanā & Wilson, 1996; Thomas & Collier, 1997).

Indigenous peoples can survive, and are surviving, without their heritage languages. The important point is that they have not *chosen* to do so. Language loss has been a consequence of consistent state-sponsored linguistic campaigns.<sup>13</sup> Constructing an Indigenous identity in the heritage language is qualitatively different from constructing and enacting that identity in English. Beyond the personal level, a society that enables its members to be Indigenous in the Native language is a society worth maintaining (Slate, 1993).

Schools are crucial, if controversial, resources in this struggle. As we have seen with the case of Rough Rock, bilingual educators are positioned not only to assert the primacy of the Native language within the school but also to support parents and children in using the language at home. Clearly, Indigenous educators do so against a backdrop of oppression and in bureaucratic environments that are often toxic. For better or for worse, schools are key arenas in which these contradictions are being negotiated. Schools are not the only place for language recovery and the social transformations it entails, but schools are a necessary place for this work.

### **The Standardization of Inequality**

Disturbingly but not surprisingly, language revitalization initiatives are compromised by the mounting pressures of externally imposed standards and the fierce public rhetoric surrounding school “accountability.” Increasingly, Indigenous schools face the dilemma of “doing” Indigenous education while complying with high-stakes tests that devalue local knowledge and jeopardize children’s life opportunities by threatening to deny them a high school degree.

Buried in the rhetoric of standards and accountability is the fact that the mandates to standardize testing are not accompanied by parallel mandates to standardize the economic and social investment in children subjected to the tests. The tests are undeniably discriminatory in their English-only content and depreciation of the social and cultural capital (Bourdieu, 1977) that American Indian students bring to school. A more basic injustice is a system that bestows educational resources on the privileged, rewards their cultural capital, then consecrates their ensuing advantage with standardized tests (McCarty, 2002, p. 198). There is nothing democratic about this process. It standardizes inequality and ensures that existing race- and class-based hierarchies are legitimized and reproduced.

## Consummating the Democratic Ideal

We in this country are slowly learning to appreciate the significance of the problem of Indian rights for the cause of democracy here in the United States and throughout the Western Hemisphere. (Nathan Margold [1986, p. xxi])

We began by noting the contradictions and possibilities within the tribal-federal relationship and the questions that they raise for the construction of a democracy rooted in principles of social justice. As we examined the recent history of American Indian education, we noted a pattern of federal support for innocuous or safe expressions of tribal sovereignty and of manifold constraints on the exercise of genuine sovereignty, exemplified in bilingual/bicultural education programs and community-controlled schools. Hyper-regulated and hugely underresourced, Indigenous community-controlled schools and bilingual/bicultural programs have waged an ongoing battle simply to survive. Now, at the precipice of an irredeemable loss of their languages, tribes and their educational institutions face escalating pressures for standardization, reflected in high-stakes tests and the coupling of those tests with school funding.

The critical-historical analysis presented here reveals the enormous investment of time and energy that has been poured into attempts to eradicate American Indian cultural and linguistic distinctiveness. Despite this systemic and sustained effort, American Indians have survived as distinctive and productive peoples. Can American Indian cultural distinctiveness be maintained without the concomitant economic, political, and social marginalization of Indigenous communities? This question begs a larger one: Can places of difference be maintained without denying educational, economic, political, and social rights and opportunities to their inhabitants? Our answer to these questions is a passionate yes. But achieving these goals requires facing certain truths. Standardization, while masquerading as an equalizing force, in fact stratifies, segregates, and undercuts equality of opportunity. We have only to consider the history of American Indian education to see how this is so.

Our analysis may lead readers to be pessimistic about the future. We argue for a hopeful outlook that embraces the possibility of change. We believe that the relationship between tribal sovereignty and federal sovereignty need not be an adversarial one. The choices that Native communities make need not be either-or choices, nor must there be an immutable dividing line between Indigenous and nontribal citizens. We suggest that the relationship between tribal sovereignty and the U.S. democracy can more profitably be viewed as an inspiration. Vital and persisting American Indian communities can inspire the nation's citizens to rise to the challenge of securing a democracy in which equality is more than rhetoric, and social justice prevails. Schools are essential institutions for developing these critical democratic values. Our analysis demonstrates that schools *can* be constructed as places of difference where children are free to learn, question, and grow from a position that affirms

who they are. This vision of critical democracy, long held within Indigenous communities, has the power to create a more just and equitable educational system for all.

### Notes

We thank our colleagues at Rough Rock—especially the late Galena Sells Dick—and at the American Indian Language Development Institute, for providing the opportunity to operationalize a concept of democracy grounded in local, Indigenous educational practice. For their insightful comments on an earlier draft of this article, we thank the editor and three anonymous reviewers. Any remaining errors of fact or interpretation are our own.

<sup>1</sup>We use the term *American Indian education* to refer to the colonial education of American Indian people by mission, federal, and public school systems dedicated to the “civilizing” process. The term has been used to refer to on- and off-reservation mission or federal schools that have operated since the late 1800s with assimilation as their goal. In recent decades, the term *Indian education* has included public school education of American Indian children. There is another, inherently apposite meaning of American Indian education, referring to the culturally based education of Indian children by their parents.

<sup>2</sup>We use the terms *American Indian*, *Native*, and *Indigenous* interchangeably to refer to peoples indigenous to what is now the United States. We recognize that the pre- and postcolonial experiences of Alaska Natives and Native Hawaiians differ substantially from those of American Indians in the 48 contiguous states, just as great diversity exists among the more than 550 American Indian tribes. Nonetheless, all Native peoples in the United States share a singular legal-political status in terms of their relationship to the U.S. government. We also use the term *American* in a national sense, referring to the United States of America or its citizens, recognizing that there is a larger understanding of the term referring to Canadians and Latin American nations and peoples.

<sup>3</sup>The federal-Indian relationship has been exhaustively documented and analyzed. For an illustrative sample of the wide-ranging literature on the subject, see Castile, 1998; Castile & Bee, 1992; Deloria & Lytle, 1983, 1984; Deloria & Wilkins, 1999; Philp, 1986; Pommersheim, 1995; Prucha, 1984; Wilkins, 1997; Wilkinson, 1987; and Williams, 1990.

<sup>4</sup>The 10-member staff included one Native person: Winnebago educator Henry Roe Cloud, President of the American Indian Institute, a preparatory high school for Indian boys that he had founded in Wichita, Kansas (Meriam et al., 1928, p. 59). According to the report, Roe Cloud was “born in a tepee in Nebraska about 1884”; after attending several government and mission schools, he attended Mount Hermon School in Massachusetts from 1901 to 1906. Roe Cloud received an A.B. degree from Yale in 1910, an A.M. degree in anthropology from Yale in 1912, and a Bachelor’s in Divinity degree from Auburn Seminary in 1913; he also attended Oberlin Seminary for a year (Meriam et al., 1928, p. 81).

<sup>5</sup>We have not altered the gendered language of the historical documents quoted here. Readers will recognize the privileging of the masculine voice as a reflection of a (White) masculine hegemony that only recently has been disrupted.

<sup>6</sup>See chapter 4 of the report for detailed arguments as to why Indian people should be aided in preserving their chosen lifestyle, in the context of economy, health, and education.

<sup>7</sup>Prior to the 1930s, the federal agency within the Department of the Interior designated to handle Indian affairs was known as the Office of Indian Affairs, or OIA. The name was changed in the 1930s to the Bureau of Indian Affairs, or BIA, as it is called today.

<sup>8</sup>For more on the founding of the Rough Rock Demonstration School, see Johnson, 1968; McCarty, 1989, 1998, 2002; and Roessel, 1977.

<sup>9</sup>Navajo Community College was subsequently relocated to Tsaile, Arizona, about 40 miles east of Rough Rock. It was recently renamed Diné (Navajo, The People’s) College.

<sup>10</sup>Our presentation of these data should not be taken as an endorsement of the validity of standardized tests for evaluating student achievement or, in particular, for such evaluations across cultural contexts. Rather, we want to point out that on these tests, discriminatory and flawed as they are, Navajo students in bilingual education outperformed comparable students in English-only programs.

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<sup>11</sup>This is *not* to suggest that Indian people do not pay taxes. Like other U.S. citizens, tribal citizens pay state and federal taxes on goods and income. However, any “tax” on Indigenous property was paid in perpetuity when tribes were forced to relinquish their aboriginal territories and accept the reservation system. Indian lands are held in trust by the federal government for Indigenous use. As federally entrusted, communal lands, reservations are not subject to local property taxes.

<sup>12</sup>For example, Title I supports English reading and mathematics; grants through the Indian Education Act and the Bilingual Education Act are used for bilingual/bicultural education. Additional sources of funding include the National Institute of Mental Health (NIMH funds supported a multiyear medicine man training project at Rough Rock), Title II (originally called “basic skills,” now called “aligning curriculum with state standards”), Title IV (Drug-Free Schools), and Title IX (formerly Title IV, supporting culture-based instruction) (see McCarty, 1989, 1993b, 2002). Each of these programs has distinct aims; each is accountable not to local teachers, parents, or the school board but to diverse federal agencies in Washington, D.C.

<sup>13</sup>The interrelated concepts of linguicide and linguisticism have been developed by language researcher and activist Tove Skutnabb-Kangas. Speaking of languages that have been exterminated, she notes that they “have died . . . *not* because this has been a ‘natural’ development, but because they have been ‘helped’ on their way. They have not ‘died’ because of old age or lack of adaptability—they have been murdered” (2000, p. 222). The analogous concept is (physical) genocide (Skutnabb-Kangas, 2000, p. 222; see also Phillipson, 2000; Skutnabb-Kangas & Phillipson, 1994).

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