Decolonizing UC Berkeley Syllabus (LS172AC) Spring 2023 4 Credits

Professor Nazune Menka	Graduate Student Instructor: Peyton Provenzano
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Office Hours:	Office Hours:
Tuesday & Thursday 10am to 11am	Tuesday 11-12 in Café Zeb
@ Law 340C	Wednesday 11:30-12:30 in Café Zeb
	@ the Law School
Lecture	Discussion Sections
Tuesday - Thursday 12:40- 2pm	§ 101 @ Wheeler 126 Thursdays 4pm-5pm
@155 Anthro Building	§ 102 @155 SSB 1pm-2pm
*Please email both Peyton and I via bCourses to ensure we don't miss any important communications.	

Please Read Through the Entire Syllabus

Our learning journey will be centered on respect and reciprocity. I am here to assist you in any way that I can.

Course Purpose and Description

To confront the past and seek mechanisms of redress what better way to critically engage this work than to look closely at the land on which we stand? Drawing upon the work of the UC Berkeley Truth & Justice Project, this Course will explore the history of the UC and its racial and colonial foundations. Currently, the UC Berkeley's origins story neglects the realities of its racial and colonial foundations which are rooted in the appropriation of Indigenous lands and looting of Indigenous sacred sites. The Course seeks to engage students in a critical investigation of the origins of the University of California through a settler colonial lens, with the aim of decolonizing the University's narrative history. Decolonization is a process by which narratives, worldviews, cultures, and institutions, once erased by colonization are returned, respected, and honored. As decolonization, truth, healing, and reconciliation mechanisms gain momentum across the globe, this course will prepare students to engage in thought leadership, impact the future of legal studies, and societal wellbeing. As the Mohatt et al. historical trauma article assigned for the first class provides, "studying narratives of historical trauma can help disentangle the ways in which contemporary actions perpetrate or repair historical wounds." Thus, we can either ignore and perpetuate past harms, or repair, address, and seek to heal past harms. This course seeks to do the latter.

Course Learning Goals

The learning goals for the course are substantive and skills based. Students develop research, writing, and critical thinking skills through the development of an individual or group research project. Students will gain an understanding of the intersection between law and the histories of California, the University, and BIPOC+ communities.

The Course utilizes a settler-colonial theoretical framework to analyze the intersections of structural racism, law, and colonialism. This theory posits that if racialized power and privilege in the United States today are rooted in the historic and ongoing colonization of Native North America, dismantling the colonial relationships that still undergird the state is in the interest of not only Indigenous nations and peoples but all racialized and subordinated peoples of color. This framework is the foundation of the course as it seeks to understand Indigenous histories of California; the history and impacts of colonization; and the institutionalization of racism in the law (including the doctrine of discovery, plenary power, slavery, and California genocide). We will learn about the Land Grab Project which served as the initial land and financial base of UC Berkeley, along with the history of academic and scientific racism with a specific focus on the racist historical roots of the Department of Anthropology. We will then move into more contemporary issues of BIPOC+ erasure from history, the selective amnesia in University origin stories, the ongoing human rights violations at the Phoebe A. Hearst Museum, and then wrap up with a discussion on current movements toward truth, healing, reconciliation, and reparations and decolonization. By the end of the course students should be able to:

- ▶ Demonstrate an understanding of settler-colonialism and decolonization;
- ▶ Demonstrate an understanding of how the history of race and colonization are interconnected with the law and their impacts on society today;
- ▶ Demonstrate an understanding of how race and colonization impact the narrative story of UC Berkeley;
- ▶ Demonstrate an understanding of the importance of resistance and truth, healing, reconciliation, and reparation movements, and decolonization; and
- Apply these learning objectives to research and create a storytelling project about the racial and colonial foundations of California and UC Berkeley with an eye toward decolonization. The projects should aim to challenge the settler-colonial narrative through storytelling and to move from theory into praxis.

Land Acknowledgement

We recognize that Berkeley sits on the territory of xučyun (Huichin (Hoo-Choon), the ancestral and unceded land of the Chochenyo (Cho-chen-yo) speaking Ohlone people. This land was and continues to be of great importance to the Muwekma (Muh-wek-muh) Ohlone Tribe and other familial descendants of the Verona Band. We recognize that every member of the Berkeley community has benefitted, and continues to benefit, from the use and occupation of this land since the institution's founding in 1868. Consistent with our values of community and diversity, we have a responsibility to acknowledge and make visible the university's relationship to Native peoples. By offering this Land Acknowledgement, we affirm Indigenous sovereignty and will work to hold the University of California, Berkeley more accountable to the needs of American Indian and Indigenous peoples.

Wellness is a Collective Priority

Life, and the content of this course, can be overwhelming at times, but know that you are not alone if you're feeling stressed. For many of us, living with and discussing systems of oppression may cause additional stress. You deserve respect, and are encouraged to <u>practice self-care</u> so that you can remain focused and engaged during class. Please feel free to excuse yourself from class for your wellbeing as needed. If our course material

relates to or may trigger distress for you, please email me to schedule at time to meet ahead of the class so I may share slides or otherwise accommodate your personal circumstances. Please reach out for support if you need it. To find resources related to health and well-being you can visit <u>University Health Services</u>, you can find resources for academic support <u>here</u>, or you can find resources to meet your basic needs (food and housing) <u>here</u>.

Grading & Participation

Your contributions via critical analysis and feedback during class discussion are integral to our success as a class. Lecture and Section participation are forty percent (40%) of the course grade and students are expected to prepare, attend, and participate in each class. Work that is late (that is, without an extension in writing from the instructors in advance) will be penalized 3% per day it is unexcused. While I strive to extend graciousness and flexibility in our coursework together, the reality is that timeliness shows respect for one another's time which builds trust by and between us, if you anticipate that you will not make a deadline or class, please contact the GSI Peyton Provenzano via bCourses to request an extension or to otherwise make up unexcused absences.

Assignment	Summary	% of Total Grade
Lecture Attendance & Participation	To engender critical thinking skills students must engage with the material; regularly attend class; and actively participate in discussion and dialogue.	28/140 (20%)
	Students will be assessed on attendance and participation.	
	• This includes attending <i>and</i> either participating in lecture or posting digesting, summarizing, critiquing, and analyzing the readings on the bCourses discussion board (which allows for students who may not feel comfortable speaking in class to receive equivalent credit).	
	This translates to a 0-1 scale for each lecture.	
Section Participation	Students will be assessed on attendance, participation, leading discussion, and research project workshopping. See Section syllabus.	28/140 (20%)
Research Project	Students must propose a storytelling Research Project they will	7/140
Proposal	develop and research including any group team members.	(5%)
Research Outline	Students must turn in an outline of their proposed Research Project.	7/140 (5%)
Research Draft	Students must turn in a draft of the Research Project.	14/140 (10%)
Final Research Project	Students must present their Final Research Project to the class and	35/140
Submission and	turn in the Final Project on bCourses with a short narrative of changes	(25%)
Presentation	made from the initial draft.	
Final Exam	The Final Exam format will be short essays that test your understanding of the core concepts of the course.	21/140 (15%)

"Strawberries belong only to themselves.

The exchange relationships we choose determine whether we share them as a common gift or sell them as a private commodity. A great deal rests on that choice. For the greater part of human history, and in places in the world today, common resources were the rule. But some invented a different story, a *social construct* in which everything is a commodity to be bought and sold. The market economy story has spread like wildfire, with uneven results for human well-being and devastation for the natural world.

But it is just a story we have told ourselves and we are free to tell another...."

Braiding Sweetgrass by Robin Wall-Kimmerer (Anishinabekwe)

Research Project: Storytelling with an Eye Toward Social Justice

The student research projects should stem from a concept or topic addressed in the course and be applicable to the racial and colonial history of either UC Berkeley, or the history of the Bay Area. Using what Naito Taylor Saito calls "unsettling narratives" and Linda Tuhiwai Smith calls "decolonizing methodologies", students will create a research project to challenge the settler-colonial narrative through storytelling and to move from theory into praxis. The project should foster innovation using multimedia, and engage a broader public, non-academic, audience. Research projects may use methods such as public art installations, educational websites, performance, audio storytelling or podcasting, short films, augmented reality tours, mapping, photography, campaigns for naming and renaming, and designs for memorials or anti-memorials, or a research paper. The research should be rooted in service of social justice and decolonization.

Please see these excellent examples of public facing projects completed by previous students:

- Touring UC Berkeley Through A Decolonized Lens: Uncovering Native History
- Racial and Colonial Foundations: Daily Cal Edition Timeline
- The Daily Cal, Memorial Stadium: Memorializing Indigenous history this month

Student Responsibilities and Accommodations

Academic Integrity and Honor Code: The purpose of the Honor Code is to enhance awareness of the need for the highest possible levels of integrity and respect on campus, both within and outside the academic context. Please review and adhere to the UC Berkeley Academic Honor Code ("As a member of the UC Berkeley community, I act with honesty, integrity, and respect for others.") and the Code of Student Conduct.

Academic Accommodations: The purpose of academic accommodations is to ensure that all students have a fair chance at academic success. Disability, or hardships such as basic needs insecurity, uncertain documentation and immigration status, medical and mental health concerns, significant familial distress, and experiencing sexual violence or harassment, can affect a student's ability to satisfy course requirements. Students have the right to academic accommodations and to resources, without having to disclose personal information to instructors. Please review your right to academic accommodations here.

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¹ See Chapter eight, Twenty-Five Indigenous Projects, in Linda Tuhiwai Smith's Decolonizing Methodologies (and Indigenous research program focuses on acts of reclaiming, reformulating, and reconstructing cultures and languages coupled with themes of cultural survival, self-determination, healing, restoration, social justice).

The Course Timeline & Readings Week 1 (January 17-20)

January 17	• Before our first class please watch "Decolonizing the University: Fulfilling the Dream of the Third World College", (2010), https://vimeo.com/15729523 (a short film on the 40 th Anniversary of Ethnic Studies).
	 Nathaniel Mohatt et al., Historical trauma as public narrative: A conceptual review of how history impacts present-day health, 106 SOC. SCI. & MED. 128 (April 2014) Read Sharon Stein, Confronting the Racial-Colonial Foundations of US Higher Education, 3 J. STUD. POSTSECONDARY AND TERTIARY EDUC. 77 (2018). Tony Platt, Making History: How Berkeley Forgets and Remembers Its Past (2022) (on
	bCourses).
January 19	 Eve Tuck & K. Wayne Yang, <u>Decolonization is not a metaphor</u>, 1 DECOLONIZATION: INDIGENEITY, EDUCATION, & SOCIETY 1, 1-40, (2012). Read Natsu Taylor Saito, Settler Colonialism, Race, and the Law Why Structural Racism Persists (2020). Chapter 1 "Racial Realities"; Chapter 2 "Unsettling Narratives"; Chapter 3 "Settler Colonialism".

Week 2 (January 23-27)

January 24	 Peter Nelson, Where Have all the Anthros Gone? The Shift in California Indian Studies from Research "on" to Research "with, for and by" Indigenous Peoples, 123 AM. ANTHROPOLOGIST 3, 469-473 (2021). Julian Brave Noisecat, We Are Still Here The past and future of Native California, THE NATION, (Jan 24, 2022).
January 26	 Cutcha Risling Baldy, We Are Dancing for You: Native Feminisms and the Revitalization of <u>Women's Coming-of-Age Ceremonies</u>. University of Washington Press, 2018. Project MUSE. Read Chapter 2 and Chapter 3.

Week 3 (January 30- February 3)

January 31	 Roxanne Dunbar-Ortiz, An Indigenous Peoples History of the United States, (2014). ProQuest Ebook Central. Read Chapter 1 "Follow the Corn"; Chapter 2 "Culture of Conquest"; and Chapter 3 "Cult of the Covenant". Natsu Taylor Saito, Settler Colonialism, Race, and the Law Why Structural Racism Persists (2020). Chapter 4 "Land and Indigenous Peoples".
February 2	• Damon Atkins & William J. Bauer, We Are the Land: A History of Native California,
	(2021). Introduction at 1-12; Chapter 5 "The White Man Would Spoil Everything":

- Indigenous People and the California Gold Rush 1846-1873; Ishi Wilderness at 193-200; and Berkeley and the East Bay 299-305.
- Watch Tribal Leaders Valentin Lopez, Corrina Gould et. al, <u>California Indian Genocide</u> <u>& Resilience YouTube Video</u>, BIONEERS, 28 min. (2018).

Week 4 (February 6-10)

Williams, Robert A., Jr., Like A Loaded Weapon: The Rehnquist Court, Indian Rights, And the Legal History of Racism in America, (2005) Project MUSE. Read Chapter 2 "The Supreme Court and the Legal History of Racism in America"; Chapter 4 "Indian Rights and the Marshall Court". Skim Kimberly Johnston-Dodds, Early California Laws and Policies Related to California Indians, CAL. RESEARCH BUREAU REPORT CRB-02-04 (Sept. 2002). Natsu Taylor Saito, Settler Colonialism, Race, and the Law Why Structural Racism Persists (2020). Chapter 5, "Enslaved Labor and Strategies of Subjugation"; Chapter 6 "Emancipated' African Americans: Rights and Redundancy"; Chapter 7 "Others of Color: Inclusions and Exclusions"; Chapter 8 "Others of Color: Subordination and Manipulations". Skim ACLU Northern California, Gold Chains The Hidden History of Slavery in California, Website (Laws & Cases), Podcasts.

Week 5 (February 13-17)

February 14	• Watch Bratt, Benjamin et al. <u>Alcatraz Is Not an Island</u> . Berkeley, CA: Berkeley Media LLC, 2002. Film.
	• Review the Ten-Point Program for the <u>Black Panther Party</u> ; the <u>Proclamation</u> of the Indians of All Tribes at Alcatraz; the Trail of Broken <u>Treaties Twenty-Point Position Paper</u> ; the Third World Liberation Front <u>Proposal</u> for a Third World College; the Women's Movement; compare them to the current platforms and demands of the <u>Black Lives Matter</u> movements; the 2021 Bureau of Indian Affairs sit in protest by the coalition "People vs. Fossil Fuels" including the demands by the <u>Indigenous Environmental Network</u> . This list of movements is not exhaustive but consider how these movements are related and reflect on their individual and collective impact. <i>See FoundSF</i> for a comprehensive list of Bay Area movements; <i>see</i> UC Berkeley's Center for Race & Gender for documentation on the <u>history of the Third World Liberation Front</u> (review film and audio tab).
	• Please read <u>Looking Forward from Land-Grab Universities</u> by Tristan Ahtone & Robert Lee, NATIVE AMERICAN AND INDIGENOUS STUDIES, Volume 8, Issue 1, Spring 2021, pp. 176-182 (Article) to begin thinking about your potential project proposal due next week.

February 16	• Watch King, Christina D. et al. <u>Warrior Women</u> . Lincoln, NE: Vision Maker Media, 2018. Film.
	• Donna Hightower Langston, <u>American Indian Women's Activism in the 1960s and 1970s in Indigenous Women in the Americas</u> , 18 HYPATIA 2, 114-132, (2003) Project MUSE.
	• Tracye A. Matthews, "No One Ever Asks What a Man's Role in the Revolution Is" Gender
	Politics and Leadership in the Black Panther Party, 1966-71, in SISTERS IN THE STRUGGLE:
	AFRICAN AMERICAN WOMEN IN THE CIVIL RIGHTS-BLACK POWER MOVEMENT. (B. Collier-
	Thomas & V.P. Franklin, eds. 2001)Project MUSE Read Chapter 13.

Week 6 (February 21-24)

February 21	• Smith, Linda Tuhiwai. <u>Decolonizing Methodologies: Research and Indigenous Peoples</u> ,
	Bloomsbury Academic & Professional, 2021. ProQuest Ebook Central, Read Chapter
	1 "Imperialism, History, Writing and Theory"; Chapter 6 "The Indigenous Peoples
	Project: Setting a New Agenda"; Chapter 7 "Articulating an Indigenous Research
	Agenda"; Chapter 8 "Twenty-Five Indigenous Projects".
	• Guest Speakers: Research Librarians (Review Native American Collections at the
	Bancroft).
February 23	Guest Speaker: Tony Platt
	• Tony Platt, Present Absences: Acknowledging Ohlone Land and Legacies at Berkeley, (2020)
	(on bCourses).
	• Tony Platt & Danielle Elliott, Making History: Primary Documents Relating to the Origins
	and Development of the University of California (2021) (on bCourses).
	• Evelyn Nakano Glenn, Settler Colonialism as a Framework for Comparative Studies of Race
	and Gender Formation, 1 SOC. RACE ETHNICITY 1, 54-74 (2015).

Week 7 (February 27- March 3)

February 28	 Alan M. Leventhal, et al., <u>The Ohlone: Back from Extinction</u>, in THE OHLONE: PAST AND PRESENT (L. J. Bean ed. 1994). Andrew Garrett, Melissa Stoner et. al., <u>Native American collections in archives, libraries</u>, <u>and museums at the University of California, Berkeley</u>, VICE CHANCELLOR OF RESEARCH OFFICE WORKING GROUP REPORT, (2019).
March 2	 Robert Lee & Tristan Ahtone, <u>Land-Grab Universities</u>, 52 HIGH COUNTRY NEWS 4, 32–46. (2020). Joseph A. Myers Center for Research on Native American Issues & Native American Student Development, <u>The University of California Land Grab: A Legacy of Profit from Indigenous Land A Report of Key Learnings and Recommendations</u> (2021).
The Research	(Due March 3 See bCourses for Requirements).
Project	
Proposal	

Week 8 (March 6-10)

March 7	 Edwin Black, Eugenics and the Nazis The California Connection; and James Q. Whitman, Why the Nazis Studied American Race Laws, in BEYOND BIOETHICS TOWARD A NEW BIOPOLITICS (Osagie K. Obasogie & Marcy Darnovsky eds. 2018). University of California Press, 2018, pp. 52-59. Jane Lawrence, The Indian Health Service and the Sterilization of Native American Women, 24 AMERICAN INDIAN Q. 3, 400-419 (2000). Project MUSE. Kara Manke, Berkeley Public Health announces plans to rename, repurpose former eugenics
March 9	 fund, Berkeley News (Oct. 26, 2020). UC Berkeley Building Review Committee, Proposal to Un-Name Kroeber Hall, (July 1, 2020). Nancy Scheper-Hughes, Alfred Kroeber and his Relations with California Indians, Berkeley Blog (July, 24 2020). William Bauer, Stop Hunting Ishi, 4 BOOM: THE JOURNAL OF CALIFORNIA 3, 46-50, (2014).

Week 9 (March 13-17)

March 14	 Tony Platt and Danielle Elliott, The Largest Collection in the World": A Select Chronology of Berkeley's Anthropology Museum (2021) (on bCourses). Danielle Elliot, Berkeley's NAGPRA Implementation, FEDERAL INDIAN LAW WRITING COURSE PAPER (2020) (on bCourses).
March 16	• Brittani R. Orona & Vanessa D. Esquivido, <u>Continued Disembodiment: NAGPRA</u> , <u>CAL NAGPRA</u> , and <u>Recognition</u> , 42 HUMBOLDT J. OF SOCIAL RELATIONS 1, 50-68 (2020).
	• Amy Lonetree, <u>Decolonizing Museums: Representing Native America in National and Tribal Museums</u> , CHAPEL HILL: UNIVERSITY OF NORTH CAROLINA PRESS (2012). Chapter 1 and Chapter 4.
The Research Project Outline	(Due March 17 th See bCourses for Requirements)

Week 10 (March 20-24)

March 21	Natsu Taylor Saito, Settler Colonialism, Race, and the Law Why Structural Racism Persists
	(2020). Chapter 9 "Constitutional Protection and the Dynamic of Difference";
	Chapter 10 "International Law and Human Rights".

March 23	• Natsu Taylor Saito, Settler Colonialism, Race, and the Law Why Structural Racism Persists
	(2020). Chapter 11 "Decolonization and Self-Determination".

[Berkeley Spring Break March 27-31]

Week 11 (April 3-7)

April 4	 Augustine SJ Park, Settler Colonialism, <u>Decolonization and Radicalizing Transitional Justice</u>, 14 INT'L J. TRANSITIONAL JUST., 260-279, (2020). Rhoda Howard-Hassmann, <u>Getting to Reparations: Japanese Americans and African Americans</u>, 83 SOC. FORCES 2, 823-840 (2004) Project MUSE.
April 6	 Honouring the Truth, Reconciling for the Future, Canada Truth and Reconciliation Commission Summary of the Final Report of the Truth and Reconciliation Commission of Canada, Calls to Action, at 319-337 (skim). Review current or recent state and federal legislation THRR such as: H.R. 8420 116th Cong. 2nd Session (Sept 29, 2020) "Truth and Healing Commission on Indian Boarding School Policy Act". H.R. 40 117th Cong. 1st Session (Apr. 14, 2021) "Commission to Study and Develop Reparations Proposals for African Americans Act". E.O. N-15-19 Governor Newsom June 18, 2019 establishing the California Truth and Healing Council. A.B. 3121 Task Force to Study and Develop Reparation Proposals for African Americans and the Yes! Article on the Task Force.

Week 12 (April 10-14)

April 11	• Theresa Stewart-Ambo, The Future Is in the Past: How Land-Grab Universities Can Shape the
	Future of Higher Education, NATIVE AMERICAN AND INDIGENOUS STUDIES 1, 162-168 (2021).
	Project MUSE.
	• David Treuer, Return the National Parks to The Tribes-The jewels of America's landscape should
	belong to America's original peoples, THE ATLANTIC (April 21, 2021).
April 13	Campus Tour to visit the memorials from Present Absences: Acknowledging Ohlone Land and
	Legacies at Berkeley and Making History: How Berkeley Forgets and Remembers Its Past.

Week 13 (April 17-21)

April 18	• Damon Atkins & William J. Bauer, We Are the Land: A History of Native California, (2021).
	Conclusion "Returns" (327-331).
	• Natsu Taylor Saito, Settler Colonialism, Race, and the Law Why Structural Racism Persists
	(2020). Chapter 12 "Mapping New Worlds".

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April 20	Reflections on the Semester: Reflect with the students on the successes and challenges of the course and semester and provide time for students to discuss their research projects one-one. Provide final feedback on Final Research Project Drafts.
The	(Due April 21 See bCourses for Requirements)
Research	
Project Final	
Draft	

Week 14 (April 24-28)

April 25	Final Research Project Presentations
April 27	Final Research Project Presentations

Week 15 (Reading Week: May 1-5)

May 1-5	Reading, Review, and Recitation (RRR) Week
	Optional Exam Review Session will be held May 2 during our regularly scheduled lecture.

Week 16 (Final Exam Period: May 8-12)

May 8-12	Take Home Final Exam
	The Final Exam will consist of several short essay questions and one fill in the blank. It is designed to test your knowledge of the learning goals:
	 Demonstrate an understanding of settler-colonialism and decolonization; Demonstrate an understanding of how the history of race and colonization are interconnected with the law and their impacts on society today; Demonstrate an understanding of how race and colonization impact the story toldabout the history of UC Berkeley; Demonstrate an understanding of the importance of resistance and truth, healing, reconciliation, and reparation movements; and Apply these learning objectives to research and create a storytelling project about theracial and colonial foundations of California and UC Berkeley
	with an eye toward justice.

Congratulations on completing the first permanent (non-seminar) "Decolonizing UC Berkeley" class!

Please do not hesitate to keep in touch going forward as I'm happy to provide letters of

recommendation for the various and exciting opportunities I'm sure are in store for you!

"If history is going to be scientific, if the record of human action is going to be set down with the accuracy and faithfulness of detail which will allow its use as a measuring rod and *guidepost for the future of nations*, there must be set some standards of ethics in research and interpretation. If, on the other hand, we are going to use history for our pleasure and amusement, for inflating our national ego, and giving us a false but pleasurable sense of accomplishment, then we must give up the idea of history as a science or as an art using the results of science, and admit frankly that we are using a version of historic fact in order to influence and educate the new generation along the way we wish. *It is propaganda like this that has led men in the past to insist that history is "lies agreed upon"*; and to point out the danger in such misinformation. It is indeed extremely doubtful if any permanent benefit comes to the world through such action....

Here in the United States we have a clear example."

Dr. W.E.B. DuBois, Black Reconstruction in America, 1860-1880 "The Propaganda of History." (1935) Why do you think I've included this quote? Email me with your answer for extra participation credit.