

# Dismantling the **DOCTRINE** of *Discovery*

From The Bull Romanus Pontifex  
issued by Pope Nicholas V,  
January 8, 1455

For more than five centuries, the Doctrine of Discovery and the international laws based upon it have legalized the theft of land, labor and resources from Indigenous peoples across the world and systematically denied their human rights.

The Doctrine of Discovery originated with the Christian church and was based on Christian Scripture, including the Great Commission, the divine mandate to rule based on Romans 13, and the narrative of a covenantal people justified in taking possession of land as described in the Exodus story.

Today, Indigenous people in our country and abroad are among the most vulnerable on the planet due to this systemic injustice. But outside of Indigenous people and scholars, few people are aware of the Doctrine of Discovery.

... **W**e [therefore] weighing all and singular the premises with due meditation, and noting that since we had formerly by other letters of ours granted among other things free and ample faculty to the aforesaid King Alfonso — to invade, search out, capture, vanquish, and subdue all Saracens and pagans whatsoever, and other enemies of Christ wheresoever placed, and the kingdoms, dukedoms, principalities, dominions, possessions, and all movable and immovable goods whatsoever held and possessed by them and to reduce their persons to perpetual slavery, and to apply and appropriate to himself and his successors the kingdoms, dukedoms, counties, principalities, dominions, possessions, and goods, and to convert them to his and their use and profit ...



## Pre-European Americas

Contrary to what so many Americans learn in school, Columbus does not land in a sparsely settled, nearly pristine wilderness.

... [Indigenous People] arrived millennia earlier ... and shaped the lands around them in ways that we are only beginning to understand. The astonishing Aztec capital of Tenochtitlán has running water and immaculately clean streets, and is larger than any contemporary European city.

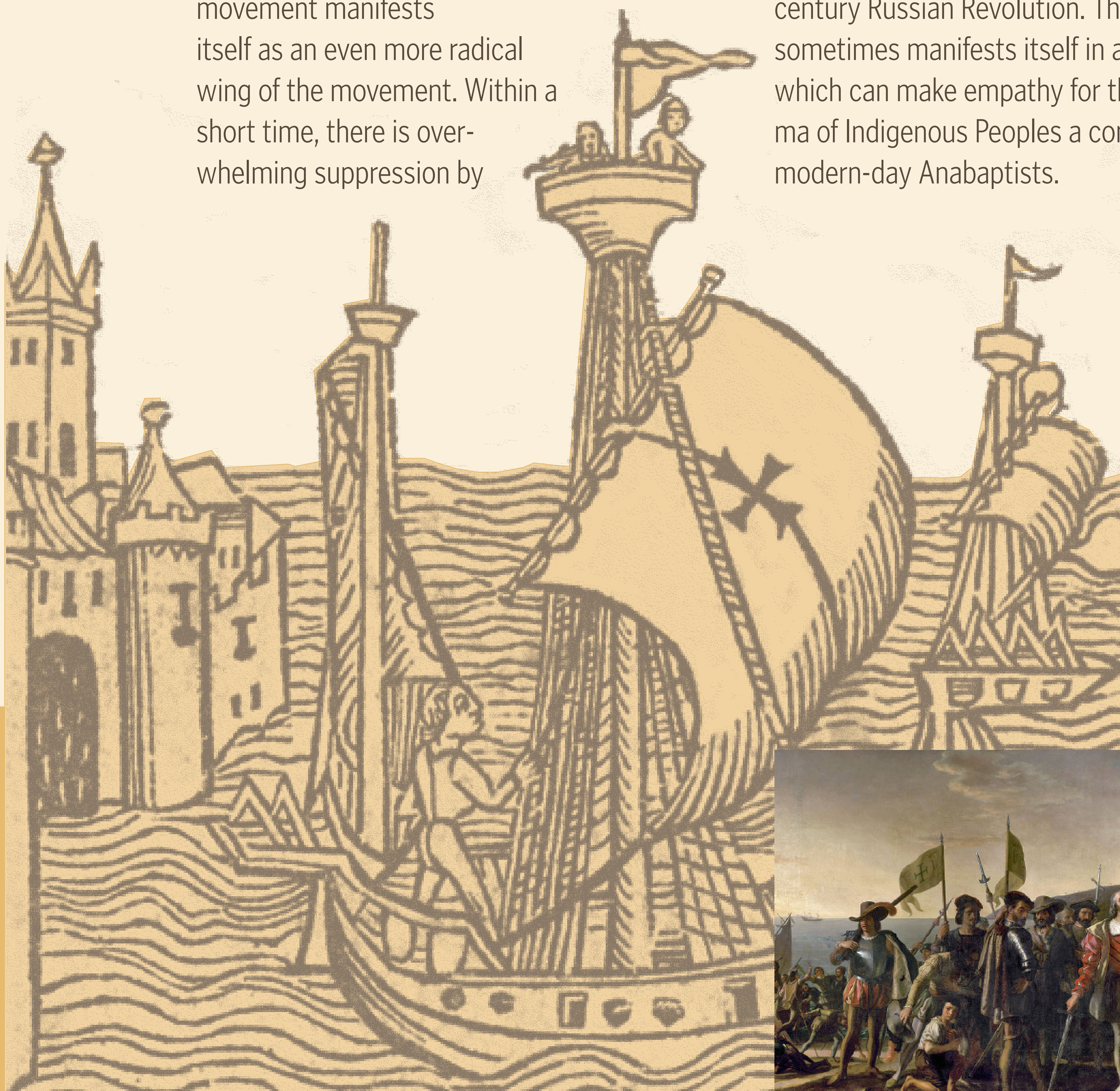
—From 1491, *New Revelations of the Americas Before Columbus*, by Charles C. Mann

# 1500's



In 1517, just a generation after the “discovery” of the New World, the Protestant Reformation explodes across Europe. In 1525, the Anabaptist movement manifests itself as an even more radical wing of the movement. Within a short time, there is overwhelming suppression by

governments and state churches. Anabaptists experience large-scale persecution and group trauma that continues sporadically into the 20th century Russian Revolution. That experience sometimes manifests itself in a “martyr complex” which can make empathy for the historical trauma of Indigenous Peoples a complicated issue for modern-day Anabaptists.



Europeans begin exploring the waters and inlets of the North American continent as early as the 12th century. As they come into contact with Indigenous populations, they also introduce diseases where there was no immunity. Indigenous populations begin to drop precipitously, and the extermination of tens of millions of people helps create an illusion that the newly available lands were nearly empty of human inhabitants.

Christopher Columbus’s “discovery” of the Americas in 1492 feeds a frenzy of 16th century exploration, exploitation and conquest based on the pronouncement by Pope Nicholas V giving rights of control and ownership to those who got there first. This same pronouncement sanctions the enslavement of African people by Europeans. The first enslaved Africans arrive in Hispaniola in 1501 soon after

the Papal Bull of 1493 gives all of the “New World” to Spain. The use of slave labor is necessary, in part, due to the extermination of local Indigenous populations from violence and disease.

In effect, the Doctrine of Discovery declares war against all non-Christians throughout the world, sanctioning and promoting the conquest, colonization and exploitation of non-Christian nations and their territories. Today, we would call this Papal decree a “mandate for terrorism.”

(from Robert Francis, “Two Kinds of Beings: The Doctrine of Discovery”)





# 1600's

## The Pueblo revolt of 1680

After the Spanish establish a colony in New Mexico's Rio Grande valley in 1598, they seize Indigenous land and crops and force them to labor in settlement fields and in weaving shops. The Indigenous people are denied religious freedom, and some are executed for practicing their spiritual religion.

The pueblos are independent villages with several distinct languages. Occasionally an uprising against the Spanish begins in one pueblo, but it is squashed before it can spread to neighboring pueblos. Leaders are hanged, others enslaved.

In 1675, the Spanish arrest forty-seven medicine men from the pueblos and try them for witchcraft. Four are publicly hanged; the other forty-three are whipped and imprisoned. Among them is Popé, a medicine man from San Juan. The forty-three are eventually released, but the damage has been done and the anger

runs deep. Popé recruits leaders in other pueblos to plan the overthrow of the Spanish.

In August of 1680, the Pueblo people attack northern settlements. Spanish settlers flee to the governor's enclosure at Santa Fe. They are surrounded, and after a few days' siege, the settlers retreat to the south.

Although the Indigenous people kill 400 Spaniards and succeed in driving the rest of the colonists out of the Rio Grande country, they do not continue their confederation. As a consequence, the Spanish are eventually able to re-establish their authority. By 1692, they reoccupy Santa Fe, but they do not return to their authoritarian ways. The continuation of Indigenous traditions is somewhat tolerated. Pueblo people are able to maintain a great deal of their traditional ways because of the respect they won in the 1680 rebellion.

— Adapted from Encyclopedia.com



The first Anabaptist settlement in North America is founded by Pieter Cornelius Plockhoy, a Dutch Mennonite and Collegiant utopist in 1663, near Horekill (Lewes Creek) on the banks of Godyn's Bay (Delaware Bay), near present-day Lewes, Delaware. The settlement, which prohibits slavery, is destroyed within a year by England. A second and more permanent Mennonite community is established at Germantown near Philadelphia in 1683. Christmas Day of 1723, on which Peter Becker baptized six people in the Wissahickon Creek, marks the establishment of the Germantown Church of the Brethren, the beginning of Brethren settling in the United States. —Rich Preheim, with additions from Brethren Encyclopedia

## Massachusetts Bay Colonies

Indigenous tribes, some of whom suffer from the onslaught of European diseases, also develop a hostile, violent, and deeply distrustful relationship with the Puritans. The Puritans abduct some of the Indigenous people to ship to England. In 1633, a law is passed to require that Indigenous people would only receive "allotments" and "plantations" if they "civilized" themselves by becoming Puritans and accepting English customs of agriculture and living.

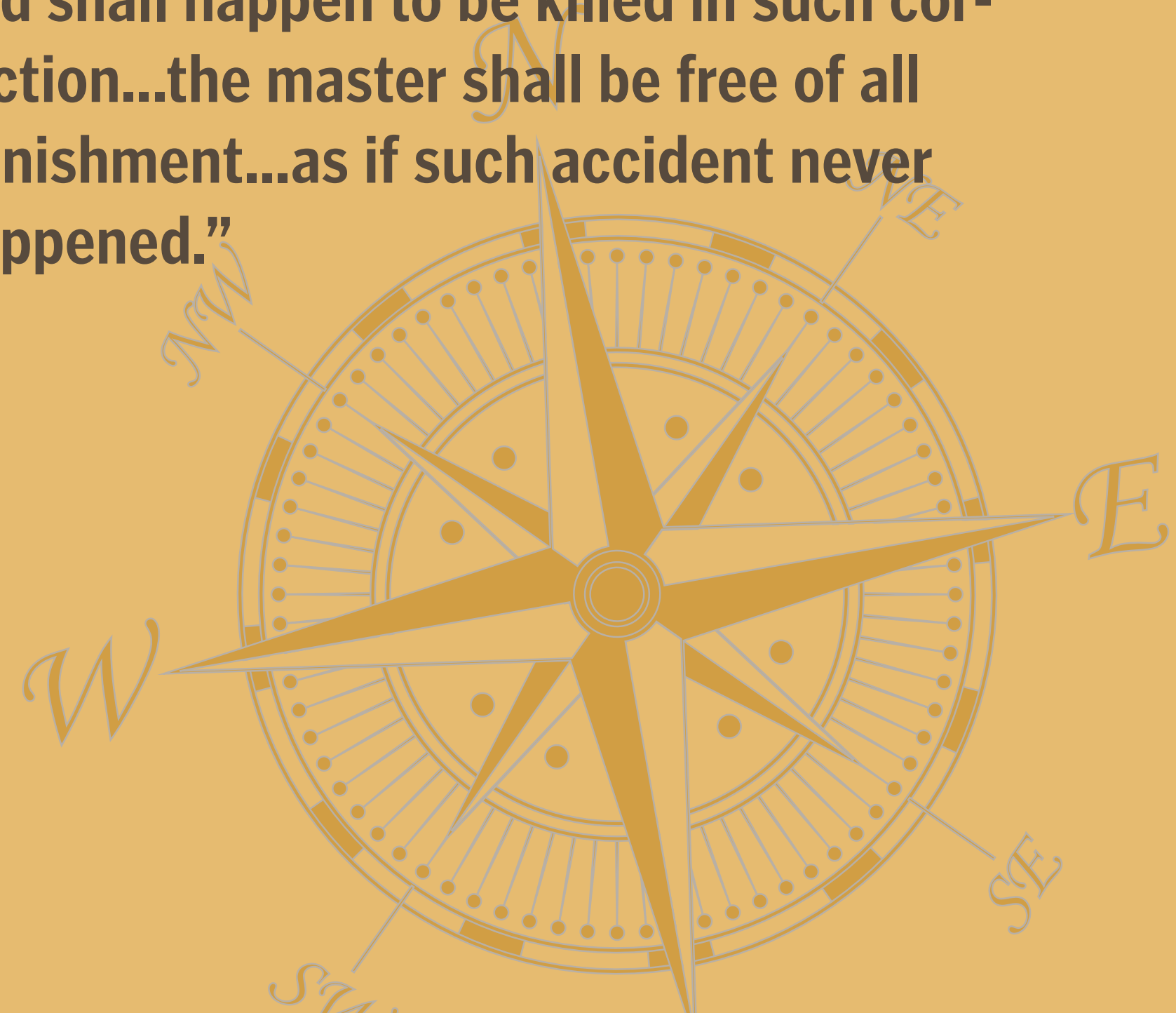
—www.quaqua.org/pilgrim.htm

The first Africans to reach the English colonies arrive in Virginia in 1619, brought by Dutch traders who had seized them from a captured Spanish slave ship. The Spanish usually baptize slaves in Africa before embarking them. Since English law considers baptized Christians exempt from slavery, these Africans are treated as indentured servants, joining about 1,000 English indentured servants already in the colony.

The transformation of the status of Africans from indentured servitude, which was temporary, to slavery, which they could not leave or escape, happens gradually. By 1705, the Virginia slave codes define as slaves those people imported from nations that were not Christian — an idea drawn from the Doctrine of Discovery. Indigenous people sold to colonists by other tribes or captured by Europeans during village raids are also defined as slaves. This code serves as a model for the other colonies.

## From the 1705 Virginia Slave Codes:

**"All servants imported and brought into the Country...who were not Christians in their native Country...shall be accounted and be slaves. All Negro, mulatto and Indian slaves within this dominion...shall be held to be real estate. If any slave resist his master...correcting such slave, and shall happen to be killed in such correction...the master shall be free of all punishment...as if such accident never happened."**









1830-1850:

## Removal Era

The Indian Removal Act is passed by Congress in 1830, during the presidency of Andrew Jackson. This Act gives power to the government to make treaties with Native nations that force them to give up their lands in exchange for land west of the Mississippi. These treaties, on the surface, speak to a voluntary exchange and removal of nations. However, in reality, most of these treaties are made forcefully, by withholding food — through the decimation of food sources, such as the buffalo — and through violence, including warfare. As Native American lands are “cleared,” white settlers — including Amish, Mennonites, and Brethren — stream into these lands.

# 1800's



## Trail of Death

One of many forced removals was known as the Trail of Death, which completes the removal of Potawatomie people from northern Indiana and southern Michigan to present-day eastern Kansas in 1838. Within several years, Amish, Mennonite, and Brethren settlers move into the “empty” wilderness in Elkhart and LaGrange Counties and begin to establish what would become one of the larger Amish, Mennonite, and Brethren communities in the United States.

1850-1887:

## Reservation Era

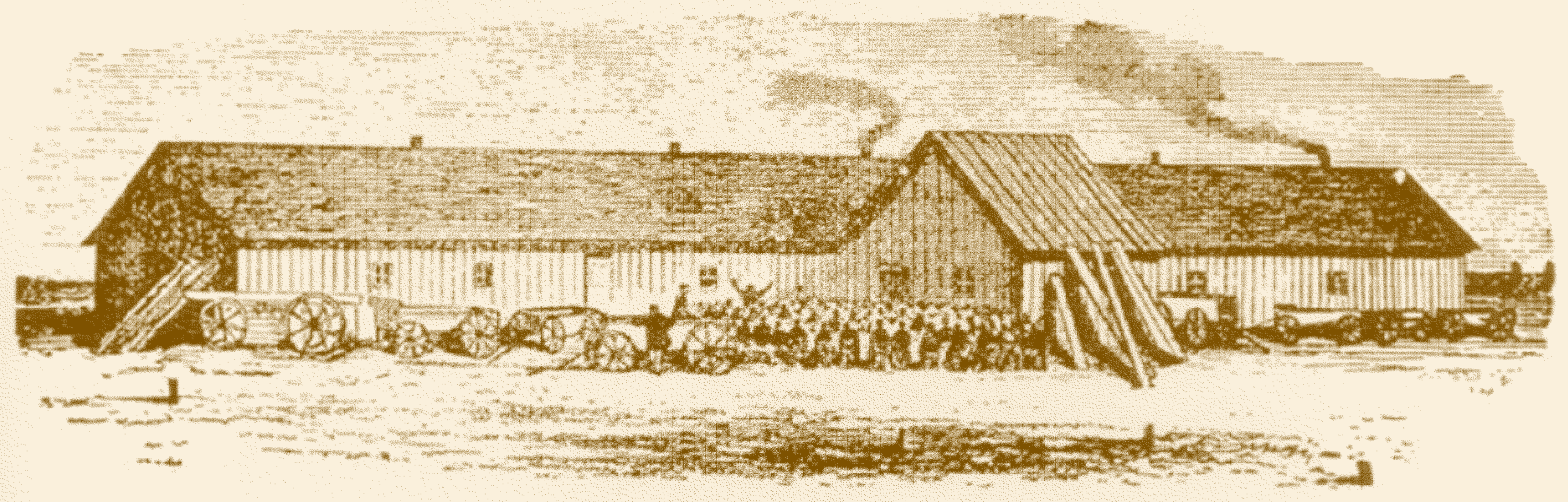
U.S. victory in the Mexican-American War and the California Gold Rush puts pressure on the U.S. government to further restrict the territories of Indigenous tribes so that white settlers can move onto their lands. The U.S. government begins to confine Indigenous people to reservations. Indigenous people resist the reservation system and engage with the U.S. Army in what are called the “Indian Wars” in the West for decades. Finally defeated by the military and continuing waves of encroaching settlers, the tribes negotiate agreements to resettle on reservations.

## Cherokee Nation v. Georgia

In 1828, the state of Georgia passes a series of laws stripping local Cherokees of their rights and also authorizing Cherokee removal from their lands. In defense, the Cherokee cite treaties that they had negotiated with the U.S., guaranteeing them both the land and independence. After failed negotiations with President Andrew Jackson and Congress, the Cherokee seek an injunction against Georgia to prevent its carrying out these laws.

The Supreme Court rules that it lacks jurisdiction to hear the case and can not resolve it, since the Cherokee, though sometimes viewed as an independent nation, are also dependent people on the U.S. nation that envelops them. Because the Constitution only authorizes the Supreme Court to hear cases brought by “foreign nations,” not “Indian nations,” the Court rules is not authorized to entertain this case and dismisses it.

—[http://www.pbs.org/wnet/supremecourt/antebellum/landmark\\_cherokee.html](http://www.pbs.org/wnet/supremecourt/antebellum/landmark_cherokee.html)



## Colonization of the West

Cheap land, railroad propaganda, and dreams for new beginnings attract Brethren to Kansas Territory. In 1855, Jacob Ulrich moves to Kansas and helps organize the Cottonwood congregation near Emporia. Following the Civil War, an influx of Brethren into southeast Kansas takes place.

The Osage nation moves to Missouri per an 1825 treaty, after the 1808 treaty is broken. By the late 1860s, pressure from the large numbers of white settlers to the area and the railroad executives who desire land rights results in Congress passing a new Indian Appropriations bill in 1870 that opens the entire Osage Diminished Reservation to settlement at a price of \$1.25 per acre. The Osage are forced to accept the terms and move to Indian Territory in Oklahoma. On July 21, 1870, the city of Wichita

was founded. And on one sad day in late September, the Osage, full of lament, depart their home in Kansas against their will. One year later in 1871, the first Swiss Mennonites begin settling Marion and McPherson Counties, a day's journey north of the former Osage reserve. In 1873 and 1874, the railroad brings thousands of Dutch-Prussian Mennonites from Russia to settle on land bought from the Santa Fe Railroad throughout central Kansas.

In the late 19th century, colonization becomes a planned method of starting new churches in the West. Advertising that appears in various Brethren periodical appeal to eastern families who hope to own their own farms. Often, Brethren leaders work closely with land grant railroads and land companies to attract new settlers.

—Karin Kaufman Wall, from the presentation “People of the Land,” with additions from the Brethren Encyclopedia (“Migration of Brethren,” “Kansas,” and “Colonization”)

Johnson v. McIntosh

## The Doctrine of Discovery in U.S. Law

In 1823, the Christian Doctrine of Discovery is quietly adopted into U.S. law by the Supreme Court in the celebrated case, Johnson v. McIntosh. Writing for a unanimous court, Chief Justice John Marshall observes that Christian European nations have assumed “ultimate dominion” over the lands of America during the Age of Discovery, and that — upon “discovery” — the Indigenous people had lost “their rights to complete sovereignty, as independent nations,” and only retained a right of “occupancy” in their lands. In other words, Indigenous nations were subject to the ultimate authority of the first nation of Christendom to claim possession of Indigenous peoples’ lands.

According to Marshall, the United States — upon winning its independence in 1776 — became a successor nation to the right of “discovery” and acquired the power of “dominion” from Great Britain.





1887-1934:

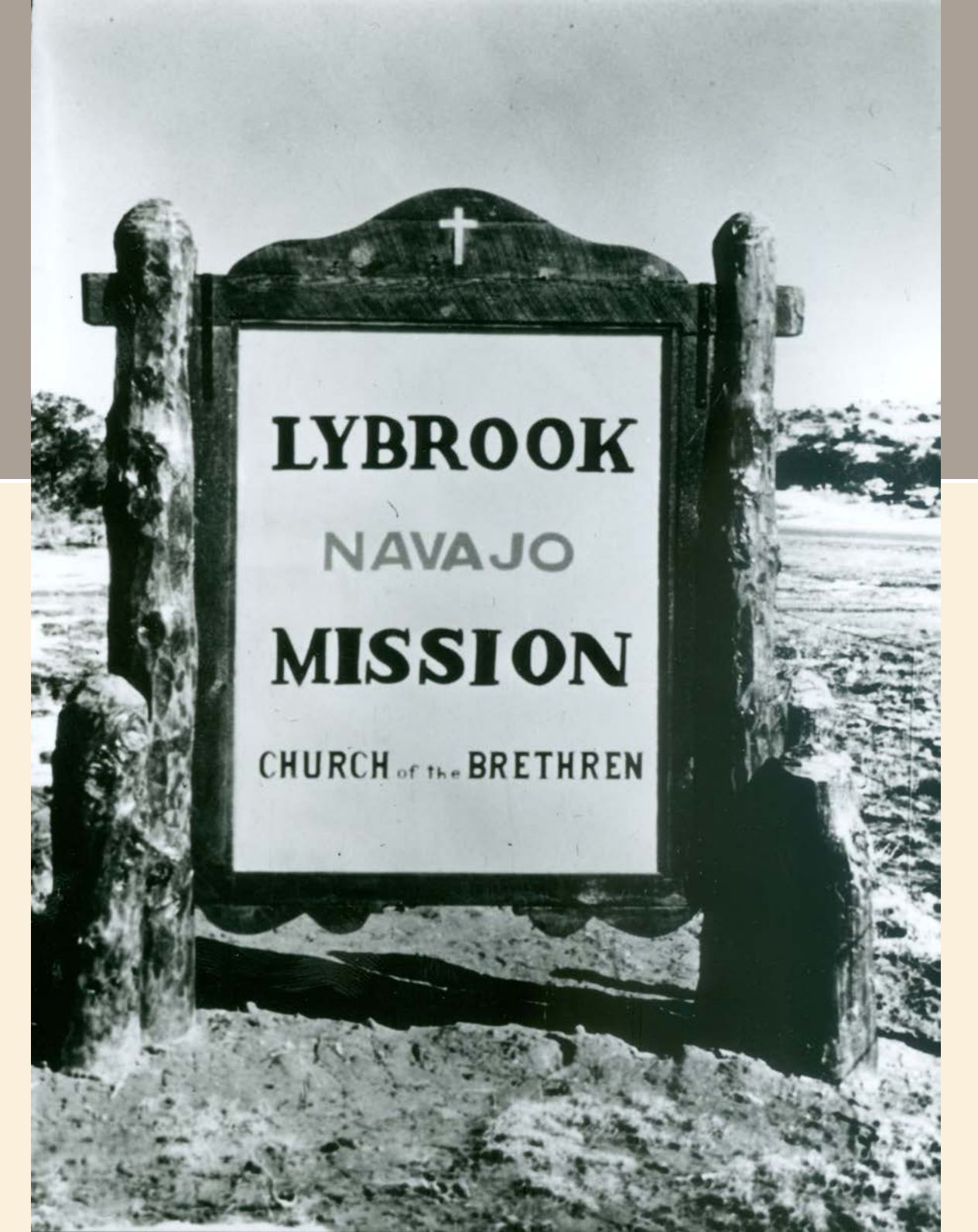
## Assimilation Era

By the late 1870s, the U.S. government begins to shift its policy toward Indigenous peoples to one of assimilation. Many consider the Indigenous way of life and collective use of land to be communistic and backwards. They also regard the individual ownership of private property as an essential part of civilization that will give Indigenous people a reason to stay in one place, cultivate land, disregard the cohesiveness of the tribe, and adopt the habits, practices and interests of the American settler population. Furthermore, many believe that Indigenous people have too much land and are eager to see these lands opened up for settlement as well as for railroads, mining, forestry and other industries.

# 1900's

Under the 1887 Allotment Act (Dawes Act), every Indigenous man 18 years or older is allotted 160 acres of land. After all Indigenous men are designated land, the rest is opened up for white settlement. Land the U.S. government allows Indigenous people to occupy is reduced by approximately 2/3 by 1934. Of the land that remains unsettled, about 1/3 is unfit for most profitable uses, being desert or semi-desert land.

Another strategy for assimilating Native peoples into white European culture is through education in boarding schools. In 1879, Captain Richard Henry Pratt founds the Carlisle Indian Industrial School in Pennsylvania by removing 84 Lakota children from their families in the Dakotas. His principle "kill the Indian and save the man" becomes a model for a new government policy. By 1900, thousands of children are attending close to 150 boarding schools throughout the U.S. The schools seek to strip children of their culture and remove them from the influence of their family and nation. Survivors often look back on their experiences as abusive and traumatic. Many are still dealing with the traumas, and these traumas continue to affect their children and grandchildren.



## Lybrook Mission, New Mexico

One of the most influential persons in getting the Church of the Brethren to establish work among Native Americans was Edna Phillips Sutton of La Verne, California. As a small child in Nebraska, she remembered feeling guilty because the land on which they lived had been taken from the Indians. She knew the Dakota Indians were taken from their land and forced to live on a reservation. Mrs. Sutton wrote letters and talked to anyone who would listen for at least seven or eight years before the General Brotherhood Board authorized Charles Zunkel, the executive secretary of the Ministry and Home Missions Commission, to make a study of the need of the Dine'é (Navajo). She personally donated or was directly responsible for a large part of the original \$7,000 purchase of the Lybrook, NM, property.

In 1949, Mrs. LeRoy Hanagarne (Mr. Hanagarne was Diné and Mrs. Hanagarne was a graduate of McPherson College) wrote to her home church, the Clovis, New Mexico, Church of the Brethren, and requested that something be done for the Diné people. The request was forwarded to the districts of Oklahoma and Colorado. On January 19-21, 1951, Mr. and Mrs. Hanagarne hosted the committee from Oklahoma and Colorado districts which investigated the possibility of work among the Dine'é.

After travel and investigation to determine the most advantageous place for the mission, the authorization to purchase the Lybrook property and begin work came from the March 1953 Board meeting. —Adapted from Brethren Life & Thought

### About terminology

The term "Navajo" was a name that other tribes called this nation, which was then adopted by settlers. "Diné" is how members of the tribe originally referred to themselves and it means "The People" in their native language. Both names are used today, but there are many who prefer Diné. Diné refers to an individual, while Dine'é refers to the whole nation or people.

***"It's cheaper to educate Indians than to kill them."***  
—Indian Commissioner Thomas Morgan speaking at the establishment of the Phoenix Indian School in 1891

## Oklahoma Land Runs

In 1890, the Oklahoma Territory was organized, which consisted of land taken away from many tribes (such as the Osage, Cherokee, Pawnee, and Iowa) who had been violently removed from their land further east. After being forcibly relocated to Oklahoma, their land was once again wrested away from them in order to be opened up to white settlers. During the Land Run of 1889, and for the next couple decades, white settlers rushed into this newly available land. The year the territory was organized in 1890, Brethren leaders from Kansas began establishing congregations in Logan and Payne Counties. In the next 20 years, more than 30 congregations were organized in the territory.

—Brethren Encyclopedia, Indian Country Today, Encyclopedia of Oklahoma History



## Brethren Volunteer Service Workers in Boarding Schools

The Church of the Brethren did not have any Native American boarding schools of its own, but it sought to work with Native Americans through connections with the National Council of Churches' programming. The Church of



the Brethren placed BVSers at Native American boarding schools and community centers, beginning with the Intermountain Indian School in Brigham City, Utah, and later including the Phoenix Indian School in Arizona. This BVS work at the boarding schools occurred during the termination era, further explained on the next panel.

In 1957, Marie Fortney, one of the BVSers at the Phoenix Indian School, wrote in the *Gospel Messenger* about her work:

"Many of the students have had little or no religious instruction before attending school. Some tribal religions are strange and hard to penetrate. Sue Begay and Johnny Blueyes will need much religious instruction to stick with them whether they choose to return to the reservation after

school or go to the white working world following graduation. Here we have this opportunity, because at school we can place Christianity and religious instruction into their curriculum. The adjustments they must make are many. Usually they change quickly from bright beads, feathers, and tribal dress to the typical 'paleface' attire, or from long stringy hair to crew cuts and well-curled shiny black hair, or from fried bread and beans to meat and potatoes, from hogans, tepees, and cliff dwellings to dormitories."



1945-1961:

## Termination Era

In 1953, Congress adopts an official policy of “termination,” declaring that the goal is to “as rapidly as possible to make Indians within the territorial limits of the U.S. subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the U.S.” In addition to ending the tribal rights as sovereign nations, the policy terminates federal support of most of the health care and education programs and police and fire fighting departments available on reservations.

From 1953-1964, 109 tribes are terminated, and federal responsibility and jurisdiction is turned over to state governments. Approximately 2.5 million acres of trust land is removed from protected status. The lands are sold to non-Indigenous people, and the tribes lose official recognition by the U.S. government. Among the tribes that lose federal recognition — essentially legislated out of existence — are the Lumbees, who have over 58,000 members living in North Carolina.

(“People of the Land” presentation)

# 2000's



Tonto National Forest

Dec. 12, 2014

## Congress Raids Ancestral Native American Lands With Defense Bill


When Terry Rambler, the chairman of the San Carlos Apache Tribe, woke up Wednesday in Washington, D.C., it was to learn that Congress was deciding to give away a large part of his ancestral homeland to a foreign mining company.

Rambler came to the nation’s capital for the White House Tribal Nations Conference, an event described in a press announcement as an opportunity to engage the president, cabinet officials and the White House Council on Native American Affairs “on key issues facing tribes including respecting tribal sovereignty and upholding

treaty and trust responsibilities,” among other things.

Rambler felt things got off to an unfortunate, if familiar, start when he learned that the House and Senate Armed Services Committee had decided to use the lame-duck session of Congress and the National Defense Authorization Act to give 2,400 acres of the Tonto National Forest in Arizona to a subsidiary of the Australian-English mining giant Rio Tinto.

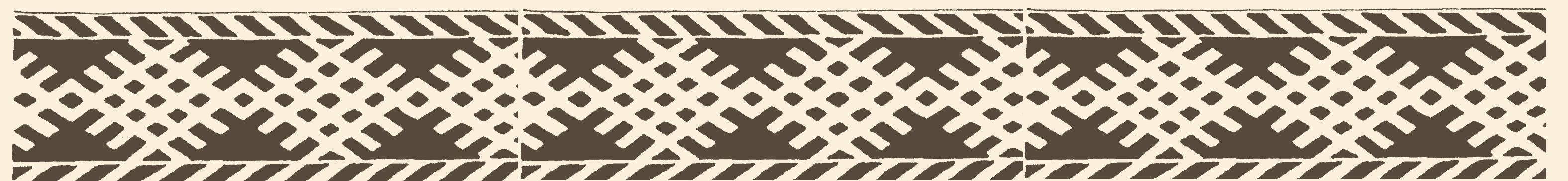
See [http://www.huffingtonpost.com/2014/12/03/ndaa-land-deals\\_n\\_6264362.html](http://www.huffingtonpost.com/2014/12/03/ndaa-land-deals_n_6264362.html) for more details



## A Tribe of Many Feathers

In 1992, Brethren youth who attended that year’s Christian Citizenship Seminar with the theme, “Through the eyes of Native Americans,” called for a “new updated action statement that will show our support for Native Americans.” At the 1992 Annual Conference, Ben Wilson and Ethelene Wilson, members of the Tok’ahookaadi’ fellowship at Lybrook, N.M., reiterated the call for such a statement, and the General Board began the development of a policy statement to be brought to the 1993 Annual Conference. The 1994 statement “A Tribe of Many Feathers” is the result of this push.

<http://www.brethren.org/ac/statements/1994communitytribemanyfeathers.html>



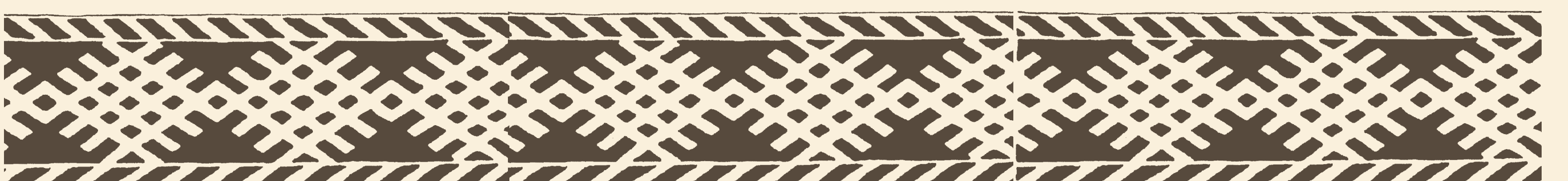
## At the Intersection of Brethren and Native American

*What do you wish the rest of the Church of the Brethren knew about Native Americans?*

I’m hoping that people would be willing to step outside their comfort zones to really get to know Indigenous people. Indian people are still the silent people that no one hears from unless there’s a special reason to or we make a lot of noise, like at Standing Rock last year. To really understand why we’re protesting and who we really are. And also to understand that even though we may be stand-offish, it’s because of the mistrust that’s been built up for so long.

When the dominant society likes to go into a tribe, it’s like taking a watch apart. You pull the watch apart and then you put it back together the way you want it to be. This disruption has torn up the spirit of a lot of tribes and a lot of Indian people, and people are still recuperating from that. It’s a very hard journey to come back from, when it’s been close to 500 years or more long.

—Dotti Seitz, Southern Cheyenne, Harrisburg First Church of the Brethren. Full article at <http://www.brethren.org/messenger/articles/2013/Brethren-and-Native-American.html>



## 2007 United Nations Declaration on the Rights of Indigenous Peoples

After a generations-long effort by Indigenous organizations, the United Nations adopts a Declaration on the Rights of Indigenous Peoples. Initially the U.S., Canada, Australia and New Zealand vote against it (143 member states vote for it; 11 abstain). It isn’t until three years later, under pressure from Indigenous Peoples and the international community, that the U.S., Canada, New Zealand and Australia sign on.

### About terminology

This exhibit uses the term “Indigenous” — instead of Indian or Native American — to refer to Native peoples both domestically and internationally. This is the terminology claimed by Native people collectively via the United Nations Permanent Forum on Indigenous People.

## Repudiating the Doctrine of Discovery

In a first-of-its-kind action in the Christian world, the national Episcopal Church passes a landmark resolution at its July 2009 General Convention repudiating the Doctrine of Discovery and urging the U.S. government to endorse the U.N. Declaration on the Rights of Indigenous Peoples.

The resolution renounces the doctrine “as fundamentally opposed to the Gospel of Jesus Christ and our understanding of the inherent rights that individuals and peoples have received from God,” and resolved to eliminate the doctrine within the church’s contemporary politics, programs and structures, and

urged the U.S. government to do the same. It also encourages all Episcopal churches to support Indigenous peoples in their ongoing efforts for their inherent sovereignty and fundamental human rights as peoples to be respected.

Since then, other faith communities have also made statements to repudiate the Doctrine of Discovery and to commit to ongoing education, examination of church history, review of current programs and actions in solidarity with Indigenous peoples.

This list includes the Anglican Church of Canada, the World Council of Churches, the United Methodist Church, the Unitarian Universalist Association, the United Church of Christ, the Disciples of Christ, several meetings of the Religious Society of Friends, and various Catholic groups.

### Who might be next?

much of this information is from the Indian Country Today Media Network