

Request for BYM to Adopt a Minute Proposed by the Indian Committee

BACKGROUND. The Doctrine of Discovery (*discoverer takes all*) is a preeminence ideology that asserted that European nations had the right to claim Indigenous lands, establish territorial power, and subordinate or destroy Native peoples. European explorers and sponsors believed they had the right and duty to establish dominion in the name of Christianity. That belief became a reality, and the Doctrine of Discovery became a key premise for non-Indigenous governments' claims to legitimacy and to sovereignty over Indigenous territories. Less known is the fact that the beliefs and reasoning underlying the Doctrine of Discovery became embedded in law in the United States, giving rise to Congress having near-total power over American Indians and Alaska Natives. As Quakers, we abhor this doctrine and its destructive aftermath, just as we abhor the ideology of racial superiority and its attendant practices and injuries. We find it necessary to make a public statement of renouncement because U.S. Supreme Court decisions and federal government actions *continue to utilize this doctrine* (and related legal concepts such as laches) to keep Indian tribes from having control over their land and their own self governance.

The colonizers who originally invoked the Doctrine of Discovery used Christianity as a primary legitimizing argument for their depredations against Native peoples. Therefore it is now the responsibility of faith communities to explicitly withdraw such implied or assumed permission to the colonizers' successors as they continue to rely upon the Doctrine—since, in so doing, they are again, in essence, acting under the moral cover of Christianity. Following the lead of Indigenous leaders and fellow Quakers, and in conjunction with the efforts of Episcopalian and Unitarian Universalist advocates and the World Council of Churches, we too repudiate the Doctrine of Discovery.

As a document, the United Nations Declaration on the Rights of Indigenous Persons is a moral counterweight to the Doctrine of Discovery. It affirms distinct peoples and cultures and the necessity of consultation with them. As a human rights instrument, it establishes an important standard for the treatment of Indigenous peoples and can be a vehicle in assisting them in combating discrimination, marginalization, and oppression. Quakers participated in and supported the passage of the Declaration as a means to address present injustices and prevent future ones. We endorse measures that will help the U.S. be in full compliance with the Declaration, the implementation of which can be reparative to the centuries of damage caused by the Doctrine of Discovery.

PRINCIPLES. Whereas,

~ Friends believe in equality, non violence, right relationships, and that of God in every person;

~ Friends welcome opportunities to work with Native peoples to raise awareness, create understanding, and bear witness to their aspirations;

~ Friends do not agree or accept that Popes and royal heads of state in the fifteenth century had the right to divide up lands they named the "pagan" world with its "barbarous peoples" so that they could take over lands inhabited from time immemorial;

~ Friends do not agree or accept that violent conquest and occupancy give the conquerors sovereignty over and ownership of the lands and resources thus discovered, even though this has been embedded into national and international law;

~ Friends do not agree that the U.S. Congress should have plenary power—full and complete power—over Indian tribes, their governments, their members and their property, even though this is currently included in federal law;

~ Friends welcome opportunities to repair some of the damage caused by the Doctrine of Discovery, its founding principles, and its legal successors such as the Monroe Doctrine and the notion of Manifest Destiny;

~ Friends wish to acknowledge and apologize for related aspects of our own history such as the actions of Quaker forebears involved in the taking of Native lands and the suppression of Native cultures through Indian boarding schools;

~ Friends view the United Nations Declaration on the Rights of Indigenous Peoples as a new and vital tool for advancing and implementing human rights; and

~ Friends agree that many of the rights enumerated in the Declaration will encourage countries to take new participatory approaches to issues such as care of the earth, sovereignty, and development:

MINUTE

The Baltimore Yearly Meeting of Friends minutes its support for an initiative being led by Indigenous leaders and religious groups to repudiate the Doctrine of Discovery, a 15th Century doctrine that both sanctioned violent conquest of Indigenous Peoples and sustained domination, and reaffirms its support of the 2007 United Nations Declaration on the Rights of Indigenous Persons and its principles of community governance and processes of peaceful consultation in decision making.

PLEASE FEEL NO OBLIGATION TO READ THE FOLLOWING Q & A SECTION. IT IS DESIGNED FOR THOSE KEENLY INTERESTED IN THE ABOVE MINUTE OR PUZZLED BY ITS SIGNIFICANCE.

ANTICIPATED QUESTIONS AND MODEST ANSWERS

Question: What is the history of the Indian Committee in bringing this Minute?

The Indian Affairs Committee previously put forward a Minute, adopted by BYM in 2011, to endorse the United Nations Declaration on the Rights of Indigenous Peoples. A Minute to repudiate the Doctrine of Discovery was adopted in 2010 by our Indian Affairs Committee. A “blended minute” has been prepared to enable BYM to speak comprehensively to the two closely interrelated issues. It is presented, not as a new concern, but as part of a continuing commitment on the part of Friends to help repair 500 years of enduring injustice and harm to our Indigenous brothers and sisters. It illustrates that Quaker witness to dignify and befriend Native individuals and tribes is ongoing. (The BYM Indian Affairs Committee was established in 1795.)

Question: What is the big picture as we consider repudiating the “Doctrine of Discovery?”

The Committee’s recommendation to BYM to adopt the Minute is consistent with the mission of the Indian Affairs Committee and with Friends’ testimony. One purpose is for Friends to visibly and constructively answer the call of Indigenous peoples and of fellow faith groups to join them on this journey of healing and restorative justice. The broader faith community has new leadings to revisit the situation of Native people. The World Council of Churches is one of many religious organizations denouncing the Doctrine and endorsing the U.N. Declaration on the Rights of Indigenous Peoples. (Quakers are members of the World Council of Churches through Friends General Conference and Friends United Meeting.) It should be noted that Quaker effort long predated that of the World Council. The movement to repudiate is one of many actions that can be taken to support Indigenous peoples, including American Indians.

The World Council of Churches calls upon each faith group to:

. . . reflect upon its own national and church history and to encourage all member [meetings] to seek a greater understanding of the issues facing Indigenous Peoples, to support Indigenous Peoples in their ongoing efforts to exercise their inherent sovereignty and fundamental human rights, to continue to raise awareness about the issues facing Indigenous Peoples and to develop advocacy campaigns to support the rights, aspirations and needs of Indigenous Peoples.

Question: What is the rationale for taking on repudiation of the Doctrine of Discovery as a cause? Why not let things rest? Don’t most well read people know the narrative anyway?

While the Doctrine may seem so old and dusty as to be irrelevant, it is not political correctness but modern concern that prompts us to raise this up. An 1823 U.S. Supreme Court case *Johnson v. McIntosh* enshrined the Doctrine of Discovery saying the tribes only have rights of occupancy not ownership. That benchmark case continues to be cited today not only in U.S. courts but also in Australian, Canadian, and New Zealand courts. For example, the U.S. Supreme Court relied on *Johnson* in 1955 and 2005 cases. Our proposed Minute reflects the belief that the public can

be educated about Indian law--old and new--and that Friends can seek practical steps to achieve governmental remedies.

Question: Why publicly “repudiate?”

Although renouncing the Doctrine may seem like a mere symbolic gesture, we know inhumane belief systems left unchallenged do centuries-long personal and societal harm: consider past thinking about females, gay people, people of color, and developmentally disabled individuals. Often what is left unexamined leaves us indifferent or hinders right action. Therefore consciousness-raising is worthwhile. To be most effective in future community education, religious groups can reframe concepts by revisiting and mentally releasing old world or erroneous assumptions and generalizations about Native Americans. Furthermore, as U. S. Quakers, we are not excused from responsibility to bear this witness simply because historically we were less overt participants in the establishment and implementation of the Doctrine. Think of William Penn getting a land grant from King Charles II for occupancy of the lands of the Lenni Lenape in the colony of Pennsylvania, a direct link to the ethos and practices of the Doctrine.

Question: What does this Minute and “campaign” mean for Quakers and Indians?

We celebrate the rejuvenation and strength of Indigenous cultures. We are grateful for the wisdom and other gifts that Native peoples have shared with non-Native Friends and our ancestors. American Indians often speak about “all our relations” and Friends increasingly embrace that belief in the web of life. We seek a healthy blending of multicultural world views to help us face current and future challenges. And we listen to what Native leaders want to explicitly gain and/or challenge. In saying that Friends re-avow our historic commitment to witness for and with Indigenous peoples, we engage in continuing efforts of peacemaking, healing, and reconciliation. This Minute is a contemporary opportunity to bring Indigenous concerns from the shadow of invisibility to the sunlight of awareness, thereby encouraging Friends, including a younger generation, to undertake needed action. In doing so, Friends will work with others as gradual steps are taken to implement the principles of the U.N. Declaration on the Rights of Indigenous Peoples.