

Glossary of Key Terms

Ancestral Domain/Lands: Ancestral lands, which are part of ancestral domains, are defined as lands “occupied, possessed and utilized by individuals, families and clans who are members of Indigenous Peoples since time immemorial.” Ancestral domain/lands is a term used mostly in Southeast Asia, and is recognized under law in The Philippines.

From “The (Filipino) Indigenous Peoples’ Rights Act of 1997,” “The Republic Act No. 8371.” (n.d.) *Official Gazette*. <<http://www.gov.ph/1997/10/29/republic-act-no-8371/>>.

Doctrine of Discovery: The majority of the non-European world was colonized under an international law that is known as the Doctrine of Discovery. Under this legal principle, European countries claimed superior rights over Indigenous nations. When European explorers planted flags and religious symbols in the lands of native peoples, they were making legal claims of ownership and domination over the lands, assets, and peoples they had “discovered.” These claims were justified by racial, ethnocentric, and religious ideas of the alleged superiority of European Christians.

From Robert Miller, “The International Law of Colonialism: A Comparative Analysis,” *Lewis & Clark Law Review*, Vol. 15:4 (2012), 847. <<https://law.lclark.edu/live/files/10652-lcb154art1millerpdf>>.

Ethnocide: The deliberate and systematic destruction of the culture of an ethnic group.

From the *Oxford Dictionary* (Oxford University Press, 2016).

Exodus/conquest narrative: The exodus/conquest narratives from the Biblical books of Deuteronomy, Joshua, and Judges describe how the Israelites were delivered by YHWH from slavery in Egypt and led to conquer and take possession of the land of Canaan, the Promised Land. Palestinian and Native American readers alike have found these to be narratives of terror, since many identify with the Canaanites in the text. The exodus from slavery for some peoples means conquest for others, rather than liberation.

See, for example: Naim S. Ateek, “A Palestinian Perspective: Biblical Perspectives on the Land,” in *Voices From the Margin: Interpreting the Bible in the Third World*, ed. R.S. Sugirtharajah (Maryknoll: Orbis Books, 2006), 227-234; Robert Allen Warrior, “Canaanites, Cowboys, and Indians: Deliverance, Conquest, and Liberation Theology Today,” in *Native and Christian: Indigenous Voices on Religious Identity*

in *The United States and Canada*, ed. James Treat (New York: Routledge, 1996), 93-104.

Fee Simple Title: Land ownership status in which the owner holds title to and control of the property. The owner may make decisions about land use or sell the land without government oversight.

From Indian Land Tenure Foundation. Glossary online: <<https://www.iltf.org/glossary>>.

Free Prior and Informed Consent: The UN Declaration on the Rights of Indigenous Peoples recognizes Free Prior and Informed Consent (FPIC) as Indigenous Peoples’ right to determine and develop priorities and strategies, or to give or withhold consent, for the development or use of their lands, territories and other resources. This right is often violated when Indigenous Peoples are often left out of the planning and decision-making process on large-scale development projects, like a mine, dam, highway, plantation or logging project.

From *The UN Declaration on the Rights of Indigenous Peoples* (2007)

Genocide: Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; [and] forcibly transferring children of the group to another group.

From Article 2 of the UN Convention on the Prevention and Punishment of the Crime of Genocide, 1948.

Indian Removal Act: The Indian Removal Act was signed into law by President Andrew Jackson on May 28, 1830, authorizing the president to grant unsettled lands west of the Mississippi in exchange for Indian lands within existing state borders. Approximately 60,000 Native Americans were forced west from their homelands by the U.S. Government on a series of removals between 1830 and 1840. The most well known removal was the Trail of Tears in 1838 and 1839, when approximately 4,000 Cherokees died.

From Library of Congress website, <<https://www.loc.gov/rr/program/bib/ourdocs/Indian.html>>.

Indian Residential Schools (or Indian Boarding Schools): In the U.S., Indian Residential Schools were used as a tool of assimilation from the 1880s through the 1920s. Federal Indian policy called for the removal of children from their families and in many cases enrollment in a government run boarding school. In this way, the policy makers believed, young people would be immersed in the values and practical knowledge of the dominant American society while also being kept away from any influences imparted by their traditionally-minded relatives. Many church denominations, including Mennonites, were involved in running these residential schools. All told, more than 100,000 Native Americans were forced by the U.S. government to attend Christian schools where tribal languages and cultures were replaced by English and Christianity, and where they often experienced abuse and ill treatment.

From “Indian Boarding Schools,” *Indian Country Diaries*, PBS website, September 2006. <<http://www.pbs.org/indiancountry/history/boarding.html>>.

Indigenous Peoples: Non-European populations who resided in lands colonized by Europeans before the colonists arrived. There are some Indigenous Peoples who were never colonized, some who were colonized under non-European powers, and some European Indigenous Peoples (eg. the Sami).

From John H. Moore, ed., *Encyclopedia of Race and Racism*, Vol. 2 (Detroit, MI: Macmillan Reference USA/Thomson Gale 2008).

Indigenous/Aboriginal Title: Indigenous, or Aboriginal, title is a common law doctrine that the land rights of Indigenous Peoples to customary tenure persist after the assumption of sovereignty under settler colonialism.

From “Aboriginal title,” *Wikipedia, The Free Encyclopedia*, <https://en.wikipedia.org/w/index.php?title=Aboriginal_title&oldid=751761850> (updated November 27, 2016).

Land Rights: Refers to the rights of people to land, either individually or collectively. These rights include the rights of access, withdrawal, management, exclusion, alienation, and others. They can also include the rights to various natural resources on and below the surface of the land. Land rights, particularly in the context of agrarian countries, are inextricably linked

with the right to food and a host of other human rights. In many instances, the right to land is bound up with a community’s identity, culture, religion and spirituality, its livelihood and thus its very survival. Analysis shows that despite a history of customary use and ownership of over 50 percent of the world’s land area, the world’s Indigenous Peoples and local communities – up to 2.5 billion women and men – possess ownership rights to just one-fifth of the land that is rightfully theirs. This gap is the cause of much of the disenfranchisement, poverty, human rights violations and conflict found across the world.

From “Common Ground: Securing Land Rights and Safeguarding the Earth,” (Oxfam International, International Land Coalition and Rights and Resources Initiative 2016), <https://landrightsnow.contentfiles.net/media/assets/file/GCA_REPORT_EN_FINAL.pdf>.

Manifest Destiny: The term “Manifest Destiny,” originally used by journalist John O’Sullivan in 1845, refers to the idea that (settler) U.S. Americans had the providential right to expand and govern the North American continent south of Canada. “Manifest Destiny” was also clearly a racial doctrine of white supremacy that granted no Native American or nonwhite claims to any permanent possession of the lands on the North American continent, and justified white American expropriation of Indian lands. “Manifest Destiny” was also a key slogan deployed in the United States’ imperial ventures in the 1890s and early years of the twentieth century that led to U.S. possession or control of Hawaii and the Philippine Islands. The concept is still central to much U.S. foreign policy and contemporary political debate.

From Donald M. Scott, “The Religious Origins of Manifest Destiny,” *Divining America*, TeacherServe®. National Humanities Center. <<http://nationalhumanitiescenter.org/tserve/nineteen/nkeyinfo/mandestiny.htm>>.

Native Americans: Members of the American Indian tribes, nations, and groups who inhabited North America before Europeans arrived. Many prefer to self-identify as “Indigenous Peoples,” “American Indians,” “Indians,” or by the name of their tribe.

From John H. Moore, ed., *Encyclopedia of Race and Racism*, Vol. 2 (Detroit, MI: Macmillan Reference USA/Thomson Gale 2008).

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Papal Bull: In Roman Catholicism, an official papal letter or document. The name is derived from the lead seal (bullae) traditionally affixed to such documents. Since the 12th century it has designated a letter from the pope carrying a bulla that shows the heads of the apostles Peter and Paul on one side and the pope's signature on the other. By the 13th century the term papal bull referred to only the most important documents issued by the pope.

From *The Encyclopedia Britannica Online*, <<https://www.britannica.com/topic/bull-papal>>.

Reservation: In the U.S., a reservation is an area of land managed by a Native American tribe under the U.S. Bureau of Indian Affairs. Because of past land allotments (for example, under the Dawes Act of 1887) some reservations are fragmented, with pieces of tribal, individual, and privately held land, some of it owned by non-Indians. The collective geographical area of all reservations is 55.7 million acres, or about 2.3% of the area of the United States. For a detailed map of reservations, http://howlingwolf.free.fr/Indian_Reservations/today.html.

From "What is a Reservation?" The U.S.-Dakota War of 1862, Minnesota Historical Society, <<http://usdakotawar.org/history/newcomers-us-government-military-federal-acts-assimilation-policies/what-reservation>>.

Sacred Sites: Sacred sites are places integral to the practice of Indian spiritual and religious traditions, the well-being of tribal cultures, and the health of the earth. Examples include sacred mountains, rivers, springs, rocks, petroglyphs, pictographs, burial sites, and ceremonial sites. Since the arrival of Europeans to what is now the United States, these sites have been subject to destruction, intrusion and vandalism by non-Indians and by extractive industry.

Adapted from "An Introduction to Indian Nations in the United States," National Congress of American Indians, <http://www.ncai.org/about-tribes/indians_101.pdf>, 8.

Settler(s): Person or people who move to a new place that is already occupied by other people.

Settler Colonialism: A process in which settlers come to Indigenous lands with purposes of occupying territory and forming a new community there. Removal, genocide, and/or assimilation of Indige-

nous Peoples is part of the process of settler colonialism. The primary motivations of settler colonialism are land acquisition and wealth accumulation, with the extraction of labor or resources as secondary objectives.

See: Lynette Russell, ed., *Colonial Frontiers: Indigenous-European Encounters in Settler Societies*, *Studies in Imperialism* (Manchester, New York: Manchester University Press, 2001), 2. Also, Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 8, no. 4 (December 2006), 388.

Sovereignty: Sovereignty refers to the fact that each Indigenous tribe has the inherent right to govern itself. Tribal sovereignty in colonized nations was violated with the arrival of various European powers that claimed dominion over the lands that they "discovered," yet exists in a limited way in the U.S. and other European-colonized nations today.

From "Tribal sovereignty," *West's Encyclopedia of American Law*, edition 2. (2008). <<http://legal-dictionary.thefreedictionary.com/Tribal+sovereignty>>.

Structural injustice: The violence and harm that result from the political, economic, cultural, military, and other structures of society that have developed historically and are arranged in ways that enable some people to have vastly more access than others to resources, tools for acquiring resources, and the power to determine the terms of common life. These structures include institutional arrangements, economic theories, international financial institutions and their rules and practices, tax laws, international trade agreements, and international and domestic law.

From Cynthia D. Moe-Lobeda, *Resisting Structural Evil: Love as Ecological-Economic Vocation* (Minneapolis: Fortress Press, 2013), 12.

Terra Nullius: This Latin phrase literally means a land that is void or empty. If lands were not possessed or occupied by any person, and even if they were occupied but were not being used in a fashion European legal systems recognized or approved [such as agriculture], then the lands were "empty" and available for Discovery claims.

From Robert Miller, "The International Law of Colonialism: A Comparative Analysis," *Lewis & Clark Law Review*, Vol. 15:4 (2012), 853-854. Available online: <<https://law.lclark.edu/live/files/10652-lcb154art1millerpdf>>.

Glossary *Continued*

Treaties: Treaties are contracts between sovereign nations. After the American Revolution, the federal government used treaties as its principal method for acquiring land from the Indians. From the first treaty with the Delawares in 1787 to the end of treaty making in 1871, the federal government signed more than 650 treaties with various Native American tribes. Over the course of those years, treaty making increasingly became a form of “conquest by law,” a destructive means of taking land and resources from Native Americans.

From “Treaty Rights.” *West’s Encyclopedia of American Law*, edition 2. (2008). <<http://legal-dictionary.thefreedictionary.com/Tribal+sovereignty>>. Also see Lindsay G. Robertson, *Conquest by Law: How the Discovery of America Dispossessed Indigenous Peoples of Their Lands* (New York: Oxford University Press, 2005).

Turtle Island: The original term for North America according to some Indigenous groups, such as the Lenape, Iroquois, and Anishinaabe peoples.

White Supremacy: White Supremacy is an historically based, institutionally perpetuated system of exploitation and oppression of continents, nations, and peoples of color by white peoples and nations of the European continent, for the purpose of maintaining and defending a system of wealth, power, and privilege.

From Elizabeth Martínez, “What is White Supremacy,” SOA Watch workshop, available online: <http://soaw.org/index.php?option=com_content&view=article&id=482>.