We [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 ...

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.
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.”

(In Robert Franc, “Two Kinds of Being: The Doctrine of Discovery”)

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“From 1492, New Revelations of the Americas Before Columbus by Charles C. Mann

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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 Mennonites.

Pre-European Americas

Contrary to what so many Americans learn in school, Columbus did not land in a sparsely settled, nearly pristine wilderness. Recent research has shown that Indians arrived millennia earlier than previously thought and shaped the lands around them in ways that we are only beginning to understand. The astonishing Aztec capital of Tenochtitlán had running water and immaculately clean streets, and was larger than any contemporary European city.

—From 1492, New Revelations of the Americas Before Columbus by Charles C. Mann
The Pueblo revolt of 1680

One of the few occasions when Indigenous People successfully resist colonization in North America:

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 recoup 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 Plokhoy, a Dutch Mennonite and Collegiant utopian 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. In 1688, Mennonites from the German town congregation join with area Quakers to draft the first statement against slavery in the New World.

— Rich Preheim

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.

—www.quaqua.org/pilgrim.htm

The first 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.”

— Adapted from Encyclopedia.com

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

From the 1670 Massachusetts Colony

The Pueblo revolt of 1680

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— Adapted from Encyclopedia.com
The Lenape and Penn’s “Holy Experiment”

Invited by William Penn and fleeing persecution in Europe, Amish and Mennonites begin arriving in Pennsylvania. Penn had been granted the historic lands of the Lenape people by the King of England, which had laid claim to the land under the Doctrine of Discovery. Once Penn receives the charter to the lands, he realizes that much of it was held by Indigenous people, who would expect payment in exchange for vacating the territory.

In 1737, after Penn’s death, his sons cheat the Lenape out of their lands in the Lehigh Valley of Pennsylvania through the infamous Walking Purchase. Because of the Walking Purchase, the Lenape grew to distrust the Pennsylvania government, and its once good reputation with the various tribes is lost forever.

1700’s

The Incident at Northkill
(Berks County, Pennsylvania)

The Northkill Amish settlement is established in 1740. As the first identifiable Amish community in the United States, it is the foundation of Amish settlement in the Americas.

During the French and Indian War, local Lenape tribes under the command of three French scouts attack the Jacob Hochstetler homestead on September 19, 1757. According to tradition, Jacob tells his sons they can not use guns to protect the family. Three members of the family are killed; three are taken captive, including Jacob. Jacob escapes after several months, but the two boys are held for several years, finally released after a peace treaty between the Indigenous tribes and the British Army.

The “Hochstetler massacre” is one of the most commonly told stories among Amish families and their descendants, with Jacob often cited as an exemplar of the faith for his commitment to nonviolence even under attack. However, this story is often not placed within its larger historical context of white colonization and settlement of Indigenous lands. Through repeated retellings, the story also plays into the dominant culture perception of Indigenous Peoples as “wild people” and “savages.”

1763

The Proclamation of 1763

... issued by King George, tells the colonies that they no longer have the “right of discovery” to Indigenous lands west of Appalachia. Only the British crown could thereafter negotiate treaties and buy or sell those lands. This Proclamation deeply upsets the colonies, who want access to these lands. In the Declaration of Independence, this royal Proclamation is cited in the long list of justifications for why the colonies declare independence from English control. Following the defeat of the British during the Revolutionary War, the Treaty of Paris (1783) gives these Indigenous lands to the new U.S. Government.

Broken Treaties

From the time of the American Revolution, the U.S. made treaties with Indigenous nations as sovereign nation to sovereign nation. While Indigenous nations understand treaties to be sacred agreements witnessed by Creator, the U.S. repeatedly breaks and violates treaties as their desire to acquire more land increases. In all, over 500 treaties are made with Indigenous tribes. All 500 treaties are changed, nullified or broken. The result is an ever-increasing land base for the U.S. as tribes are pushed further and further west. Each time a treaty is broken, land is taken and tribes are forced out, while white Europeans follow shortly to settle the land.
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 and Mennonites — stream into these lands.

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.

Immigrant House, located near present-day Moundridge, Kansas

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 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. And 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. Among them would have been my great-great grandparents.

—Karin Kauffman Wall, from the presentation “People of the Land”

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.
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 backward. They also regard the individual ownership of private property as an essential part of civilization that will give Indigenous peoples 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 peoples 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.

The 7 million acres known as the Cherokee Outlet in northern Oklahoma had been part of lands designated for the Cherokee when they had been forcibly relocated to the region in the 1830s. After the Civil War, the Cherokee Outlet is wrested away from them and on Sept 16, 1893, it is opened to white settlers. The largest single group in the land run is a group of about 150 Mennonite families from Canton, Kansas. They settle west of Enid and establish the town of Meno, named in honor of Menno Simons, although it’s unclear what happened to second N in the name. —Rich Preheim

The Cherokee Land Run

In 1880, the General Conference Mennonite Church involvement in running Indian boarding schools begins with the establishment of the Darlington Mennonite Mission boarding school among the Arapahoe and Cheyenne in Indian Territory (later known as Oklahoma). Three years later, Mennonites are offered Cantonment, a former U.S. military barracks a few miles from Canton, Oklahoma, which becomes Cantonment Mennonite Mission boarding school. In 1885, Indian Industrial School is opened in Halstead, Kansas, a joint initiative between the Mission Board of the General Conference Mennonite Church and Halstead Seminary. And in 1951, Mennonites establish a day school on the Hopi Reservation in Arizona.

Darlington Mission School

During the racially charged 1960’s Nanih Waiya Indian Mennonite Church of Preston, Miss., withstands trial by fire three times. The congregation’s three-year old building is destroyed by a dynamite explosion on Sept. 19, 1964. Within a month, the congregation is holding services in a partially finished structure built by church members, local volunteers and Mennonite Disaster Service workers. But the new building is dynamited on Feb 19, 1965. And again it is rebuilt. Then on Dec 23, 1966, it is destroyed by a third blast, which is followed by the construction of the current building. No one has ever been arrested for the explosions. —Rich Preheim

Nanih Waiya Indian Mennonite Church

In 1944, the Bretton Woods Accord gives colonial powers control of global economic structures. The International Monetary Fund and predecessors to the World Trade Organization and the World Bank are established, following the precedents established by the Doctrine of Discovery. Four years later, the Organization of American States (OAS) is established. The U.S. plus 20 Latin American countries join together to establish military, political and economic policy, establishing international law for the hemisphere. Again, much of this policy is based upon Doctrine of Discovery principles.

Post World War II:

Doctrine of Discovery Encoded into Multinational Structures

In 1949, the Inter-American Development Bank is established by the OAS. This bank establishes economic policy within member countries through a non-transparent, non-democratic process where impacted communities have no recourse when negatively impacted by policies. National structures, such as labor and environmental laws, are “adjusted” by the IADB in exchange for development loans. There is no mechanism of redress for communities — many of them Indigenous — devastated by economic policies defined by the bank.

In 1995, the World Trade Organization is established to replace the Bretton Woods Accord and to generate a global legal and policy structure to regulate trade between nations. This non-transparent, non-democratic institution is empowered to make unilateral decisions to advance profit-generating interests over competing interests such as protection of labor, the environment and Indigenous rights.
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, 108 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 is the Ramah Navajo, who lost the San Juan River, which is home to the Navajo Nation. The U.S. government then sold this land to non-Navajo groups.

Helping to provide burial boxes and clothes for the remains is one way MCC U.S. and other people of faith can show respect. It is also a way for non-Indigenous people to offer an apology for a history of silence and even collusion during colonization.

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.

The bills are passed, but the apology is buried in H.R. 3326, the 2010 Department of Defense Appropriations Act. To this day this apology has not been publicly announced, publicized or read by the White House or the U.S. Congress.
The Doctrine of Discovery, while more than 500 years old, is not an archaic artifact from a different era. It is an international legal framework with Christian theological roots that still legitimates the unjust exploitation of millions of Indigenous peoples at home and across the world. Indigenous people have no legal recourse to resist corporate resource extraction because of the Doctrine of Discovery. Their lands and waters, their very sources of life, are being poisoned and polluted. The resources extracted from these communities flow back to the colonizing powers through corporate profit and benefit our own mutual funds and investments.

Few of our institutions — whether economic or governmental — have the will to dismantle this Doctrine, since they profit too much from it. The church is the one institution left that can speak out clearly against this unjust system, as it has done in the past against slavery and apartheid. Because the Doctrine of Discovery is based on principles that originated with the church, the church has a special responsibility to dismantle this unjust structure.

This is starting to happen. The World Council of Churches and, within the U.S., the United Church of Christ, the Episcopal Church, the Anglican Union, United Methodist Church, and the Quakers have all officially repudiated the Doctrine of Discovery. Other Catholic groups have petitioned the Pope. Will you join us in a movement of Anabaptist people to “speak truth to power” and dismantle the Doctrine of Discovery?

We call on Mennonites of European descent to do the work of examining our narratives of migration and settlement in light of the Doctrine of Discovery and remember the stories of those whose lands our ancestors entered. As we do this work of remembrance, let us keep one eye on the past and one eye on the present. The narratives of white settler colonialism continue today as Indigenous peoples are displaced, conquered, and subjugated. May truth-telling about the past allow us to take action on behalf of our ancestors for the sake of reparation for those impacted by the Doctrine of Discovery today.

—Dismantling the Doctrine of Discovery working group
Anita Amstutz, Sarah Augustine, Katerina Friesen, Sheri Hostetler, coordinators