

Date of Hearing: May 14, 2020

ASSEMBLY COMMITTEE ON ARTS, ENTERTAINMENT, SPORTS, TOURISM, AND
INTERNET MEDIA

Kansen Chu, Chair

AB 1968 (Ramos) – As Introduced January 21, 2020

SUBJECT: Tribal Land Acknowledgment Act of 2021.

SUMMARY: Would authorize the owner or operator of any public school or state or local park, library, or museum in this state to adopt a process by which Native American tribes are properly recognized as traditional stewards of the land on which the school, park, library, or museum is located, as specified. Specifically, **this bill:**

- 1) Defines, for purposes of this chapter, “land acknowledgment process” means a process by which Native American tribes are properly recognized as traditional stewards of the land on which a public school or state or local park, library, or museum is located.
- 2) States the owner or operator of any public school or state or local park, library, or museum in this state, in consultation with Native American tribes, the Native American Heritage Commission, the California Indian Culture and Sovereignty Center, or the California Indian Museum and Cultural Center, may adopt a land acknowledgment process.
- 3) Provides the process may include a means to issue a formal statement as specified, and to incorporate that statement into printed and verbal materials provided at the beginning of a program or event held on that land.
- 4) Declares that acknowledgment statements may be provided through text, plaque, or on the operator’s printed or social media materials.
- 5) Makes numerous Legislative findings and declarations.

FISCAL EFFECT: Unknown, this bill has been keyed as fiscal by the Legislative Counsel.

COMMENTS:

Author’s statement. According to the author, “We cannot begin to remedy past injustices without acknowledging and educating ourselves of the history of settler immigration to California and the forced removal of people from the lands where they lived and worked. Cultural institutions have a duty to present accurate historical information that concedes past wrongs and broadens cultural understanding. AB 1968 would encourage us all to consider the past and what it means to occupy lands that were initially, and still are, inhabited by Native Americans.

Land acknowledgment statements inspire individuals to think about what it means to occupy space on Native American lands. These statements recognize the traditional land of the Native American people in the state who called, and still call, the land home before and after the arrival of settlers. This provides a learning opportunity for individuals who may have never heard the names of the tribes that continue to live and learn from the land.”

Support. The Wishtoyo Chumash Foundation are supporting AB 1968 based upon their belief that, “The teaching of U.S. history, in schools, museums, and the media, has left out the voices of the original nations and peoples. California Native people have endured colonial efforts to erase our existence, cultures, religions, languages and connections to ancestral territories. Despite the influx of the mission system and a “war of extermination” during California statehood, native people have maintained our presence in and stewardship of our homelands. ... Despite federal and state efforts to erode ownership, control, and visibility, California Indian people remain actively engaged in cultural revitalization, resource protection and self-determination within every region of California. Systematic denial of indigenous knowledge, cultural authority, and historical experiences perpetuates the colonial structure of oppression.”

This measure is co-sponsored by the California Indian Museum and Cultural Center, who write the committee in support, saying, “California is home to nearly two hundred tribes, both federally recognized and non-federally recognized. Had the 18 original treaties with California Indian tribes been honored by the state and federal government, California Indian tribes would possess over 7.5 million acres of land. Today, California tribes collectively possess about 7% of their unratified treaty territory. ... Land acknowledgment statements encourage individuals to think about what it means to occupy space on Native American lands and enact an ethic of accountability to those who did not consent to massive land cessions that became California. These statements recognize the traditional land of the Native American people in the State who called, and still call, the land home. It is critically important that we share this understanding and responsibility with children, our state’s next generation of leaders and engaged citizens. We would be thrilled if in our K-12 schools Land Acknowledgments would accompany the Pledge of Allegiance. Imagine when a school incorporates a land acknowledgment protocol, the opportunities to engage learners in research and study on their own histories will increase. They will move away from the stereotypical lessons plans, not because of mandate, but for a desire to learn, share, and experience the people whose land their school, park or museum resides on.”

The bill’s other co-sponsor, The California Indian Culture and Sovereignty Center, located within California State University San Marcos, adds in their support, “Land acknowledgements do not exist in past tense or outside historical context: Colonialism is an ongoing process, and we need to build mindfulness of our present participation. Land acknowledgements are a recognition of truth, a kind of verbal memorial that those who speak it erect in honor of California Indians. Like a memorial, land acknowledgment pays respect to California Indians by recognizing them and affirming their existence today. Erasure is real for California Indians. While we are home to 109 federally recognized tribes, some nearly 80 seeking recognition and two largest urban Indian populations, California Indians remain a minority even amongst other American Indians who reside in California. Therefore, AB 1968 helps to realize the longstanding history that has brought settlers of all kinds to reside on the lands, and seeks to foster settler responsibility and place within that history. Cultural and educational institutions have an obligation to support ongoing education, as well as, accurate and responsible representation. The California Indian Culture and Sovereignty Center’s vision and mission has supported this obligation since its existence for the past twelve years. We want to help others do the same. We have developed an online land acknowledgment toolkit that has been used and cited by many to enact this important practice.”

Background: land acknowledge statements. According to information provided by the author,

An emerging trend among institutions and organizations is the formal recognition of the traditional custodial relationship between native people and the land. According to Friedler (2018), “a land acknowledgment statement can also raise awareness about histories that are often suppressed or forgotten.” Formal land acknowledgment may be as limited as recognition of a historic presence on the land or a more a clear rejection terra nullius and the Doctrine of Discovery. All land acknowledgment statements, however, share an expression of respect for indigenous peoples, recognize their enduring relationship to the land, and raise awareness about marginalized aspects of histories.

The land acknowledgment movement is particularly strong in several former British colonies. According to the New York Times (Burke, 2018), the movement has spread across Australia, New Zealand, and Canada, and is moving across the United States. In Canada, for example, “it is now common to publicly acknowledge Indigenous lands, treaties, and peoples” (Wilkes, Duong, Kesler, & Ramos, 2017). Dr. Amy Farrell-Morneau of Lakehead University in Ontario pointed out “nearly every university in Canada has a land acknowledgment statement (Farrell-Morneau, 2018). In his piece in the New Yorker on September 7, 2017, Stephen Marche said, “you know a phenomenon has really arrived in Canada when it involves hockey.” Marche continues, “both the Winnipeg Jets and the Edmonton Oilers began acknowledging traditional lands in their announcements before all home games last season.”

In the United States, the movement has spread throughout the art community (Burke, 2018). The Whitney Museum of American Art, the Abrons Art Center, Performance Space (PS122), the Danspace Project, and Gibney of Tribeca all have a land acknowledgment policy. Land acknowledgment may be as minimally intrusive as signage in lobbies or a written statement in organizational brochures or event programs. In other organizations, theatrical performances begin with a brief verbal land acknowledgment.

The movement has spread to colleges and universities across the United States. Small colleges like Emerson College in Boston, Goshen College in Indiana, Washington University in St. Louis, and Seattle Central College have all adopted land acknowledgment statements. The University of Indian – Bloomington incorporated a land acknowledgment statement into the Native American Heritage Month observances in 2018. Other top-tier institutions have departmental or institutional land acknowledgment statements as well including Columbia University, Harvard University, Michigan State University, New York University, Northwestern University, Stanford University, Syracuse University, University of Illinois, and the University of Virginia. In Massachusetts, the University of Massachusetts-Amherst, Smith College, Amherst College, Hampshire College, and Mount Holyoke College issued a joint statement regarding land acknowledgment. (Keefe, Thomas, *Land Acknowledgement: A Trend in Higher Education and Nonprofit*, Research Gate, January 2019, <https://www.researchgate.net/publication/330505687>)

AB 1968 provides an example of a land acknowledgment statement that could be used within a museum setting:

“We are gathered on the unceded land of the (insert Native American tribe(s)) peoples. I ask you to join me in acknowledging the (insert Native American tribe(s)) community, their elders both past and present, as well as future generations. (Name of owner or operator of the museum) also acknowledges that the land was founded upon exclusions and erasures of many indigenous peoples, including those on whose land this museum is located. This acknowledgment demonstrates a commitment to beginning the process of working to dismantle the ongoing legacies of settler colonialism.”

REGISTERED SUPPORT / OPPOSITION:**Support**

American Federation of State, County and Municipal Employees, AFL-CIO
California Association of Museums
California Indian Museum and Cultural Center
California Teachers Association
CSU, San Marcos - California Indian Culture and Sovereignty Center
Federated Indians of Graton Rancheria
Guidiville Indian Rancheria
LandPath
Wishtoyo Chumash Foundation
Yocha Dehe Wintun Nation
2 individuals

Opposition

There is no opposition on file.

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