

# Land, Law and Education

An American Indian Perspective  
on Land-Grant Universities



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# Overview

- The Morrill Act: Land-Grant Universities
- American Indian land and people: A brief history
- University of Minnesota Duluth and American Indians

# History: The Morrill Act

- 1787: Northwest Ordinance authorized the sale of public lands for the support of public education
- 1850: Jonathan Baldwin Turner, Yale graduate, advocates for “a state university for the industrial classes”

# History: The Morrill Act

- 1850-57: The concept evolves. Federal support was to come from income from public lands. States were expected to maintain buildings. Each state conforming to the act was to establish an institution to teach:
  - Agriculture
  - Mechanical arts
  - Classical studies

# History: The Morrill Act

- Justin Smith Morrill (1810-1898)
- U.S. House Member – Vermont (1855-67)
- U.S Senator (R) – Vermont (1867-98)



# History: The Morrill Act

- 1857: Morrill introduces a land-grant bill
- 1859: President James Buchanan vetoes
- 1861: Civil War begins
- 1861: Morrill introduces another bill that increases the amount of land and includes “military tactics”

# History: The Morrill Act

- 1862: President Lincoln signs the bill into law on July 2. The absence of southern legislators helps the passage.



# History: The Morrill Act

- 1862: First Morrill Act
  - Reflected the growing demand for agricultural and technical education in the U.S.
  - Higher education had been unavailable to agricultural and industrial workers
  - The act was intended to provide a broad segment of the population a practical education with relevance to daily lives



# History: Public Lands

- Other Acts of 1862
  - 1862 Homestead Act: File application, improve land, file deed — get 160 acres
    - By 1934: Homestead Act granted 10 percent of U.S. public lands (270 million acres)
  - 1862 Transcontinental Railroad Act: 130 million acres of public land to the railroads

# History: Public Lands/Morrill

- Earlier: Lincoln had given 61 million acres of public land to the veterans of the Mexican War
- Later: State response to the Morrill Act was slow because so much federal land was available
- Eventually: The 1862 colleges received 17 million acres — the smallest portion of public lands given away in this era

# History: The Morrill Act

- 1890: Second Morrill Act
  - Supplemented land grants with direct appropriations
  - To receive money, states had to show that race or color was not an admissions criterion
  - If a state could not show this, the state had to designate separate land-grant colleges for African Americans

# History: The Morrill Act (1890)

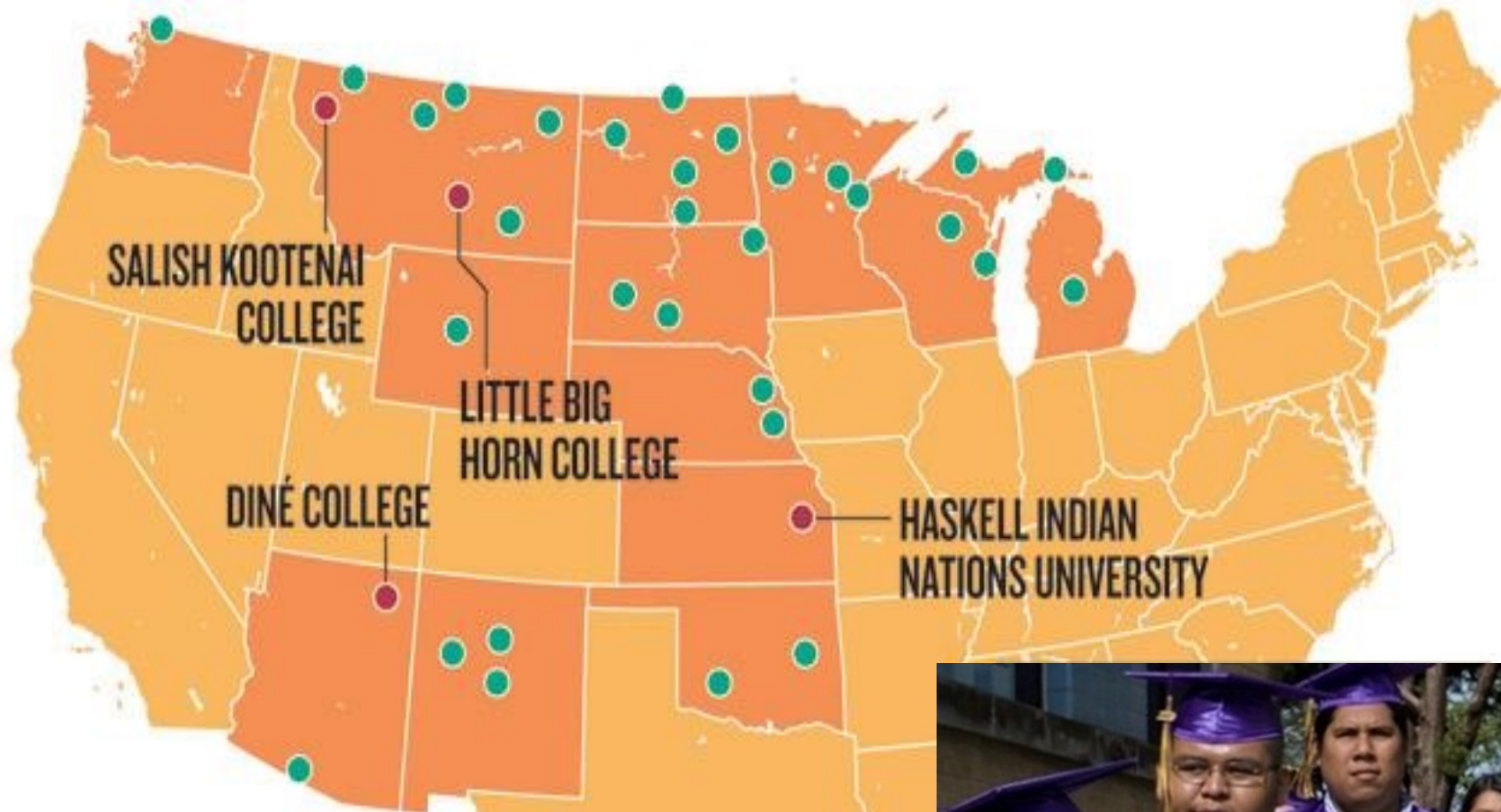


# History: The Morrill Act

- Amendments
  - ❑ 1887: Hatch Act – agricultural experiment stations
  - ❑ 1907: Nelson Amendment (Knute Nelson of MN) increases appropriations
  - ❑ 1908: Adams Act – research grants
  - ❑ 1914: Smith Lever Act – cooperative extension efforts to communities

# History: The Morrill Act (1994)

- 1994 amendment: land grant status is conferred on tribal colleges
- \$23 million endowment to be built up over five years is authorized
- Tribal colleges are to receive interest from the endowment each year



# *US Tribal Colleges*

Between 2003 and 2009, science enrolment at America's 36 tribal colleges climbed by 70%.



# An American Indian Perspective

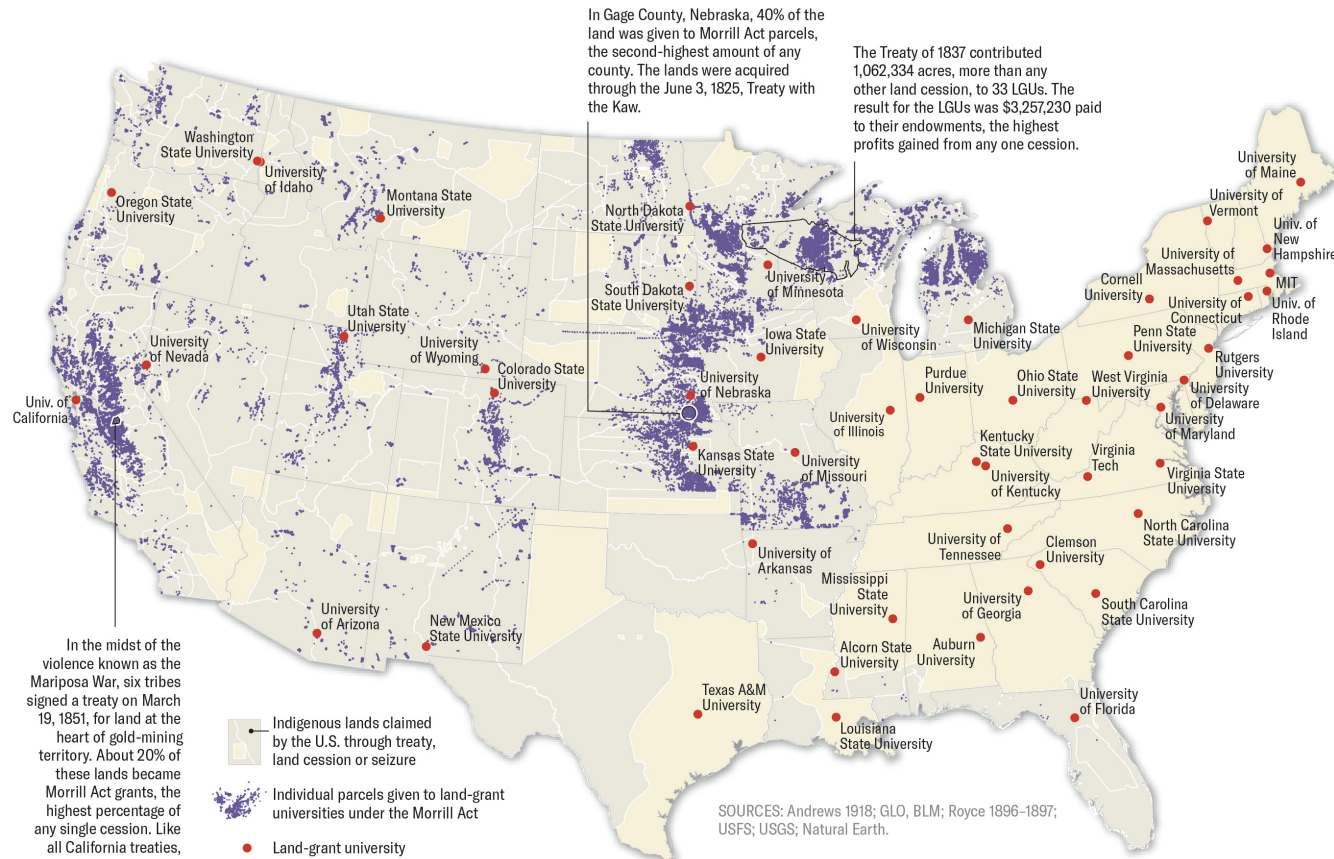
- Where did all that public land come from?





# Nearly 80,000 parcels of Land

The Morrill Act gave **79,461 parcels of Indigenous lands**, totaling about **10,700,000 acres**, to **52 land-grant universities (LGUs)** to fund their endowments.

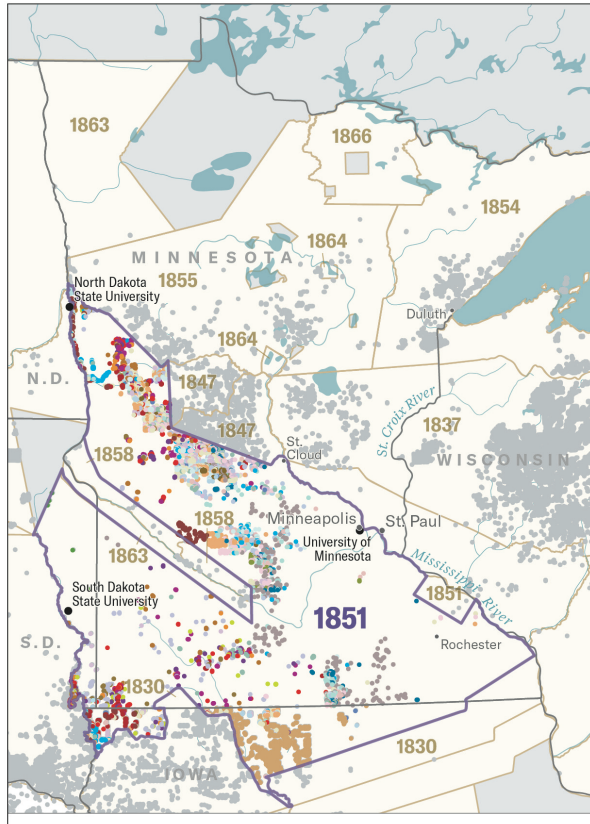


“**FROM LAND GRAB UNIVERSITIES**”  
A HIGH COUNTRY NEWS INVESTIGATION  
ROBERT LEE AND TRISTAN ANTOINE MARCH 20, 2020  
MAPS BY MARGARET PEARCE FOR HIGH COUNTRY NEWS



# The Cession of 1851

The **Sisseton, Wahpeton, Mdewakanton and Wahpekute Dakota cession of 1851** benefited the endowments of **more land-grant universities** than any other treaty or cession.



The **35 land-grant universities** benefiting from the 1851 Treaty of Traverse de Sioux and Treaty of Mendota:

- Alcorn University
- Auburn University
- Clemson University
- Cornell University
- Iowa State University
- Kentucky State University
- Louisiana State University
- Massachusetts Institute of Technology
- Mississippi State University
- North Carolina State University
- Ohio State University
- Pennsylvania State University
- Purdue University
- Rutgers University
- South Carolina State University
- South Dakota State University
- Texas A&M University
- University of Arkansas
- University of Connecticut
- University of Delaware
- University of Florida
- University of Georgia
- University of Illinois
- University of Kentucky
- University of Maine
- University of Maryland
- University of Massachusetts
- University of Minnesota
- University of New Hampshire
- University of Rhode Island
- University of Tennessee
- University of Vermont
- Virginia Tech
- Virginia State University
- West Virginia University

● Parcels on other treaty lands    Treaty boundary    1837 Treaty year

SOURCES: Andrews 1918; Royce 1896–1897; GLO, BLM; USFS; USGS; Natural Earth.

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FROM LAND GRAB  
UNIVERSITIES  
”

A HIGH COUNTRY NEWS INVESTIGATION  
ROBERT LEE AND TRISTAN ANTOINE MARCH 30, 2020  
MAPS BY MARGARET PEARCE FOR HIGH COUNTRY NEWS

# 250:1

- 1868: Endowment from land in the 1851 Treaty assigned to the University of Minnesota

Morrill Act cited “as the determining cause for the permanent establishment of the State university.”

- For every dollar the United States used to “purchase” the land in the Dakota title, the Morrill Act contributed \$250 to the University’s wealth, a return of 250:1.
- The 1851 Cession provided more land to the endowments of public universities—1 out of every 13 acres distributed under the Morrill Act.

# An American Indian Perspective

- 1492 land (total acreage 2.3 billion – including all land)



# An American Indian Perspective

- Public lands: U.S. acquisitions from other countries



# An American Indian Perspective on Treaties

- Inheriting treaty making from European predecessors, the new United States government begins to make treaties with tribes
- Under the Constitution, Congress has the authority to regulate commerce with tribes
- Under the Constitution, the President can negotiate treaties and Senate must ratify the treaties by a two-thirds majority

# An American Indian Perspective on Land Grant Universities

- Between 1778 and 1871, the United States negotiates over 400 treaties with tribes and the Senate ratifies 370
- In general, the goal of treaties was for the U.S. to obtain land through negotiation instead of warfare
- While treaties varied, generally in exchange for peace and land, the tribes were guaranteed: food, clothing, medical care, *education* and other services

# An American Indian Perspective on Land Grant Universities

- The United States frequently promised to create a federally protected reservation, respect the tribes sovereignty and provide of the well being of tribal members.
- 1871: Treaty making ends
- 1887: The General Allotment Act passes
  - An attempt to make the Indians farmers – lands deemed to be “surplus” within reservations are sold
- 1889: The Nelson Act (GAA – Minnesota)



# An American Indian Perspective on Land Grant Universities

- Between 1887 and 1934: Indian tribes lose two-thirds of the lands they have left on their reservations – from about 138 million acres to about 48 million (20 million acres of desert)
- Today: Indian tribes retain 55.7 million acres – about 2.3% of the United States

# An American Indian Perspective on Land Grant Universities

- American Indian statistics:
  - ❑ Population at the time of Columbus of Indians in North America: 7-18 million; by 1900 – 250,000
  - ❑ Population today: 4.5 million
  - ❑ Percentage of American Indian college graduates: 13% (American average: 28%)
  - ❑ Percentage of American Indians with graduate degrees: 4.5%

# An American Indian Perspective

- For American Indians, college is not free
- Most Indian people are not wealthy
- Poverty rates for Indian families are 21.2% compared to 10.2% nationally
- On virtually every statistical measurement: from diabetes rates, to suicide rates, to chemical dependencies – Indian people and Indian communities tend to be at the bottom

# UMD as a Land-Grant University

- The University of Minnesota Duluth is setting a good example as a land-grant institution on developing programs for American Indians and reaching out to tribal communities
- This is the 40<sup>th</sup> year of American Indian Studies at UMD
- The American Indian Learning Resource Center has served students for two decades

# UMD

- UMD has over 200 American Indian students
- 38 American Indian faculty and staff
- Third in the nation in graduating Indians from medical school
- Innovative programs for Native Americans:
  - Bridges to the Future – increase the number of American Indian students in biomedical research

# UMD

- ❑ Center for American Indian and Minority Health
- ❑ Department of Social Work American Indian projects
- ❑ Master of Tribal Administration and Governance
- ❑ Center for Indigenous Knowledge and Language Revitalization
- ❑ Mishomis collection of scholarly materials
- ❑ Tweed Museum American Indian collection
- ❑ M.Ed and Ed.D programs with strong American Indian Focus

# UMD

- UMD put working with tribal communities, recruiting more Indian students, faculty and staff in its VISION AND MISSION STATEMENTS
- UMD has a proven record of working with area tribes and respecting tribal sovereignty



UNIVERSITY OF MINNESOTA DULUTH