



# **The University of California Land Grab: A Legacy of Profit from Indigenous Land**

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A Report of Key Learnings and  
Recommendations

# About this Report

This report shares the proceedings of the 2020 University of California Land Grab forum by drawing on the presentations and scholarship by the event speakers and research by Rosalie Zdzienicka Fanshel. The report authors are Rosalie Zdzienicka Fanshel, Phenocia Bauerle (Apsaálooke), Deborah Lustig, and Jennifer Sowerwine. Mishuana Goeman (Tonawanda Band of Seneca), Amy Lonetree (Ho Chunk), Andy Lyons, Beth Rose Middleton Manning, Christie Poitra (Turtle Mountain Band of Chippewa Indians, Latina), Alexii Sigona (Amah Mutsun), Theresa Stewart-Ambo (Tongva/Luiseño), and Kathleen Whiteley (Wiyot) reviewed the report and provided thoughtful and helpful feedback. Cheyenne Tex (Mono of North Fork Rancheria) created the original artwork and report design. The report was funded by the Joseph A. Myers Center for Research on Native American Issues and Native American Student Development, UC Berkeley.

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**This document includes only the executive summary and recommendations. References for these sections are included in the full report which is available for a free download from: <https://uclandgrab.berkeley.edu>.**

For inquiries, contact [nasd@berkeley.edu](mailto:nasd@berkeley.edu).

## Joseph A. Myers Center for Research on Native American Issues

The Joseph A. Myers Center is housed at UC Berkeley's Institute for the Study of Societal Issues (ISSI). The Center was founded in 2010 with a mission to provide the people of Indian country with pragmatic research products that can be employed to improve the quality of life for Native Americans throughout the US. The Center fulfills this mission by bringing the resources of the University to Native communities; developing, coordinating and funding collaborative, community-driven research projects; providing technical assistance and training; disseminating research publications and reports; and hosting conferences, colloquia and other events open to the public on topics of concern to Native communities. <https://crnai.berkeley.edu>

## Native American Student Development

UC Berkeley has long been known as a leading institution with outstanding opportunities and academic programs. Students who graduate from Berkeley belong to an elite group of scholars, professionals, and activists worldwide. At the Native American Student Development office, we believe that it is time that legacy be indigenized. We work with partners to support and grow the Native community at Berkeley, while continuously infusing Indigenous issues, culture and events into the campus community. Our programs and events reflect the values and philosophies we believe will shape our Indigenous leaders of tomorrow.

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# Executive Summary

This report shares key learnings and recommendations from a two-part forum, **The University of California Land Grab: A Legacy of Profit from Indigenous Land**, which was held online on September 25 and October 23, 2020.<sup>1</sup> The forum was organized by Berkeley staff, graduate students, and faculty, with key input from colleagues at UC Agriculture and Natural Resources, UC Davis, and UC Riverside. It was attended by close to 1,000 people in live time between the two days, with an additional 4,000 views on [YouTube](#) to date.

The nationwide system of postsecondary education in the United States was launched in 1862 when the Morrill Act provided each state with “public” lands to sell in order to raise funds to establish universities. The land-grant university movement is lauded as the first major federal funding for higher education and for making liberal and practical education accessible to Americans of average means. However, hidden beneath the oft-told land-grant narrative is the land itself: the nearly 11 million acres of land sold through the Morrill Act was expropriated from tribal nations. Due to the California Land Act of 1851, which served to dissolve pre-statehood land claims, the failure of the federal government to ratify 18 treaties made with California Indians, and other systematic acts of genocidal violence and dispossession carried out in the second half of the 19th century, **the Morrill Act had particularly dire consequences for California Indians**. This two-part forum examined the 150,000 acres of Indigenous land that funded the University of California (UC), how this expropriation is intricately tied to California’s unique history of Native dispossession and genocide, and how UC continues to benefit from this wealth accumulation today. The second part explored current university initiatives with tribes and included a community dialogue on actions the University of California can take to address their responsibility to California Indians.

The intent of this report is to motivate the University of California to take action regarding accountability to California Indians stemming from the University’s founding as a land-grant institution through Morrill Act land sales and from the ongoing benefits that UC receives from both returns on the original endowment and continued occupation of California Indian territories via current UC land holdings. The report provides background on the settler-colonial context of Indigenous land expropriation via the Morrill Act, situates the University of California’s unique history, and details the conference proceedings. The report offers recommendations for actions the University can take to address its ongoing legacy of dispossession of California Indians (see note on Report Scope and Terminology). The recommendations are provided below, with further context throughout the report.

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<sup>1</sup> The term “land grab” makes visible the expropriation of Indigenous land by the US settler state that is otherwise elided in framing land as “granted” when discussing land-grant universities.

# Synthesis of Recommended Actions



The opportunities for action that follow emerged from speaker presentations, question and answer sessions, and participatory breakout sessions throughout the two-day UC Land Grab Forum. They are reflective only of the scholars and community members who presented at and participated in the event and do not provide a comprehensive list of all possible acts of restitution or model programs. There are other existing UC initiatives that are striving to enhance accountability to California Indians and similar efforts in other states that may not be mentioned in this report. The report is descriptive rather than prescriptive of recommendations offered throughout the forum. There are many paths to move forward in addressing UC's responsibility to California Indian communities. **The overarching recommendation by the report authors is for the University of California systemwide leadership, along with the leadership of individual campuses and other UC entities (such as the Natural Reserve System and UC Cooperative Extension) to 1) work with California Indian tribes through a transparent, collective process to pursue actions that meet the priorities of Native communities, and 2) dedicate the necessary financial and infrastructural resources to deliver on these actions.**

One possible source of funding is the endowment begun through the Morrill Act. The hashtag **#EndowActionNow**, as stated by Karuk Tribe Director of Natural Resources and Environmental Policy Bill Tripp during the forum, points to a demand to honor the original endowment mandate within the Morrill Act by allocating a percentage of the return on endowment funds to compensate tribes who were dispossessed via the Act. Funds can be used for a wide variety of purposes, from establishment of Native field institutes to tuition waivers for California Indian students. See specific suggestions under the categories below.

While the recommended actions are categorized into the six themes of **UC Land, Cooperative Extension, Land Acknowledgements, Research, Teaching/Pedagogy, and Student Experience/Development**, each are cross-cutting and should be pursued through an integrated, holistic framework.

Other cross-cutting actions are to:

- Ensure that campus and systemwide University leadership are educated on their institution's history in relationship to California Indian communities.
- Create a Native American Advisory Council at every UC campus that does not currently have one, as well as at UC Agriculture and Natural Resources (UCANR).
- Leverage University power to support the interests of California's dozens of non-federally recognized tribes who are seeking to gain recognition. Because of the unique history of Indigenous people in California and the impacts of settler and governmental practices, California has many more tribes that are not federally recognized than other states in what is now the United States.
- Facilitate the return of ancestors and cultural items to California Indians and other Native American tribes. Work in good faith to heal the painful history of UC's collection and continued possession of Native human remains and tangible and intangible cultural heritage. [Follow the UC Native American Cultural Affiliation and Repatriation Policy.](#)
- Collaborate with the State of California Truth and Healing Council to enact a path forward.

## Land Acknowledgements and Beyond

- Develop acknowledgements that embrace a responsibility in addition to a statement: they must involve action that focuses on the healing that needs to be done between the UC campuses and California Indian communities.
- Recognize that California's three colonial eras of displacement and genocide resulted in complex reformations of communities and relationships to place such that multiple California Indian tribes have relationships to the same place. The Morrill Act sales of land across large areas also speak to an institutional debt to multiple communities.
- When approaching Native communities to work on a land acknowledgement, honor the history of pain in their relationships with UC, as well as their enduring resilience as thriving members of our communities today.
- Recognize that the onus is on the University, not Native peoples, to do the work of creating an authentic land acknowledgement and of educating University faculty, staff, and students about use of a land acknowledgement.
- As part of the land acknowledgment process and also to supplement it, the University should:
  - Create a Director of Tribal Relations position at the UC Office of the President, UCANR, UC Natural Reserve System (UCNRS), and at each campus, in alignment with the existing directors of federal, state, and community relations.
  - Create tours for each UC campus on Native and settler-colonial history and provide the tour as part of faculty, staff, and student onboarding. The University of Wisconsin-Madison First Nations Cultural Landscape Tour can serve as a model.
  - Add signage at each UC campus, field station, and UCANR county office about Native and settler-colonial history.
  - Host annual events at each campus and throughout UCANR honoring Native communities and, in light of the Morrill Act history, create integrated Native programming across all UC campuses and field stations.

## Field Stations/UC Land

- Develop overarching tribal engagement strategies for all UC lands, including at UCNRS, UCANR Research and Extension Centers, campuses, and other field stations.
- Increase access for tribal members to visit the natural reserves and other field stations through simplification of, and outreach about, the application process. While the reserves are in theory open to anyone for purposes beyond research, in practice access may be restricted. The central UCNRS website currently does not provide a welcoming message that indicates that anyone can visit a reserve. The application form is buried, requires a two-step registration process, and asks for an academic affiliation. Provide phone and in-person registration options. Provide support to local reserve staff to build relationships, collaborations, and partnerships with tribes.

- Use tools such as memorandums of understanding and co-management agreements to provide access across all the natural reserves, Research and Extension Centers, and other field stations to local tribal members to conduct stewardship, ceremony, and cultural activities.
- Improve both local level and systemwide Natural Reserve System and Research and Extension Centers processes and staff competencies on working with tribal communities. Ensure all staff and volunteers at the natural reserves and other UC field stations receive training in tribal history, contemporary governance, and the importance and praxis of building meaningful collaborations with tribes.
- Hire California Indian staff at the natural reserves and other field stations.
- Develop relationships at the local level between each individual reserve and field station staff and neighboring tribal communities.
- Include a requirement for reporting on accountability to tribes for faculty conducting research on UC natural reserves and field stations.
- Consult with local California Indian tribes and establish tribal advisory committees to cooperatively steward eco-revitalization on UC lands with use of traditional ecological knowledge. Creating formal co-management relationships with tribes aligns with Governor Brown's (2011) Executive Order B-10-11 and Governor Newsom's September 25, 2020, Statement of Administration Policy: Native American Ancestral Lands, which calls state agencies "to support California tribes' co-management of and access to natural lands" (Office of Governor Newsom, 2020, p. 1).
- Honor place-based Indigenous knowledges by recognizing Indigenous knowledge holders as scholars. Compensate them for their time and expertise.
- Recognize that tribal ancestors and land were seized together, and the impacts reverberate into the present. Repatriation of ancestors and land go hand in hand.
- Collaborate with tribes who are going through the Native American Graves Protection and Repatriation Act (NAGPRA) process to repatriate their ancestors and cultural objects on lands that are currently owned and/or managed by UC, such as the natural reserves, research forests, and other field stations. There is precedence for this on at least one UC natural reserve.
- Grant easements to tribal organizations to carry out their rights and responsibilities to tribal homelands that are currently held by UC and/or transfer lands to tribes while retaining easements for UC activities.
- Return lands to tribes via transfers, taking the lead from entities such as the Pacific Stewardship Council, which facilitated the transfer of 2,325 acres of land owned by Pacific Gas & Electric to the Maidu Summit Consortium in 2019.
- Use the campuses, natural reserves, Research and Extension Centers, and other field stations to teach about California's history of Native genocide and UC's role in land and cultural dispossession, as well as about the resilience and perseverance of tribal communities and culture.
- Collaborate with state, federal, and NGO partners with whom UC co-manages land on each of these recommendations.

## Cooperative Extension

- Create a tribal advisory council for UC Cooperative Extension that establishes clear goals and expectations for collaborative work with tribes.
- Proactively recruit Native American academics (advisors and specialists) as well as community education specialists.
- Reframe the role of cooperative extension specialists and advisors from that of “creators of knowledge” to also be “uplifters of community knowledge.” Revisit internal evaluation structures to reward staff for participatory work that recognizes community expertise.
- Create culturally-responsive cooperative extension curricula across programs such as 4-H, Master Gardeners, Master Food Preservers, and Nutrition Education.
- Create and sustain Native field institutes that offer experiential, place-based Indigenous learning in the agricultural and mechanical arts. Expand research and programming on cultural burning and other place-based Indigenous stewardship practices.
- Work to expand programming and services to tribes across all counties, rather than simply in pockets throughout the state. This includes increasing programming with urban Native communities.

## Research

- In collaboration with the President’s Native American Advisory Council, establish UC systemwide guiding principles for conducting research with California Indian communities. The [Karuk-UC Berkeley Collaborative](#) principles are one source for inspiration. Note that any document that results from this process will be guiding principles only—the specific principles and protocols for any given project need to be co-created by UC and Native research teams. This advisory board can also provide consultations to researchers to support them in developing collaborative projects with tribes.
- Reframe research paradigms to center community and de-center benefit to the university/individual researcher through use of community-based participatory research methods. See for example, [Enhancing Food Sovereignty: A Five-year Collaborative Tribal-University Research and Extension Project in California and Oregon](#).
- Review and revise IRB protocols for projects in Native communities to fully recognize tribal sovereignty. Ensure that tribal representatives are consulted throughout the research process and that Native people are paid as researchers for their time and expertise, not merely serving as those being researched.
- Establish research protocols that protect Native intellectual property rights. See for example, the [Protocol with Agreement for Intellectual Property Rights of the Karuk Tribe](#).
- Critically examine which knowledge systems are centered and rewarded in various disciplines, and which are absent or dismissed.
- Engage in processes for non-Native researchers to examine their own background. Often Native people are asked to share their identities and culture, but the question isn’t often reciprocated.
- Support and reward research partnerships with tribal colleges.

- Use university resources to provide program evaluation and strategic planning services for California Indian community projects. The [Michigan State University Native American Institute](#) provides a model for this work.
- Fund and conduct further research on the specifics of Morrill Act land sales in California and the myriad state and military land grants that also contributed to founding the University of California.
- Fund and conduct research on the specific history of each UC campus in regards to California Indians and other Indigenous peoples. Use the research to develop public interpretation materials and mandatory educational modules for UC faculty, staff, and students.

## Teaching/Pedagogy

- Pursue Native American and Indigenous Studies faculty cluster hires, such as the cluster hires at UC Berkeley and UC Riverside.
- Create Native Education Coordinator positions at each campus to support campus relations, curriculum development, and outreach programs. The equivalent position at the [University of Wisconsin-Madison](#) can serve as a model.
- Use both public events and university courses to promote learning about California Indians and the University's settler-colonial history.
  - Departments and faculty can develop sustained relationships with California Indian community members for engagement in courses and public events. Community members should be compensated for their time and expertise.
  - Graduate courses in law, policy, public health, environmental sciences, and other programs can offer courses in which students work with California Indian tribes on advancing issues of interest. Course faculty can facilitate multi-year, sustained engagement on projects.
  - Support land-based education for UC students, faculty, and staff that centers Indigenous epistemologies. Ensure access for Native students in particular. Compensate Native communities for their work to host and teach these classes.
  - Use Lee and Ahtone's [Land-Grab University](#) materials in a variety of courses, such as history, environmental sciences, Native American Studies, geography, journalism, education, and policy. The raw data files can be used in Geographic Information System (GIS) courses.

## Student Experience/Development

- Offer tuition waivers at all UC campuses to California Indian students.
- Provide workshops and individual support for Native UC students in the process of applying to scholarships and other financial aid to cover living expenses.
- Conduct community outreach for K–12 Native youth, including support for Native high school students in the college application process. Pay Native UC students for participation in K–12 outreach activities.
- Provide scholarships and paid internships for Native students to conduct hands-on, land-based research on UC lands.
- Invest in Native students through sustained funding and staffing of Native student centers at each campus.



- Increase awareness of, and communication channels between, Native student centers and other campus programs, such as academic programs, advising, health services, etc.
- Provide guidance for faculty on mentorship practices to support Native students.
- Support a systemwide coalition between Native student centers at each campus for resource sharing on recruitment and retention, and to increase opportunities for cross-campus activities among Native students.
- Collaborate with tribal colleges on co-educational programming and recruitment.



Photographer unknown. A restoration collaboration between the Maidu Summit, UC Davis Intertribal Agriculture Council, Natural Resources Conservation Service, and Forest Service.

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