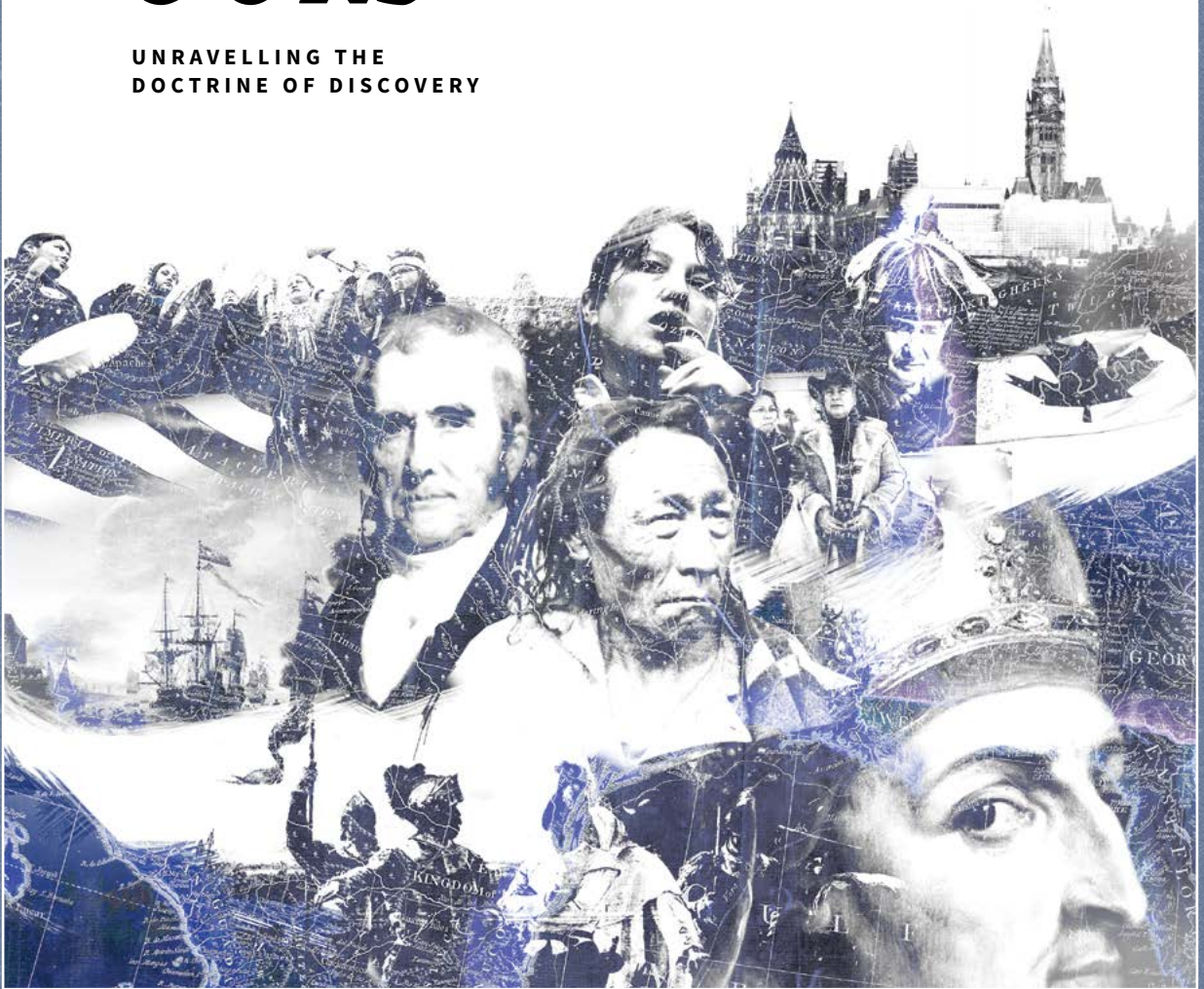


DIGITAL EDITION

YOURS, MINE, OURS

UNRAVELLING THE
DOCTRINE OF DISCOVERY



YOURS, MINE, OURS

UNRAVELLING THE
DOCTRINE OF DISCOVERY

DIGITAL EDITION
2023

Honouring the call of Indigenous peoples from around the world, Canada's Truth and Reconciliation Commission has specifically summoned

all religious denominations and faith groups... to repudiate concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius* (Call to Action #49).

But what are these concepts of dispossession? And in what ways are they connected to our contemporary communities? In *Yours, Mine, Ours*, over 40 authors from diverse backgrounds – Indigenous and Settler, Christian and Traditional – wrestle with this call to repudiation, what it might mean to Christians across North America, and what it entails for relationships with host peoples and host lands. With a firm hold on past and present colonialism, the authors tackle key questions that the TRC's call raises: What role did the Church play in the creation of the *Doctrine of Discovery*? How was Christian faith and practice used to aid and abet centuries of Indigenous dispossession? In what ways do these old concepts still live, move, and have their being? What are the present-day responsibilities of Settler Christians? What does repudiation really mean? And what are the ways forward...beyond repudiation?

YOURS, MINE, OURS

UNRAVELLING THE DOCTRINE OF DISCOVERY

Y

DIGITAL EDITION - 2023

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Yours, Mine, Ours was originally published in print in late 2016 as a special edition of *Intotemak*, a quarterly magazine published by Mennonite Church Canada's Indigenous-Settler Relations department.

Two other special editions--*Yours, Mine, Ours* and *Quest for Respect* were published before and after in early 2016 and early 2017 respectively, becoming what would come to be known as the [TRC Trilogy](#).

In 2018, *Intotemak* was discontinued. Past issues of *Intotemak* are available at [CommonWord](#). Mennonite Church Canada's Indigenous-Settler Relations office has continued to produce publications in its place, beginning with the title *Unsettling the Word* in 2018 and continuing with *Be It Resolved* in 2020.

In 2021 it became clear that demand for all 3 editions of the TRC Trilogy would continue. Faced with the challenge and cost of managing 3 separate large order reprints, the decision was made to create digital editions for each of the 3 books. This trilogy is available from [CommonWord](#).

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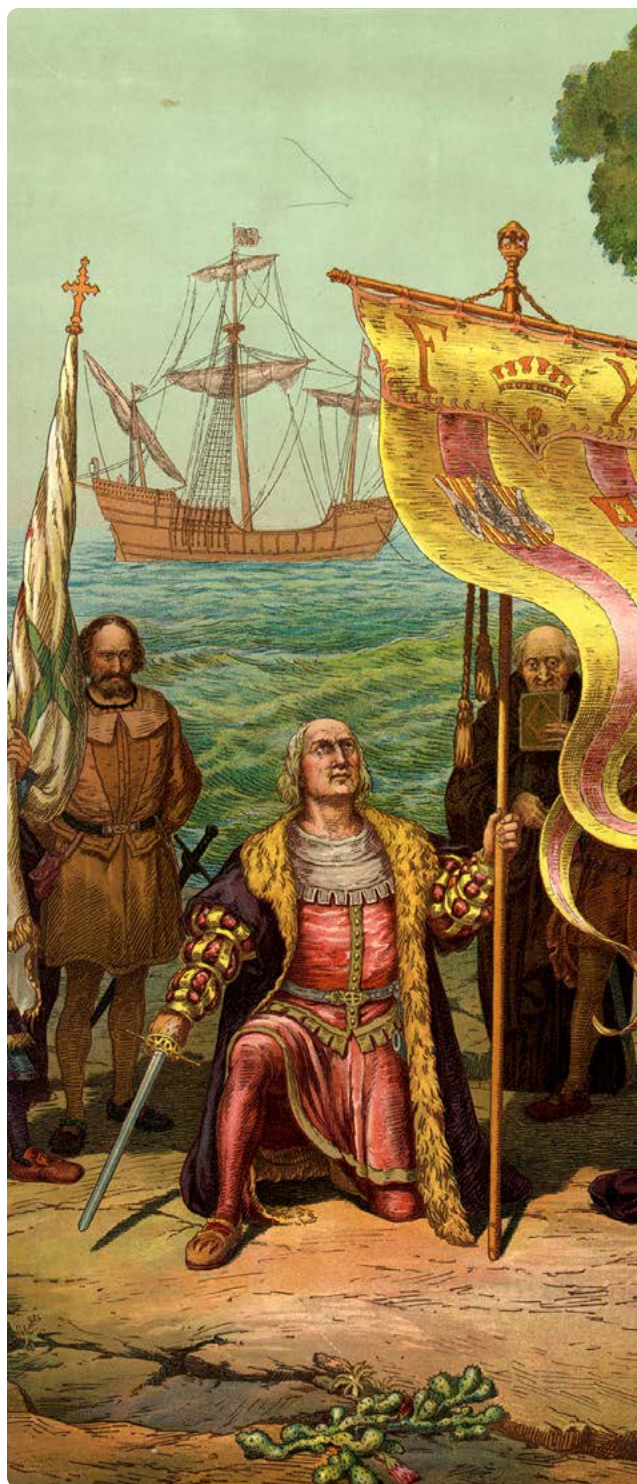
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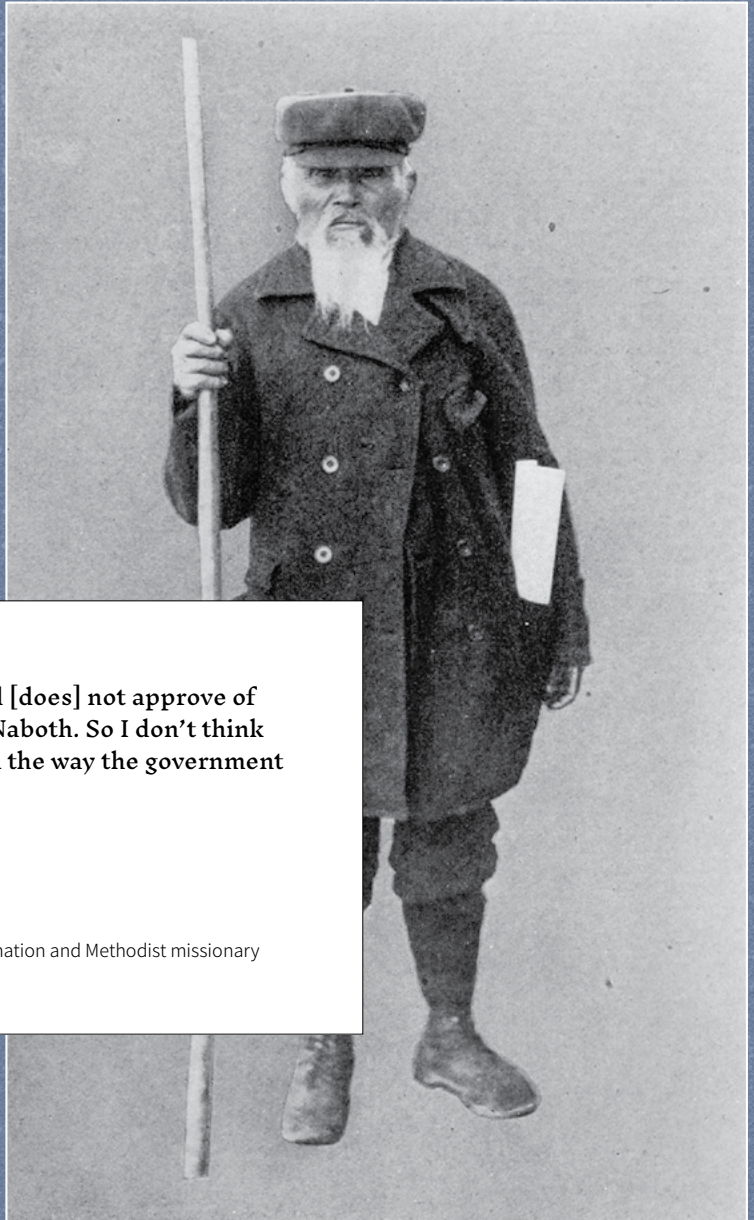
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"Columbus Taking Possession" by L. Prang & Co., Boston.

IMAGE: PUBLIC DOMAIN / WIKIMEDIA COMMONS

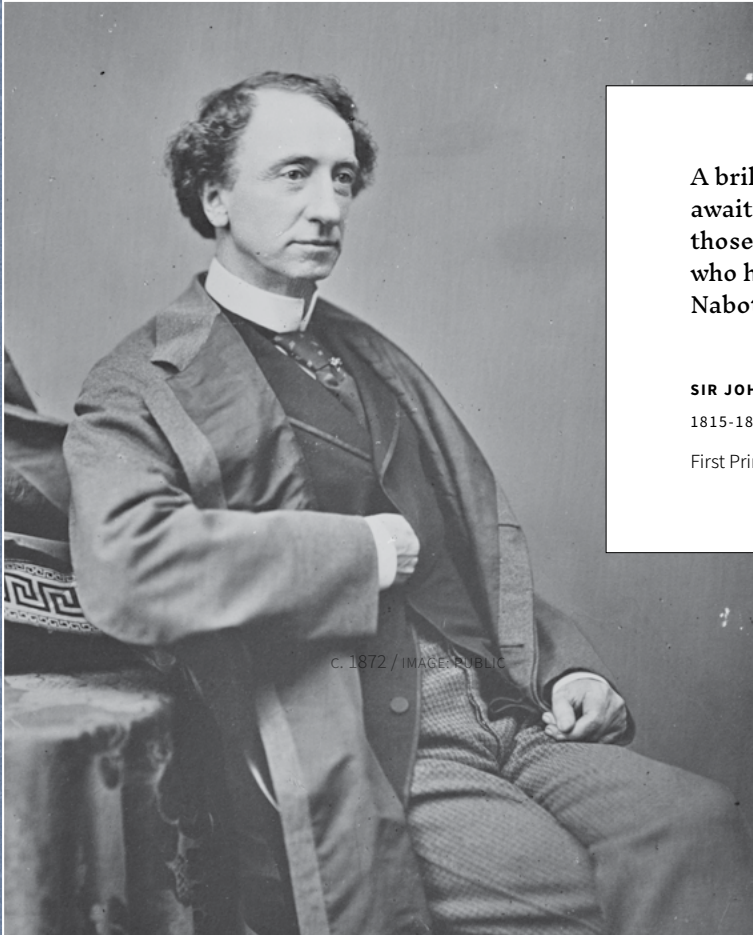


I read the Bible and God [does] not approve of Ahab taking land from Naboth. So I don't think that God is pleased with the way the government has taken our land.

ARTHUR WELLINGTON CLAH

1831-1916

Hereditary chief in the Tsimshian nation and Methodist missionary



A brilliant future would
await us were it not for
those wretched Yankees,
who hunger and thirst for
Naboth's field.

SIR JOHN A. MACDONALD

1815-1891

First Prime Minister of Canada



For millennia, James Bay Cree like Frank Ludick (left) and Andrew Napash have depended on fishing and hunting for both sustenance and well-being. Beginning in the 1970s, those traditional practices were deeply impacted by the introduction of the James Bay Hydro Project, a series of hydroelectric dams that were not planned with Indigenous consultation, let alone consent. Today the project covers an area the size of New York State and is one of the largest hydroelectric systems in the world. / PHOTO: KEATY BEATY (1972) / TORONTO STAR PHOTOGRAPH ARCHIVE, COURTESY OF TORONTO PUBLIC LIBRARY

The James Bay Cree have occupied lands and used the waters flowing in to the eastern coast of James Bay and lower Hudson's Bay for thousands of years. Their livelihood, social organization, spiritual practices, and beliefs are closely related to this ecosystem. When Canada was first settled by Europeans, James Bay was considered to be a part of Rupert's Land and part of Hudson's Bay Company territories through a Royal Charter. It was as if Great Britain treated Canada as an empty abstraction, an a priori form, into which the Crown could pour its own distant traditions, unrelated to the actual fact of Cree occupation. The James Bay Cree experienced the world differently. They had extensive experience on and with the land. They wondered how the land could belong to another when they continued to use it and had never surrendered it; they felt that such assertions were a troubling form of domination.

JOHN BORROWS

Freedom and Indigenous Constitutionalism (University of Toronto Press, 2016).

YOURS, MINE, OURS

UNRAVELLING THE
DOCTRINE OF DISCOVERY



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STEVE HEINRICHS

Editorial

Pulling the Threads of Discovery



CHERYL WOELK is a Settler Canadian who grew up on Treaty 4 lands in Saskatchewan. A member of Wildwood Mennonite Church (Saskatoon), Cheryl is coordinator of the Language for Peace project. She currently resides in South Korea with her spouse and son where she is learning how to live as a guest on others' lands.



STEVE HEINRICHS is a Settler Christian living in Winnipeg – Treaty 1 Territory and the homeland of the Métis Nation. The director of Indigenous Relations for Mennonite Church Canada, Steve loves to dialogue with communities about the need for decolonization and the good life it can bring.

CHERYL: How do we really learn the things that change our lives? That transform the way we relate to one another? That unravel the powerful narratives that have shaped our society's systems? That embed themselves in our spirits and souls? That weave together a new way of seeing the world and our place in it?

In my work of peace education, these questions are central as we discern how to nurture deep learning and deep change. One approach is:

Touch the mind.
Touch the heart.
Take action.

We can start by opening our minds to understanding, but we also need to be moved by what we hear and experience. Then we are informed and able to act on our learning.

Yet another theory flips that around:

Take action.
Touch the heart.
Touch the mind.

Advocates of this approach encourage us to change our actions first. If we engage in life-giving practice,



The Cantino planisphere, completed by an unknown Portuguese cartographer in 1502, is the earliest surviving chart showing the explorations of Columbus to Central America, Corte-Real to Newfoundland, Gama to India and Cabral to Brazil. The Tordesillas line (c.1494) is depicted, which divided the newly discovered lands outside of Europe between Portugal and the Crown of Castille

IMAGE: PUBLIC DOMAIN / WIKIMEDIA COMMONS

then our attitudes and beliefs will follow. In other words, we have to pull on a thread to start the unravelling.

How can Settler and Indigenous peoples reimagine the ways we relate to one another? How can we unravel the powerful stories that dispossess the Indigenous of land and life? Stories that distort Settler well-being too? And how might we weave a new one together? A new manner of seeing, of being, and sharing the land together?

I was in Ottawa when the Truth and Reconciliation Commission (TRC) on Indian Residential Schools released its *94 Calls to Action* in June, 2015. I was immediately struck by how the *Calls* embodied both of these approaches to peace education: we need to

learn with our minds and hearts before we jump to act, *and* we need to change what we do in order to transform attitudes and beliefs.

STEVE: *Yours, Mine, Ours* is an effort to respond to the TRC's *Calls* and to expand our collective learning with specific attention to one of the most challenging *Calls to Action*: Number 49.

We call upon all religious denominations and faith groups who have not already done so to repudiate concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*.

This is a call for change, a call that will require the thoughtful approaches that Cheryl has described.

What does it look like for faith groups to “repudiate concepts”? Thinking of how change happens, we recognize that this must go beyond words. We need to *understand* with our minds what these “concepts” are and learn how they have shaped and continue to shape our reality and our relationships to Indigenous lives and lands.

This will be difficult. The impacts of the *Doctrine of Discovery* and related concepts of dispossession (hereafter, the *Doctrine*¹) are largely unseen to us Settlers since we occupy the dominant spaces and perspectives in North America. And if we can see, most of us have the privileged ability to look away; the *Doctrine* is not something that directly impacts our bodies and souls, as it does the Indigenous. (Or perhaps it does... but in different ways?).

This won't be easy. We will need courage and the strength of community to explore concepts that will disturb – to allow our hearts to be impacted by the stories of those who understand all too well what these seemingly abstract “concepts” mean on a very real day-to-day basis.

We will need to be vigilant in our search for trust and hope: trust to believe what we hear, and hope that each of us has gifts from the Creator to mend and enrich our shared life on this land. And if that isn't hard enough, we will have to do what, for the vast majority of Settlers, has been a near impossibility. We will need to take action to join those living against the powers of these “concepts,” those seeking the healing of present realities and the creation of new ones.

For many, the temptation will be to seek a full understanding before joining in, to comprehend the ins and outs of the *Doctrine* through word and conversation before planning how to respond. But we humans rarely work and learn in such linear fashion. Even before we come to a thick understanding of the *Doctrine*, we should seek change through action. It's scary. I get that. I've been at this for some years, and many of my fears and anxieties have not abated. But we can do this.

Together, we can discover the strength to

- sit in circle with voices that may shake the ground under us,
- speak out against the double standards and injustices that manifest colonial structures, and
- stand alongside those resisting the plunder of Indigenous lands and lives.

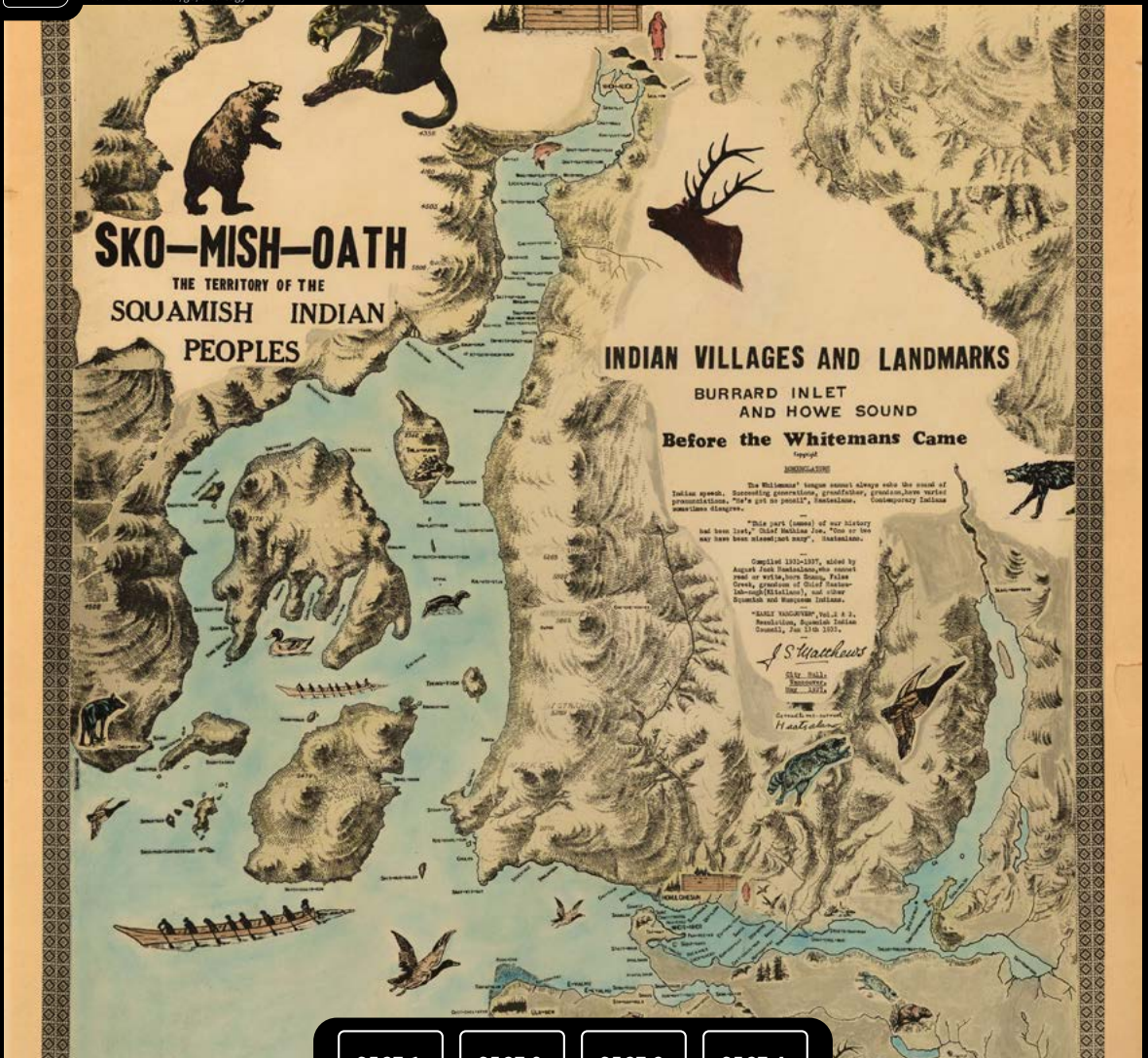
It is as we act and pull on the dominant threads that society has woven before, around, and in us that our attitudes and beliefs will also shift, opening space for further learning and action.

CHERYL: The contributors to *Yours, Mine, Ours* are all on this journey of unravelling, of learning and trusting. And while the conversations they share are diverse – in tone, style, and vision – they are intended, collectively, to move minds and hearts and manifest life-giving action.

The *Doctrine* is not a thing of the past. It is alive and “well” today. Its impact is devastating. And its dismantling is critical and pressing. So whether you are reading in a small group or alone, know that you are engaging in serious, sacred work. Steve and I pray for you, as we pray for ourselves,

May the Spirit that blows wherever it pleases,
move us –
body,
soul,
and spirit
– in a good way.





SECT 1

SECT 2

SECT 3

SECT 4

SECTION 1:

Discovery Past



ALISON BROOKINS hails from the traditional lands of the Ho-Chunk Nation, now Madison, Wisconsin. A seminarian at Anabaptist Mennonite Biblical Seminary, Alison is intrigued by using comedy and theater for theological communication and truth telling. During a 2016 internship with Ted & Company in Harrisonburg, Virginia, she wrote a one-act play on the *Doctrine of Discovery*. This is an excerpt from a full-length work in progress, *Discovery: A Comic Lament*.

Please note: This sketch is free to be read alone and in learning circles. For performance rights, please contact Ted & Company.

The Requirement

1513. The conquerors, having landed onshore, make an offer they think the natives can't refuse.

[The PRIEST blows a party horn]

OFFICIAL: RIGHT NOW, YOU CAN TAKE ADVANTAGE OF THIS ONE-TIME OFFER OF OUR FULL CITIZENSHIP PACKAGE! THIS IS YOUR ONE AND ONLY CHANCE OF CITIZENSHIP, WHICH INCLUDES, FOR A LIMITED TIME ONLY, FULL ACKNOWLEDGMENT OF YOUR HUMANITY!

Sign up today, and you will also receive, absolutely free, our Civilization Kit - everything you never knew you needed! A "You Can Farm" pamphlet! Firearms! And patriarchy!

All further information, caveats, and fine print can be found in our "You Are Discovered!" brochure, which shall be distributed. We request and require that you take all the time that shall be necessary to understand and deliberate upon it.

[The PRIEST hands brochures out to the front row.

The OFFICIAL comes directly after him, collecting them.]

OFFICIAL: Now, we suggest that you acknowledge the Holy Catholic Church and our king and queen as your rulers and superiors.

PRIEST: What we mean is, if you acknowledge the Church and the king and queen, we shall leave you, your wives, your children, and your lands, free. And isn't there something else included in the package, my Lord?

OFFICIAL: Well, Father, if you buy our Citizenship Package now, not only will you get the Civilization Kit, but we shall not compel you to become Christians!



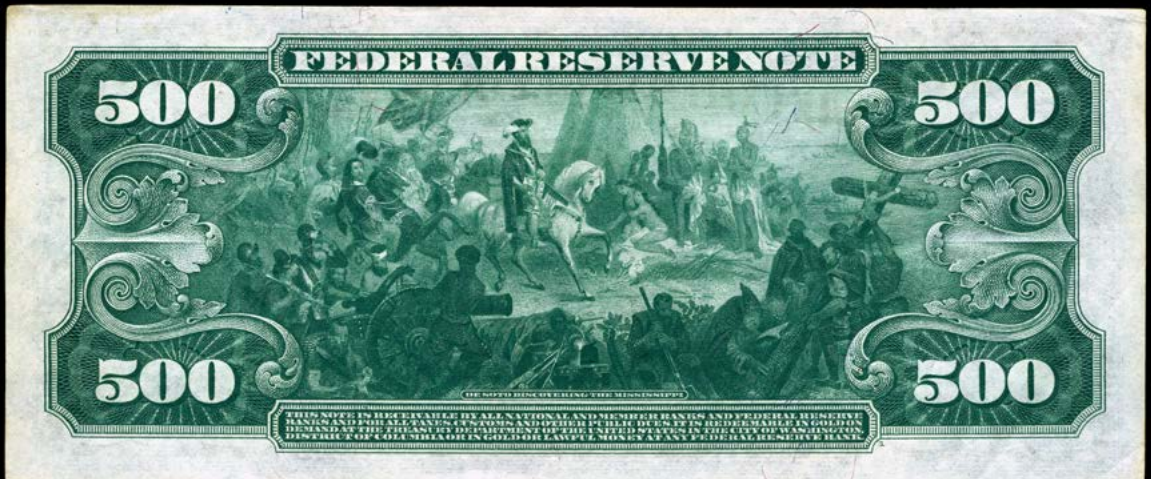
PRIEST: Unless you yourselves, when informed of the Truth, should wish to be converted to our Holy Catholic Faith, as almost all the other barbarians have done.

OFFICIAL: And what will happen if they don't jump at this one-time opportunity? Captain?

CAPTAIN: We will kill you.

OFFICIAL: Ah, no no no no no, Captain, no. That is such an ugly word.
[to audience] If you do not accept this offer, I certify to you that, with the help of God, we shall make war against you.

And we protest that the deaths and losses which shall accrue are your fault, and not the fault of their Highnesses, or us.



US \$500 note commemorating Spanish explorer Hernando de Soto and his Christian conquest (c. 1918). / IMAGE: WIKIMEDIA COMMONS / PUBLIC DOMAIN



Rich Uncle Pennybags lands on new territory to build.

ART: STEVEN PAUL JUDD, KIOWA AND CHOCTAW

At the Helm of Discovery: Church and Land Theft



JENNIFER REID is a professor of religion at the University of Maine at Farmington. She lives and works in the heart of Wabanaki territory (Mi'kmaq, Maliseet, Passamaquoddy, Abenaki, and Penobscot). Jennifer was awarded a John Simon Guggenheim Memorial Foundation Fellowship in 2015 to pursue her work on Indigenous land rights.

How many of us understand *how* various European countries actually took possession of vast areas of Indigenous land all over the world? How many of us know that it was “legally” authorized theft done under a façade of “international” law in which no Indigenous nation had a voice? How many know that Christian churches were intimately bound up with it all?

The reality is that Indigenous land was taken on the basis of the *discovery doctrine*, one of the oldest principles of modern international law (a body of generally agreed-upon rules that guide international law, established either through agreement or treaty). The *doctrine* traces back at least to the late 15th century when Pope Alexander VI issued a two-part papal bull (a formal public letter) called *Inter Caetera*. Essentially, the *doctrine* has been the way in which Europeans and their descendants have claimed sovereign rights (a state’s unobstructed power) over Indigenous peoples’ lands since 1492, reducing Indigenous land rights to those of only occupation and use. The *Doctrine of Discovery* – as it came to be called in the 19th century – is not simply a vestige of our colonial past. What began as canon law became a principle of secular law that has impoverished Indigenous nations and obstructed all Indigenous land claims to the present day.



“Consecration of Saint Augustine” / ART: JAUME HUGUET C. 1475 / PUBLIC DOMAIN

Ancient Roots

While Pope Alexander VI formally introduced the *Doctrine* into international law, its historical roots run much deeper – perhaps as far back as the 5th century with Saint Augustine’s theory of Just War. In *The City of God*, Augustine argued that Christians could justifiably fight in wars if their government perceived an injustice:

They who have waged war in obedience to the divine command... have represented in their persons the public justice or the wisdom of government, and in this capacity have put to death wicked men; such persons have by no means violated the commandment, “Thou shalt not kill.”

The seeds planted by Augustine sprouted in the 13th-century writing of the Dominican priest,

Thomas Aquinas. In his *Summa Theologica*, Aquinas set forth three principles of “just war”:

First, the authority of the sovereign by whose command war is to be waged... Secondly, a just cause is required, namely that those who are attacked should be attacked because they deserve it on account of some fault... Thirdly, it is necessary that the belligerents should have a rightful intention, so that they intend the advancement of good, or the avoidance of evil.

As Aquinas wrestled with the theological defence of war, the Crusades had already propelled the Vatican to rule practically on the issue. That happened in 1240 when Pope Innocent IV began to connect the dots between the Just War theory and property rights (*dominium*). The matter at hand was important: could Christians invade territory that was ruled by non-Christians? Innocent’s answer was that invasion was perfectly fine in cases where

1. infidels were acting against the dictates of natural law, and
2. the pope needed to manage the spiritual needs of all humanity.

It fell to Pope Nicholas V to provide the first clear legal justification for claiming sovereignty over foreign land. In two bulls, *Dum Diversas* (1452) and *Romanus Pontifex* (1455), the Pope gave Portugal the right to invade and claim exclusive trading rights along the North African coast. The Portuguese king Alfonso V was thus directed to “attack, conquer, and subjugate Saracens [Muslims], pagans, and other enemies of Christ wherever they may be found.” Portugal’s gain, however, was Spain’s loss. Having been blocked from African expansion, Spain subsequently hired Christopher Columbus to “discover and acquire” any territory into which he could sink a flag.

When Columbus returned to Spain with reports of vast stores of untapped wealth in the Caribbean, the Spanish Crown pressured the Vatican for legal confirmation of its title to his “discoveries.” Confirmation came in the form of a series of three papal bulls. The most devastating of these for Indigenous nations was *Inter Caetera*, through which Alexander gave Spain title not only to Columbus’ “discoveries” but also to any territories later to be “discovered” west of an imaginary line connecting

the North and South Poles. Spain soon surrendered some discovery rights in the region (Brazil) to Portugal, and Pope Julius II legalized it in 1506 in another bull, *Ea Quae Pro Bono Pacis. Inter Caetera*, however, was the first definitive statement regarding the *discovery doctrine*:

Among other works well pleasing to the Divine Majesty... this assuredly ranks highest... [that] the Catholic faith... be everywhere increased and spread... and that barbarous nations be overthrown and brought to the faith... [We] assign to you and your heirs and successors... all islands and mainlands... discovered and to be discovered towards the west and south.

With *Inter Caetera*, the *Doctrine* became part of international law.

While these bulls served the Spanish and Portuguese, they excluded other Europeans from making discovery claims. Britain and France (both Catholic at the time) began scrambling to find ways of making claims in the Americas without violating the Vatican’s regulations. In Britain, Henry VII’s advisers suggested that claims to “undiscovered” regions would not conflict with the bulls. Those of Elizabeth I later argued that symbolic acts were not sufficient to stake a claim. Previously, claims had been formalized through symbolic acts such as planting a flag or a cross, burying coins or, in the case of Spain, reading from an official declaration (the *Requerimiento*) asserting sovereign rights over a territory.

With these adaptations, the British Crown began recruiting explorers to find unclaimed territories. Thus Henry VII gave John Cabot

...free and full authority... to sail to all parts, regions, and coasts of the eastern, western, and northern sea... to find, discover, and investigate whatsoever... regions or provinces of the heathens and infidels, in whatsoever part of the world placed, which before this time were unknown to all Christians.

Cabot delivered.

By 1498 Britain was claiming sovereign rights over North America’s entire eastern seaboard. For the next two centuries, France would contest this claim on the basis of Jacques Cartier’s trek up the St. Lawrence River, a dispute that was ultimately settled by the

Seven Years' War, through which France surrendered most of the North American territories it had previously claimed.

Meanwhile, claims based on the *discovery doctrine* (and still employing symbolic acts) were continuing in North America. At Hudson Bay in 1577, for example, Martin Frobisher

...heaped up stones... in token of possession, as likewise to signifie unto such as hereafter may chance to arrive there, that possession is taken in behalf of some Prince, by those who first found out the country.

Likewise, in 1583, Humphrey Gilbert

...openly read and interpreted his commission; by virtue thereof he took possession [of Newfoundland]... And signified unto all men, that from this time forward, they should take the same land as territories appertaining to the Queen of England.

In the first half of the 17th century, Samuel de Champlain claimed New France and sealed it by making

a Cross which I set up at one end of the island, on a high and prominent point.

The *Doctrine* was formally integrated into North American law at the end of the Seven Years' War via the *Royal Proclamation*, 1763. In this document, the British Government committed itself to protecting Indigenous rights of use and occupation of land in its "dominions." The ostensible purpose of the *Royal Proclamation* was to protect Indigenous peoples from the land-grabbing schemes of Settlers. In reality it simply redirected the issue, reserving to the Crown itself the right to eliminate Indigenous land rights on the basis of its claim to underlying sovereignty and establishing a means for doing so:

If at any Time any of the Said Indians should be inclined to dispose of the said Lands, the same shall be Purchased only for Us, in our Name.

By means of the *Royal Proclamation*, the *Doctrine* became a fundamental part of Canadian law. Despite the fact that no Indigenous nation had relinquished its land rights to any state, the Crown asserted its sovereign rights to their land on the basis of its own

discovery rights, as well as France's surrendered rights.

The Church Today

An increasing number of religious organizations have recently repudiated the *Doctrine of Discovery*. The Vatican, however, only recently agreed to *consider* the question of rescinding the 15th century bulls that created the injustice in the first place. Its stance has been pretty consistent until now, reflected in the Canadian Conference of Catholic Bishops' 2016 statement:

We should therefore recall that such papal bulls do not enjoy any element of infallibility. Further, as they do not deal with theological themes, from a Church perspective they are rightly seen as political declarations, and therefore subject to retraction and revision. In the case of *Inter Caetera*, the Holy See, in response to questions from the international community, declared at the United Nations in 2010 that "*Inter Caetera* has already been abrogated" and is "without any legal or doctrinal value." According to the Holy See, this abrogation occurred on several levels, starting the year after the bull was issued.

The simple reply to such a claim is that if this were the case, the political map of our contemporary world would look a lot different. The reality is that the *Doctrine* has never been formally repudiated by the Vatican despite a history of voices calling for it. Even during the period of early exploration, prominent and respected theologians argued against the *Doctrine*. The 16th century Spanish jurist Francisco de Vitoria (considered a "father" of modern international law), for example, argued that the *Requerimiento* was a dubious document and that Indigenous nations had rights in property that precluded seizure by European powers. Later in the century, the Spanish Jesuit theologian Francisco Suárez went further, arguing that Indigenous nations in the Caribbean were independent and sovereign, having the same legal status as European states.

We might also note the papal bull *Sublimis Deus*, issued by Paul III in 1537, wherein the Pope declared that Indigenous peoples were not "to be deprived of their liberty or their possession of their property, even though they be outside of the faith of Jesus Christ."



Sublimis Deus might have had the effect of refuting *Inter Caetera* had it not been for King Charles V of Spain who hijacked most of the transcripts of the bull before they could be circulated properly in the New World. Charles also pressured Paul III to rescind *Sublimis Deus* and the Pope conceded, annulling the bull's executing brief (an informal version of the bull) and eliminating all penalties for violating it.

So, no. The *Doctrine* has not been “abrogated,” and while it is good news indeed that the Vatican is now *considering* the matter, one wonders why this should require much consideration at all. We have to ask this question especially in light of Pope Francis’ 2015 apology for the “grave sins [that] were committed against the native peoples of America in the name of God.” Of all those sins, sanctioning the theft of Indigenous land surely ranks high on the list. Yet no formal rejection of the *Doctrine*, nor a retraction of the offending bulls, has been offered.

Many argue that pressing the Vatican to reject and retract would be an empty gesture – that any action taken by a pontiff would have no practical bearing on Indigenous nations because the *Doctrine of Discovery* is entrenched in law that no longer depends on canonical decrees. From this perspective, any action undertaken by the Vatican would be merely symbolic.

They’re right. But they’re missing the point.

Symbols are important. They are summaries of culturally agreed-upon meanings. For the Vatican to publicly admit and apologize for its role in the historical annihilation of Indigenous land rights would indeed be symbolic. That’s precisely why it’s important. Legal decisions regarding land rights are not enacted in a vacuum. For 250 years, the *Doctrine* has shaped Canadian law as a culturally agreed-upon tacit assumption. The vast majority of Canadians and Canadian Churches – Catholic, Protestant, and Anabaptist – have imbibed (unwittingly or otherwise) that assumption and have benefitted from it. It’s well past time for this cultural assumption to be called into question.

The Vatican can choose to remain part of the problem or part of the solution. Silence is also a highly symbolic act, and in this case it is one that signifies indifference. It also points to a lack of repentance.



Red Earth, White Lies



JANET ROGERS is a Mohawk/Tuscarora writer living and working as a guest on the traditional lands of the Songhees and Esquimalt people on Vancouver Island. Janet's poetry lives and breathes in areas on the page and as spoken word presentations, performance poetry, video poetry, and recorded poetry with music. This poem comes from her latest work, *Totem Poles and Railroads* (ARP, 2016).



new world born from myth
 scientific rejected creation stories
 christian notations and bible fiction
 inflexible spiritual doctrines
 of discovery

original oral indigenous	inferior
missionary religious slogans	superior
the discomfort	
so intolerable	
to cultivate a land bridge theory	so impossible
to justify	
factual atrocities built	here
from a foundation	of theories

bering strait equates to B.S.
 red earth white lies
 caucasoid
 asia to alaska
 army corp of america
 holding and controlling
 DNA from nine thousand
 years ago

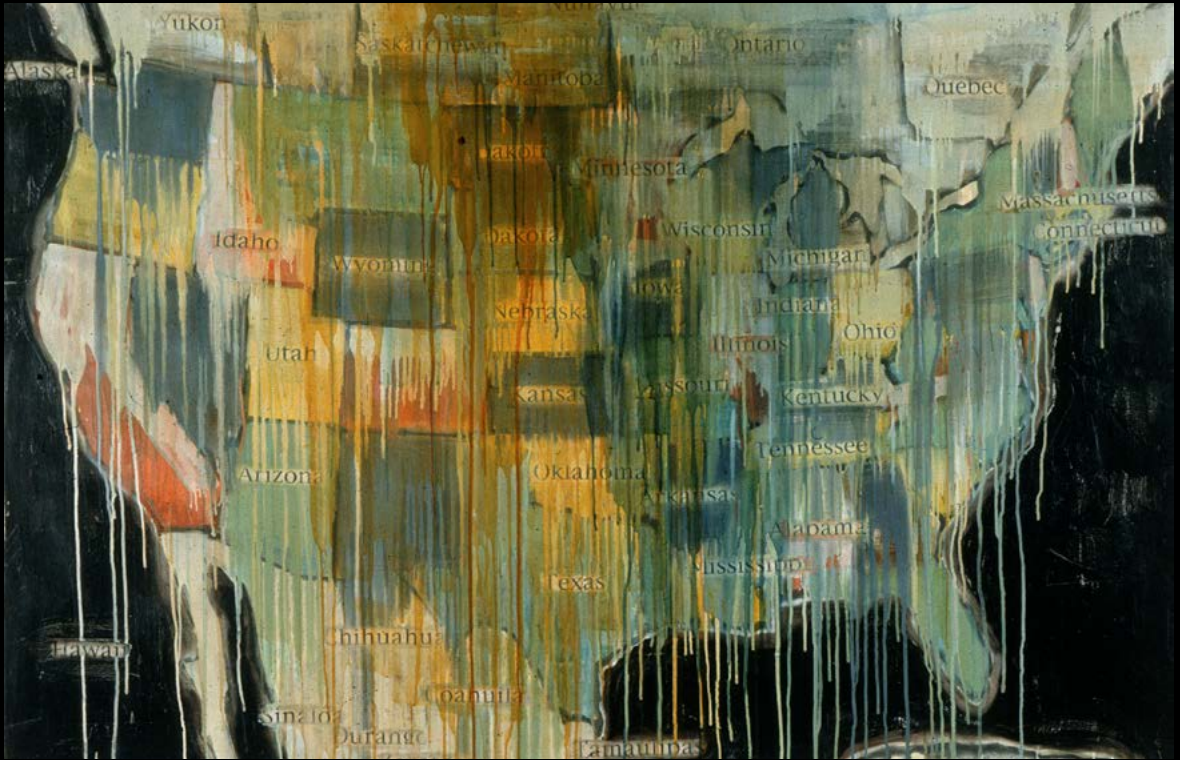
balloon like conclusions
 floating up in the *one* direction
 never considered
 say some
 we rested in New Mexico
 by way of Chile
 sounds like a fine
 vacation after a long day's journey

following mammoths
 and other hard won meat
 when abundant vegetation
 right under our feet should
 go overlooked

interior routes examined and disputed
 considering coastal cultures with canoes
 looking to australia with avant-garde seafood
 appetites and waves of abundance
 chasing nothing but discovery

without solid evidence scientists
 have early man travelling by leaps
 of faith across impassable
 lands of early Yupik bands
 now a national park
 peace treaty territory
 where russia and america
 shook hands in a land heist
 claiming shared heritage
 and naming their adopted baby
 Beringia

displaced scientists themselves
 in need of origin stories
 unless they have descended from
 mysterious sources
 crossing fictional terrain
 following dinosaurs over cliffs
 finding flight
 too late



STATE NAMES

JAUNE QUICK-TO-SEE-SMITH, SALISH-KOOTENAI

"This is an exercise in a playful mental notion, a daydream you might say. Heháka Sápa (Black Elk, 1863-1950) spoke of the buffalo and tall grass returning, and the whites vanishing. On this map I only name the states, provinces, and territories that have wNative American names. It's nothing about population stats, for the states with the Native names have, on the whole, the least amount of Native peoples. I simply erased all European presence, in a few swipes of the brush."

mongoloid Ice-Age migrants
without status or governance
theorists debunked and cut loose
scratching out our Creator's name
religion and science tag-team wrestling
remnants of Asian cultures
propaganda taught as fact
defending theories and rejecting evidence
as a matter of fact and fact as matter
like a smoking gun
in a cop's hand stood over
black youth
you want truth

how they love to tell me where I'm from
sat comfortably from places named after
kings and princes who never even visited
stinging insults to those who reference it
by nature's names
ignoring obvious evidence as if

what do you mean
"Go back from where you came"

emphasized with ridiculous hyphenated exaggeration
paleo-Indian, aboriginal-north american
putting people before place
tagging regions
with pronunciations twisting our tongues
as Vine Deloria said
bering strait is short for
"I don't know"
good stories though
making it up as they go
I am writing
new histories
absent of
white lies
from this
brown face

The International Law of Colonialism



ROBERT J. MILLER is a citizen of the Eastern Shawnee Tribe and a professor at the Arizona State University College of Law. A justice with the Grand Ronde Tribe Court of Appeals, Robert also serves on the Navajo Nation Council of Economic Advisors. He is the author of many books, including *Native America Discovered and Conquered* (University of Nebraska, 2006).

Indigenous peoples of the Americas have been seriously and negatively impacted by the international law of colonialism known as the *Doctrine of Discovery*. The *Doctrine*, developed in Europe in the 15th century but still in effect today, limits the human, sovereign, commercial, and property rights of Indigenous peoples and their governments. The *Doctrine* was used by European state-church alliances to justify their greed and desire to acquire riches and empires around the world. While it may be shocking to many Christians today, the European powers primarily justified their acquisitions by emphasizing their religious superiority.

Elements of the international law that regulated nearly 600 years of European colonization of most of the world can be traced in church law, policies, and world history to the Crusades to reclaim the Holy Lands in 1096–1271. The modern day version of this legal principle originated in the 1430s from Spain and Portugal's competition to control and colonize the Canary Islands. Ultimately, in 1436, Portugal convinced Pope Eugenius IV to issue a papal bull (or charter) granting Portugal exclusive control over the Islands to civilize and to convert the Canary Islanders to the “one true religion” and “for the salvation of the souls of the pagans of the Islands.” As Portugal expanded its explorations and discovery claims along the west coast of Africa in subsequent decades, it convinced Pope Nicholas to issue another bull (*Romanus Pontifex*).



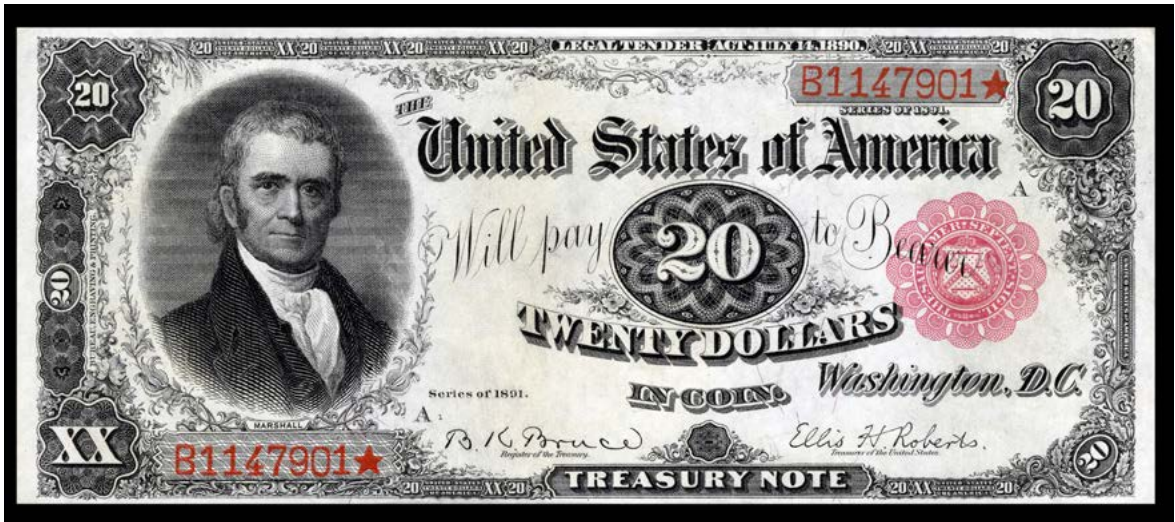
In 1533, Francisco Pizarro seized the lands of the Inca (Peru) for Spain in the name of the conquering Christ.

ART: JOHN EVERETT MILLAIS C. 1846 / IMAGE: WIKIMEDIA COMMONS

On January 8, 1455, the pope granted Portugal the power

...to invade, search out, capture, vanquish, and subdue all Saracens [Muslims] and pagans whatsoever, and other enemies of Christ wheresoever placed... 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... use and profit... [and to] possess these islands, lands, harbors, and seas....

Additional papal bulls in 1493 claimed to grant Spain and Portugal legal rights to colonize and exploit lands “discovered or yet to be discovered, sighted, or not yet sighted” (*Inter Caetera Divinai*).



"Wherever your treasure is, there the desires of your heart will be also" (Matthew 6:21). This 1891 US \$20 treasury note celebrates John Marshall, the fourth Chief Justice of the United States Supreme Court (1801-1835) who presided over the *Johnson v. M'Intosh* case. / IMAGE: NATIONAL MUSEUM OF AMERICAN HISTORY / PUBLIC DOMAIN

Thereafter, Spain and Portugal applied the *Doctrine of Discovery* in Africa, Asia, and the Americas. Eager to acquire empires and riches themselves, England and France also used this international law to claim rights in North America and elsewhere. The colonial-settler societies that resulted from European colonization of much of the world, including in Canada and the United States, continue to apply the *Doctrine of Discovery* against Indigenous nations today.

Given its global and devastating impacts – the almost unfathomable theft of so much Indigenous land and the overwhelming usurpation of Indigenous jurisdiction – it is clear that all fair-minded people need to understand how this international law of colonialism was developed. This is not simply about Indigenous nations and peoples. It concerns all of us, especially those who value fairness, justice and good relations. We need to understand how the *Doctrine* was used to denigrate and subjugate Indigenous nations and peoples; how it was used to steal their lands, assets, and rights; and how it has impacted them from the onset of colonization right up until today. In addition, we all need to learn how to repudiate and repeal this *Doctrine* since it is based on ethnocentric, racist, and feudal ideas of the superiority of European-Christian “civilization” over the rest of humanity. These ideas have no place in the modern-day world.

Johnson v. M'Intosh

A true understanding of the *Doctrine of Discovery* and its worldwide application can be gained by studying the leading court case on how discovery is legally defined: the United States Supreme Court case *Johnson v. M'Intosh* (1823).

The *Johnson* case has heavily influenced how colonial-settler societies have defined discovery and their colonization “rights,” and how they have diminished the rights of Indigenous nations and peoples. *Johnson* has been cited hundreds of times by courts in Australia, New Zealand, and the United States, and Canadian courts have relied on *Johnson* over 45 times. For example, the Supreme Court of Canada cited this case in *Regina v. Sparrow* (1990), and the British Columbia Supreme Court did so in the more recent *Kwicksutaineuk/Ab-Kwa-Mish First Nation v. British Columbia* (2010). Even the English Privy Council cited *Johnson* three times, in cases about colonization in Africa and Canada (see *St. Catherine's Milling and Lumber Co. v. The Queen* [1889]).

In *Johnson v. M'Intosh*, non-Indians sued each other over who was the legal owner of lands formerly owned by Indian Nations in what is now the U.S. state of Illinois. The plaintiffs claimed their rights through corporations that had allegedly bought the lands in question from Indians in 1773 and 1775.

In contrast, the defendant M'Intosh had purchased his land from the United States, who had acquired it through treaties with the Piankeshaw and Illinois Indian Nations. The U.S. Supreme Court decided that M'Intosh was the owner because, under the *Doctrine of Discovery*, Indian Nations were no longer the full owners of their lands after Europeans arrived and claimed a property interest in Indian lands. Thus, the Court stated that under discovery, Indian Nations could only sell their lands to the Euro-American government that claimed power over them.

The U.S. Supreme Court repeatedly stated in *Johnson* that the *Doctrine* and the loss of rights suffered by American Indian Nations were based on the justifications of Christianity and civilization. The Court stated, for example,

...the *character and religion* of its inhabitants afforded an apology for considering them as a people over whom the *superior genius of Europe* might claim an ascendancy... ample compensation [was paid]... by bestowing on them *civilization and Christianity*, in exchange for unlimited independence.

The Court also found

...some excuse, if not justification, in the *character and habits of the people* whose rights have been wrested from them (emphasis added).

This international legal principle, that First Nations and American Indian Nations do not own the full title to their lands, is still the law today in Canada and the United States. As an example, First Nations and Indian Nations generally have to ask for the permission of the national government before they can sell or lease their lands.

The best way to understand and analyze the *Doctrine*, and to observe how it was and is applied throughout Canadian and U.S. history and law, is to identify and understand the constituent elements that make up *Discovery*. These elements are easy to discern from a close reading of *Johnson v. M'Intosh* and they are clearly reflected in the laws, treaties, court cases, policies, and histories of Canada, the U.S., and the various European colonial-settler societies around the world.

The Ten Elements of Discovery

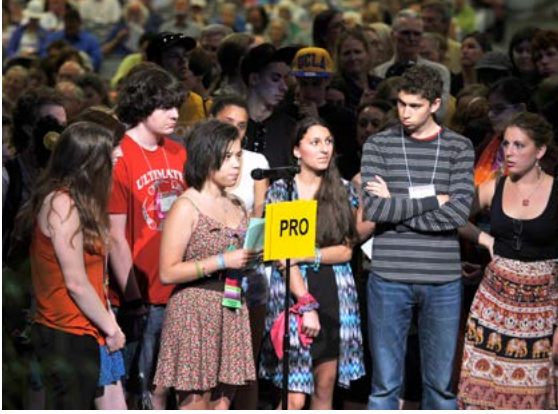
1. Christianity. Religion was a significant aspect of the *Doctrine*. Starting with the Crusades and papal bulls of the 1400s, the Western Church claimed that non-Christian Indigenous nations and peoples did not have the same rights to land, sovereignty, self-determination, and human rights as did Christians. Furthermore, Europeans claimed a right and a duty to convert non-Christians.

2. Civilization. The European “model” of civilization assumed that Europeans were superior to Indigenous peoples and their civilizations. European countries claimed that the Christian God had directed them to bring civilization to Indigenous peoples and to exercise paternal and guardian powers over them.

3. First discovery. The first European country that discovered lands unknown to other Europeans claimed property and sovereign rights over the lands and Indigenous nations and peoples. Consequently, the *Doctrine* created a contest among European powers to discover the non-European lands and to claim them. The Catholic monarch Henry VII and the Protestant monarchs Elizabeth I and James I of England used arguments of first discovery to claim the lands now known as Canada and the United States.

4. Actual occupancy and possession. To turn a “first discovery” into a full title recognized by other European countries, Queen Elizabeth I developed the principle that a European country had to actually occupy and possess the lands it claimed by first discovery. Occupancy was usually proved by building forts or settlements, such as Hudson Bay Company trading posts. This physical occupancy and possession had to be accomplished within a reasonable amount of time after making a first discovery.

5. Pre-emption. European countries that claimed the rights of first discovery also claimed the power of pre-emption, that is, the exclusive right to buy the lands of the Indigenous nations. This is a valuable property right similar to the modern-day real estate principle called a right of first refusal, which is the right to be the first person allowed to purchase someone else's property. The European government that held the pre-emption right could thus prevent, or pre-empt,



The Youth Caucus at the Unitarian General Assembly support a resolution to repudiate the *Doctrine of Discovery* (c. 2012).

IMAGE: UNITARIAN UNIVERSALIST ASSOCIATION

any other European government or individual from buying land from Indigenous nations. Most colonial-settler societies still claim this property right over Indigenous nations and peoples today, as do Canada and the United States.

6. Indian/Native title. After a first discovery, European legal systems claimed that Indigenous nations automatically lost the full ownership of their lands and only retained a right to occupy and use their lands. These rights could last forever if the Indigenous nation never consented to sell to the European country that claimed the pre-emption right. If Indigenous nations did choose to sell, they were expected to sell only to the European government that held the pre-emption right.

7. Limited Indigenous sovereign and commercial rights. Europeans claimed that Indigenous nations and peoples lost various aspects of their sovereignty and their rights to international trade and treaty-making after a first discovery. Europeans claimed that Indigenous nations could only interact with the European government that had discovered them.

8. Contiguity. Europeans claimed a significant amount of land contiguous to and surrounding their actual discoveries and colonial settlements. Contiguity provided, for example, that the discovery of the mouth of a river allegedly granted a claim over all the lands drained by that river.

9. Terra nullius. This Latin phrase means a land or earth that is vacant or empty. Under the *Doctrine*, if lands were not occupied by any person or nation, or even if they were occupied but they were not being used in a manner that European legal systems approved of, then the lands were vacant and available for discovery claims. Europeans often considered lands that were actually owned, occupied, and being used by Indigenous nations to be vacant and empty.

10. Conquest. Europeans claimed they could acquire through military victories the absolute title and ownership of the lands of Indigenous nations. Conquest was also used as a “term-of-art” (that is, a word with particular legal meaning) to describe the property and sovereign rights Europeans claimed to have acquired automatically over Indigenous nations and peoples just by making a first discovery.

These ten elements are evident in the histories and modern-day laws and policies of all colonizing countries. These elements were and are still being used to try to justify limitations on the sovereignty, property, and human rights of Indigenous nations.

Next Steps

So what can Indigenous nations and peoples and their supporters do today to oppose the existence of the *Doctrine of Discovery* and to repeal its evil effects?

First, many people have called on the international community to study and truly understand the *Doctrine* and to begin the slow process of reversing this 600-year-old ethnocentric, racist, and feudal legal doctrine. Considering the major role that churches and Christian theologies played in justifying the *Doctrine*, present-day denominations and individual congregations should seriously study and understand the role of their churches in developing it.

Second, Indigenous scholars and advocates have suggested that all governments should review their laws, regulations, and policies that impact Indigenous peoples and repeal the laws and policies that are based on the prejudices of the *Doctrine*. Furthermore, these governments should undertake such reviews in full consultation with Indigenous nations and peoples.

Third, Indigenous nations have called on all governments to educate their citizens at all levels about the true history of their countries, which includes the impact of colonization and the

application of the *Doctrine* on their Indigenous “neighbours” and themselves. Asking workers in government and educational settings to personally consider how they can promote this ethical agenda can help achieve this goal.

Finally, Indigenous nations call on all church denominations and organizations to join them in repudiating the *Doctrine of Discovery*. Many have already done so; for example, the Episcopal Church (2009), the United Church of Canada (2012), the World Council of Churches Executive Committee (2012), and the Religious Society of Friends/Quakers (2013). More recently, the Evangelical Lutheran Church in Canada (2015) and the General Assembly of the Presbyterian Church USA (2016) joined the growing list.

It is no surprise that so many churches have acted already. How much longer can churches continue to tolerate the kind of ignorance and non-Christian principles of death, domination, unfairness, and violation of sovereign and human rights that the *Doctrine of Discovery* represents? The challenge for all Christian communities will be to put flesh on to those important words of repudiation that have been spoken. As Elona Street-Stewart, a Presbyterian leader and a member of the Delaware Nanticoke Nation put it, “The real work has just begun.”



Dates of Discovery and Dispossession

STEVE HEINRICHS

“The *Doctrine of Discovery* is a pirate law!” says my friend Adrian Jacobs. But when did the pirates invent the concept? That’s complicated. Most point to the 15th century, when those notorious papal bulls were being produced as Europeans trekked across the Atlantic. Yet some say the thinking behind *Discovery* can be traced all the way back to the just war theories of the Church “fathers.” Others argue that it has beginnings in the ancient Roman notion of *res nullius* (nobody’s property). Still others suggest that it goes right back to the Bible, to those disturbing Israelite narratives of Canaanite conquest. What we can say without doubt is that these pirates liked the church, and the church – regrettably – liked them. Though many swashbucklers may now find themselves inside courtrooms, big resource companies, or state bureaucracies, we can’t hide from the disturbing reality – pirates have a long history within the Christian Church. Here are a few key dates.



1095 – HOLY CONQUEST

Three hundred clerics gather in southern France for the Council of Clermont to discuss church reforms, when Christians shouldn’t fight each other (rumour has it, Thursdays through Sundays), and what to do about Muslim incursions into the Byzantine Empire. Regarding the latter, Pope Urban II calls for a Crusade, promises eternal life for those who die in service, and issues a bull, which asserts that the kings and princes of Europe have the right to “discover” or claim land in non-Christian areas. Some 100,000 pick up the sword.



1240 – PAPACY TRUMPS PAGAN RIGHTS

Pope Innocent IV reflects on the ethics of the crusades and discerns that these holy wars are just that – holy – because they are being fought in defense of Christians. But what to do about the goodies that come with conquest? Innocent argues that non-Christian peoples have limited rights to their property. Such rights, however, can be trumped by the pope’s divine mandate to bring spiritual well-being to all humans.



1414 – CONVERT OR BE CONQUERED

Poland and the Teutonic Knights are fighting over who should control non-Christian Lithuania. It’s a territorial dispute that’s settled on theological grounds by the Council of Constance. The Knights argue that it’s their Christian duty to convert by force if necessary, and the Poles assert that conversion should be gentle, and force used only when infidels are acting contrary to natural law. The Council sides with Poland. But it’s a nebulous decision. In time, it comes to mean that those who don’t recognize the Christian God are acting “unnaturally.” In other words, if you don’t love Jesus, it’s open season.



1452 – ENEMIES OF CHRIST

In bed with the devil and King Alfonso V, Pope Nicholas V gives the Crown of Portugal a gift – *Dum Diversa* – a bull granting dominion over all lands and lives south of Cape Bojador, in Africa. The language is so over the top, it’s hard to believe it could be true. But it is. We need to read it and hear it over and over again because this is our story:

...granted among other things... to invade, search out, capture, vanquish, and subdue all Saracens [Muslims] and pagans whatsoever, and other enemies of Christ whatsoever placed... and to convert them to his and their us and profit.



1493 – CUTTING THE SPOILS IN HALF

It wouldn’t be fair to give one European power the whole known world and not share it with others, now would it? When Columbus returns to Europe after his infamous 1492 journey, Pope Alexander VI puts forth *Inter Coetera Divina*, generously granting Spain the right to conquer the lands that Columbus had already found, as well as any lands which Spain might “discover” in the future. Portugal is pretty upset with this, so the Pope issues another bull that says the brother nations have to respect each other’s claims. He then divides the world, giving them each dominion over one half of the globe.



1496 – A LICENSE FOR PIRATES

Not to be outdone in competition for new lands and resources, England enters the gold rush when Henry VII gives the Italian explorer, Giovanni Caboto (or John Cabot) and his three sons (all of whom are minors) a licence to “conquer, possess, and occupy” the lands of “heathens and infidels.” Unlike the Pope, Henry doesn’t care to mention lofty hopes of evangelization. This is all about resources. Giovanni and his sons are happy. They only have to return “the fifth part of the whole capital gained.”



1516 – DYSTOPIA

I used to love “A Man for All Seasons.” Then I read Thomas More’s comments in *Utopia*, advocating violence for the sake of discovery. “If natives won’t do what they’re told, they’re expelled from the area marked out for annexation. If they try to resist, the Utopians declare war – for they consider war perfectly justifiable, when one country denies another its natural right to derive nourishment from any soil which the original owners are not using themselves...”



1670–72 – RELIGIOUS POSSESSION

I read the *Jesuit Relations* in my college Canadian History class. I remember stories of conversion and martyrdom. I don’t recall stories of these missionaries claiming land for their nation. But they did. In the late 17th century, Jesuits record that they have claimed land near the Great Lakes by “observing all the forms customary on such occasions.” They plant a cross, they sing hymns, and “to the wonder and delight of the assembled savages,” they “took possession of the region.”



1823 – DISCOVER A UNIVERSAL DOCTRINE

Two Settler parties go to court to decide who has the right to lands traditionally belonging to the Piankeshaw and Illinois Indian Nations. The ethical principle “Nothing about us without us” wasn’t too popular with these Settler courts. And it all goes downhill from there. Chief Justice John Marshall rules that the *Doctrine of Discovery* is universally recognized. Moreover, it’s morally legitimate since the Natives were obviously religiously inferior to the advance of white Christianity: “The character and religion of its inhabitants offered an apology for considering them as a people over whom the superior genius of Europe might claim an ascendancy.”



1888 – CANADIAN APPEALS TO DISCOVERY

Sometimes we Canadians like to distance ourselves from the nastiness of the world. But the shadows touch our history too. Sixty years after Marshall’s ruling, the province of Ontario and the Federal Government go to court with no Indigenous peoples present (St. Catherine’s Milling and Lumber Co. v. The Queen). Citing the Marshall decision approvingly, the Supreme Court of Canada decides that Aboriginal title is simply a “usufructuary” right (i.e., they may hunt and fish on that land, but it’s not really theirs... it’s the Crown’s). This is what one Ontario lawyer approvingly asserted in the process: “At the time of the discovery of America... it was an accepted rule that heathen and infidel nations were perpetual enemies, and that the Christian prince or people first discovering and taking possession of the country became its absolute proprietor...”



1905 – REAL LIVES REMOVED

So how did all these legal decisions work themselves out on the ground? Here’s one example. If you lived in a town of more than 8000 residents, there was an amendment in the Dominion of Canada’s Indian Act that allowed you to relocate the local Indian reserve. So you want to have a beautiful beach instead of a neighborhood of Natives? No problem. (Shout out to Kitsilano Reserve! Replaced by Vancouver’s Kits beach since 1913).



1955, 1984, 1990, AND 2005

What do the above dates have in common? They’re times in which the Supreme Courts in the U.S. and Canada have relied on the *Doctrine of Discovery*. So much for Canadian exceptionalism.



2014 – TERRA NULLIUS REJECTED

Members of the Tsilhqot’in First Nation have been fighting for their traditional territory since first contact with Settlers. Canada’s Supreme Court recognizes their claim to the 1,750 square kilometres they have historically occupied, stating that “the doctrine of *terra nullius* (that no one owned the land prior to European assertion of sovereignty) never applied in Canada.” A victory? Not so fast. Out of the other side of its mouth, the Court states that “at the time of assertion of European

Still Questioning: The Theft of Indigenous Children



SHARI RUSSELL is Saulteaux, originally from Yellow Quill First Nation. She currently resides in Hamilton, Ontario, and works as the Territorial Indigenous Ministries Consultant for The Salvation Army. Together with her husband, Robert, she has three boys: Charles (20), Gavin (16), and Brannon (12).

My mother's gentle smile came easily and danced around the corners of her eyes, bringing a sparkle that drew the smiles out of everyone around her. There was a strength and warmth in her embrace that brought desperately needed comfort as I fought for my life as an infant. As I grew older, I learned from her how to tease and poke fun at my older siblings, receiving a good-natured banter as we played in the yard surrounding our old homestead in the retreating light of a warm summer sun.

I wish these were the memories I have of my mother. But sadly, they are only what I imagine her to be.

I don't actually remember what my mother looked like. I don't remember the feel of her embrace comforting me when I was deathly sick. I don't remember teasing my older siblings.

I don't remember... much at all about my early years. I don't remember my language except for the few words I held on to. I do remember being told never to speak them again. I don't remember much about my house, but I do recall an old homestead and running around outside, playing in the yard. This is the last memory I have of my family prior to being apprehended.

I may not remember much of my life as a very young child, but I do have one very vivid memory. It's of a little brown suitcase, sitting, waiting by the front door. It was my signal that I was being moved, once again, to another home.



"The Cleansing"
ANGELA STERRITT,
GITXSAN NATION FROM GITANMAAX

I do remember struggling to get free of the social worker when she came to pick me up and bring me to the next place I would stay. I also remember the failed adoptions, the foster homes, the abuse, and always wondering what I had done wrong.

My mother had 10 children. The older children had been taken to residential school, my middle brother lived with my grandfather in the bush, and three of us young ones were still at home.

My mother was going blind from diabetes and one day left us in the care of a babysitter when she went to the store. When she returned from shopping, we were gone. She never saw us again. My mother did not read English, so she did not understand the forms left by Social Services to petition for custody of us. When my cousin came to visit and discovered we

had been taken, it was already too late. We had been advertised in the newspaper - "Adopt Indian-Métis" (AIM) - and placed in the child welfare system as full wards of the state.

This was the mandate of the government, a policy now known as the '60s scoop. While I didn't know it then, my story is not unique. It is a story that is repeated over and over again by so many of our Indigenous people who have faced systems of assimilation that continue to impact our people. Approximately 20,000 Indigenous children were removed from their homes from the 1960s to the 1980s. They were placed in non-Indigenous homes. Children were fostered or adopted in different provinces and even different countries with the intention of assimilating them into mainstream society. Sadly, this is not just a thing of the past. A similar colonial posture impacts current practices and attitudes of the child welfare system.

The very same goal of assimilation promoted by the Indian Residential Schools continued in the '60s scoop. It just continued in a different form: that of permanently removing Indigenous children from their homes and placing them in non-Indigenous homes. Why did they do this?

As Fournier and Crey put it in their book, *Stolen from Our Embrace*,

The white social worker, following on the heels of the missionary, the priest, and the Indian agent, was convinced that the only hope for the salvation of the Indian people lay in the removal of their children.

The belief system that birthed this policy was that Indigenous people were lacking in culture and family values. But it was also that there was no hope for Indigenous children unless they were removed permanently from any influence or contact with

their family and culture. The underlying message is that Indigenous people are inferior and unable to adequately provide for their children. This way of thinking is the same worldview that conjured the *Doctrine of Discovery*.

When the first newcomers came to this land, they believed they had discovered a new, uncivilized land. They claimed that it was *terra nullius* (empty land or land belonging to no one). The implication was clear: The people living on this land were not real people. They did not have real family structures, governments, law, religion, medicine, or any of the other trappings of civilized life. Our people were less than human, often referred to as "savages." It is the "legacy" of this belief and practice that led to so many atrocities against our people, including the '60s scoop and the subsequent child welfare removal system.

In recent days, there have been some positive changes. The Truth and Reconciliation Commission has made an impact, changing the hearts and minds of many. Yet our people continue to struggle against this dominant way of thinking. In June, 2016, the CBC headline covering an ongoing dispute over Child Welfare stated, "Saskatoon Tribal Council says seizing child files like invasion of sovereign country."

I was apprehended as a young child from my Saskatchewan Reserve, so I am proud that our leaders are fighting to ensure that this never happens again. As Chief Felix Thomas said,

We cannot allow a repeat of Indian Residential Schools, the '60s Scoop, or this new iteration of government control. ... As leaders, we will neither cede responsibility for our people to systems that continue to do harm, nor will we stand by idly as we lose yet another generation of our children to the child welfare system.



The Loss

“Butw look at your life now... you have a wonderful family and home, a career, and more.”

These words have been echoed at various times in my life. Although well-intentioned, statements like this dismiss the magnitude of loss experienced. This summer, while at a powwow, I was struck by an image that reflected a snippet of the loss I experienced by being removed from my family of origin.

A young girl, about 5 years old, walked into the tipi her family was staying in, dressed in her jingle dress. She was calling out to her mother in her language. As she turned her head and looked over her shoulder in my direction, my heart leapt as I wondered what my life would have been like if I had the opportunity to live with my family and learn my culture.

I wonder, not if I would have been a dancer, but if I would have been a fancy shawl, jingle dress, or traditional dancer. I wonder how it would feel to speak my own language easily and fluently, like my sisters. I wonder what it would be like to have the confidence instilled by my cultural identity. I wonder which parent I am most like: my mother or my father. I wonder what it would be like to have the support of my family and community as I grew up.

I still have so many questions.

Stories of '60s scoop children are beginning to be heard as class action lawsuits are empowering our people to speak up and share their experiences. Many are reclaiming their heritage and seeking connections with families and communities. Many are still struggling to find where they fit in. Even though the loss we have experienced is acknowledged, it can never restore what has been taken away. The journey of healing will be a long one.

The Legacy

We would be remiss to think that this experience is relegated to the past. There are more Indigenous children in foster care today than there were at the height of the residential school era. We currently have generations of families who have been abused by these assimilationist policies and systems, leaving many unable to care adequately for their children. It is crucial in those circumstances when children



Young girl dances at a powwow.

PHOTO: KEN RAHAIM, SMITHSONIAN INSTITUTION / PUBLIC DOMAIN

need to be apprehended that there are Indigenous organizations and families who can protect the children in a culturally sensitive and appropriate manner.

As an Indigenous woman and mother of three boys, I have reclaimed my Indigenous culture and story. I have found my family of origin and my voice to share this story. I have confidence in my identity and heritage. It has not been a painless journey, and as I write this article I am reminded and encouraged by these words:

It would be so much easier just to fold our hands and not make this fight... to say I, one man, I can do nothing. I grow afraid only when I see people thinking and acting like this. We all know the story about the man who sat beside the trail too long, and then it grew over and he could never find his way again. We can never forget what has happened, but we cannot go back, nor can we just sit beside the trail.

DYING WORDS OF PLAINS CREE CHIEF
POUNDMAKER
(1842–1886)

fee simple of land west of Meridian 5, in Range 2” etc., etc. “An estate in fee simple” means land in which the inheritor has power of control, of use and disposition. An estate *of* and *in* a measured and uniquely coded parcel of Canadian land: these English prepositions, so tiny and yet so crucial, echo the most absolute clause in Treaty Number Six (1876):

The Plain and Wood Cree Tribes of Indians and all other Indians inhabiting the district... do hereby cede, release, surrender, and yield up to the Government of the Dominion of Canada for Her Majesty the Queen and her successors forever.

A mere nine years later, when the Cree Chief Big Bear was on trial for his involvement in the 1885 Rebellion, Justice Hugh Richardson told him that the Cree People

had never owned the land, that it belonged to the Queen, who allowed them to use it, and that when She wanted to make other use of it, She called them together through Her officers, and gave them [i.e., the Cree] the choicest portions of the country.

The land belongs to the Queen. Richardson’s pronouncement, as quoted in the *Regina Leader*, October 1, 1885, was of course simplistic to the point of being dead wrong. He was speaking of the land in western Canada as if the Common Law of England applied to it and applied in its most ancient and medieval aspect of the absolutist legal principle of *nulle terre sans seigneur* – no land without a lord – which asserts that all land in Britain is “held” of the Crown, though not actually “owned” by the Crown.

Saskatchewan law professor James Sakej Henderson explains that the concept of land being “held” by the Crown is “a legal fiction.” The word “fiction” in this context means “a conventional acceptance of something as fact that in reality is not a fact,” and in their book *Aboriginal Tenure in the Constitution of Canada*, Henderson and his co-authors elaborate on this astonishing legal phrase:

In British law the doctrine of Crown tenure is viewed as a legal fiction, that is, an assumption created for the purposes of justice and designed not to create any injury.

So: the concept of “Crown tenure” is “a legal fiction” created for the purpose of justice to all. It may well be that this British concept of law is rooted in the Judeo-Christian principle stated in Psalm 24:

The earth is the Lord’s and all that is in it,
The world and all who live in it.

and that therefore the King, who in medieval times was considered God’s representative on earth, was responsible to distribute the land justly among all its possible tenants. Today, after feudal kings have vanished and the very concept of “the Lord” has faded, this fundamental principle of human rights nevertheless remains our Common Law: just tenancy for all who live on the earth.

As Henderson points out, Indigenous concepts of land fit together with English Common Law in the sense that they too speak not of ownership but of tenure, of holding the land as the original occupants when the European guests, as the Indigenous called them, first arrived in North America. In the centuries since that first arrival, more than 400 treaties signed between Native peoples and Whites have created what we today call Canada. These treaties, large and small, were enacted, in the words of Treaty 6, the treaty that deals with the territory “our” land in Alberta lies in, “so that there may be peace and good will between them [i.e., the Indigenous peoples] and Her Majesty.”

O Canada, your home’s on native land.
- Elijah Harper

The problem of creating our country out of “the legal fiction” of Crown land tenure is already there in the wisdom of the chiefs who negotiated the 11 numbered treaties of the Canadian west.

It is there in 1871 when Cree Chief Sweetgrass in Fort Edmonton dictates a letter to Governor Archibald in Winnipeg, being careful to use language a White will understand:

Great Father – I shake hands with you, and bid you welcome... We heard our lands were sold, and we did not like it... we don’t want to sell our lands... they are our property, and no one has a right to sell them.

That wisdom is there when Ojibwa Chief Mawedopenais debates Treaty 3 at Fort Francis in 1873:

We think that the Great Spirit has planted us on this ground where we are, as you were where you come from.... It is the Great Spirit who gave us this; where we stand upon is the Indians' property, and belongs to them.

And in 1877 at Treaty 7 when the Blackfoot Councillor Button Chief declares:

The Great Spirit, and not the Great Mother [Queen Victoria], gave us this land.

We can easily recognize the ideological, legal, and spiritual principle that underlies this statement. Paul of Tarsus, a Jewish man and the first Christian philosopher, explained exactly this to the Greek parliament of first-century Athens:

The God who made the world and everything in it... he made from one every nation of men to live on all the face of the earth, having determined allotted periods and the boundaries of their habitation (Acts 17:26).

When my family arrived in Treaty 6 country in 1930, no one questioned whose land it was; certainly not refugee peasants who spoke not a word of English. For my Russian-Mennonite parents, as for all peoples forced to flee their birthplace, land was life and with profound gratitude and utter amazement they accepted a place on the land Canada offered them.

I remember the land being so beautiful when I was a child, as though it were newly created.

- Mary Agnes Bonnetrouge

For over 50 years I have had a blueish card laminated in plastic labelled "Certificate of Birth." It reveals:

Birth Date: Oct 4, 1934

NAME: Rudy Henry Wiebe

Birthplace: Sec.31, Tp.52, Rge.17, W3rd, Saskatchewan

That's a place? Where a person can be born? It is, of course, the geographical numbered code for an exact western Canada location, and it is easily interpreted. Our enormous prairie was surveyed and measured

into miles in a global system of meridians, ranges, townships, and sections. These coordinate numbers indicate that I was not born in any named place like a village or city but rather – to read the code from the largest to the smallest unit – born west of the Third Meridian in Range 17, Township 52, within the square mile of Section 31.

Our family lived on various homesteads in the Speedwell School District until May 1947. Some 200 farming people lived there with us, but today the whole township has been cleared to create the Fairholme Community Pasture; only cellar hollows and bits of logs remain scattered here and there. But I could tell the owners of the cattle I meet, and the cowboys who tend them, the individual name of every child with me in school when I was learning to speak and read English; take them to the stacked jack pine walls that are all that remain of Speedwell School #4860, or to the crest of the valley where the Speedwell Mennonite Brethren Church is a sunken space with a rim of its gasoline-barrel heater still visible in the hole, lead them through deadfall bush to the small cemetery – 30 graves in three rows: children, men, women – where my sister Helen was buried in 1945 – oh, there could be endless storytelling on this rolling land of cattle and glacial erratics and white-tailed deer walking the bare skylines of the eskers. Stories that live in the long memories of people aging across Canada and on every continent. All we have to do is speak them.

How do human beings "own" land? It is important to remember that, in entrepreneurial Alberta, private land ownership consists of only the top six inches of soil; that is, you legally control the land surface only to the depth of one ploughshare. Everything below that – and in particular all the oil and gas and coal – by law belongs to a community called "the people of Alberta." I like that, very much. The depths of the earth's resources should be shared as a public good, not benefit individuals only. And "owning" even those six inches is a "legal fiction" – *fiction*, from the Latin word *fict-us*, to fashion or form, something that is imaginatively invented – that is, the concept of ownership is created by legal words on a legal paper for the purposes of order and justice to all.

Clearly, we cannot “possess land” in the way we can, for example, possess a piece of food when we eat it; or own clothes that we alone wear until they are, as we say, worn out; or own anything we can carry. In fact, when I contemplate the land that surrounds and sustains me I feel I no more possess land than I possess the blood heritage of which I am inexplicably born. But I *was* born and am, for the moment, alive, and therefore as a human being I can speak and write about what and who *I* am, about what and who *you* are.

Consequently, in keeping with the legal fiction of justly making words, I believe the best, perhaps only, way we can begin to understand what “owning land” means is for us to contemplate, together, the magnificent question a Gitksan elder once asked Canadian government officials:

If this is your land, where are your stories?

The land becomes ours as we tell each other our stories.



On Nobody's Land: Understanding *Terra Nullius*



ANDREW FITZMAURICE is a professor of history at the University of Sydney, Australia. He first started working on the history of the legal arguments used by Europeans to justify colonization because, as an Australian, he felt a responsibility to address the problem of reconciliation between Settler and Indigenous peoples. His book *Sovereignty, Property and Empire, 1500-2000* (Cambridge, 2014) is a product of that concern.

From the 1980s, *terra nullius* became a very popular term in so-called European settler societies, such as Canada, the United States, Australia, and New Zealand, to explain the ideas that were used to justify the dispossession of Indigenous peoples during centuries of colonization. The term is sometimes translated from the Latin to mean “nobody’s land”: a land that belongs to nobody, and also a land where there is nobody, that is, where there are no people at all. Insofar as the idea is applied to the history of colonization, a definition in terms of a land or territory that belongs to nobody, rather than one that was actually unpopulated, is probably closest to the ideas Europeans used to justify their colonies.

It was relatively uncommon for Europeans to say that the lands they wished to colonize had no people living in them. It was impossible to deny the existence in North America, for example, of large Indigenous populations. What they more commonly argued was that although there were people living on the land, those people did not sufficiently “use” that land in order to exercise a right of property over it, so the land belonged to nobody. To give a typical example, the secretary to the Virginia Company, William Strachey, asked while he was living in Jamestown Fort in the Chesapeake region in about 1610 whether



“Get the Coloured Men Out, and the White Men In.” The White Australia Game (c. 1914).

IMAGE: NATIONAL ARCHIVES OF AUSTRALIA / PUBLIC DOMAIN

...it is an unlawful act, to fortify, and strengthen our selves (as Nature requires)... in the waste and vast, uninhabited grounds of theirs amongst a world of which not one foot of a thousand, do they either use or know how to turn to any benefit, and therefore lies so great a circuit vain and idle before them?

The Enlightenment philosopher Immanuel Kant summarised this brutal reasoning 180 years later:

When America, the negro countries, the Spice Islands, the Cape, and so forth were discovered, they were, to them [European colonizers], countries belonging to no one, since they counted the inhabitants as nothing.

The point of arguing that land belonged to nobody was that the European “law of nations” (the precursor to international law, which developed in the 19th century) employed a principle derived from the ancient Roman law of occupation: namely, that anything that belonged to nobody would become the property of the first person to take it. As far as legal principles go, it would be hard to find a simpler proposition. The idea is reminiscent of the kind of arguments we see amongst children about ownership of toys or other things they come across, whereby they commonly claim “I found it first,” with the often unspoken conclusion “therefore it is mine.” It may well be, however, that this very simplicity underlies the extraordinary power that this idea has exercised upon European justifications of colonization over centuries. When we hear people today speak of a “doctrine” of *terra nullius*, it is this syllogism (this specific form of deductive reasoning) to which they are usually referring: that is, a doctrine, first, that the land belongs to nobody and, second, that it becomes the property of the first person to take it.

The argument of occupation, or being the “first taker,” was one of the three main legal claims used by Europeans to justify their colonies. The other two were conquest and treaties. Those arguments were first employed to justify empires when they were used in discussion of the colonization of the Americas. The idea that it would be possible to colonize land that belonged to nobody, because what belonged to nobody became the property of the first person to take it, was first used by Spanish theologians in debates over the conquests in Central and South America.

The renowned theologian from Salamanca, Francisco de Vitoria, was one of the leading figures in this debate and possessed a detailed knowledge of the Roman law texts that were the source of the idea. Vitoria, however, used that idea to say that, obviously, the Indigenous people who lived in the Americas did possess property – they were the “first ones to take it” – and therefore could not be dispossessed. He pointed out that the Indigenous peoples of the Americas clearly “used” their lands and their environment in such ways that they exercised ownership over them, so these were not things that fell into the category of belonging to nobody. Some other kind of argument,

he said, would need to be employed if the Spanish conquests were to be justified, although he didn’t resolve that question. It was a subject that made him uncomfortable to say the least. “The corrupt profits and affairs of the Indies,” he lamented, “freezes the blood in my veins.”

Such concerns abated when the English turned their attention to North America in the 17th century. They borrowed the Roman law idea from the Spanish theologians about what belongs to nobody becoming the property of the first person to take it, but unlike the Spaniards, they said that the land in North America fell into that category. The people of North America, they said, were different from those in Central and South America and did not “use” their land to a degree that created property.

By the 19th century, Europeans had found an extraordinary number of different cases in which things that were said to belong to nobody could be seized, and they developed a number of terms for describing those different situations. First amongst these was *res nullius* which could refer to any things – goods as well as lands. *Territorium nullius* was a term coined to cover people who lived in societies with complex property and social relations but who, it was argued, nevertheless had not developed a concept of territorial sovereignty such as that used by Europeans. Their sovereignty, it was argued in a discussion that largely concerned Africa, could therefore be seized. *Terra nullius* was first used, prior to WWII, primarily to refer to the polar regions, particularly Greenland and Spitzbergen Island, which were able to be occupied because, it was believed, there were no people, or very few people, actually living there. *Terra nullius*, therefore, was in fact first used to refer to places that were believed to have no Indigenous population.

After World War II *terra nullius* lost this specific signification and in the past 40 years the term has been used as a short-hand method of describing the kinds of arguments used to justify the long history of colonization, particularly the argument of being the first person to take something. One event in particular that helped bring the term to public attention was the *Mabo* Case in Australia, finally concluded in 1992, in which both judges and counsel made extensive references to a “doctrine” of

terra nullius. Importantly, the judges argued in their decision that, at the time of colonization, Australia had not been a *terra nullius*, or land belonging to no one, and they therefore recognized a principle of native title. *Terra nullius* has, therefore, been a useful concept for combating the legal claims of the Settler-state (*Mabo* was fought against the Australian state of Queensland). The limitation of the term, however, is that it glosses over a vast complexity of arguments that were used. In some ways the popularity of the term in the past 40 years has helped to bury the extraordinary ways in which Europeans developed a very broad legal vocabulary to accompany their empires. The confusion has been greater because some historians and lawyers have suggested that *terra nullius* was a term actually used to justify colonization prior to the 20th century.

European empires were vast enterprises extending over great geographical spaces, as well as over long periods of time, and employing a great complexity of technologies. How many of us, for example, are aware that advances in medical technology, such as preventative treatments for malaria, were made partly in order to aid the colonization of Africa and Asia, or that steam ships also became extremely useful instruments of empires, particularly when employed to navigate fast-flowing rivers? In precisely the same manner, empires made great demands upon legal and political ideologies and they developed complicated legal and political taxonomies, which are today obscured from view, for justifying empires. If, however, we are to address the injustices of the past, it is essential to understand their full extent and to reach the best possible understanding of the circumstances in which they occurred. There is still much work to do before we come to a full understanding of the depth and complexity of the legal languages employed by Europeans to justify their empires and, importantly, how those languages interacted with Indigenous legal and political systems across the globe.

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Is Exorcism Necessary? Casting Out Colonial Ghosts



GRACE LI XIU WOO is a retired lawyer with a doctorate in law from the Université de Montréal. She has worked for the Immigration and Refugee Board and is the author of *Ghost Dancing with Colonialism: Decolonization at the Supreme Court of Canada*. She serves on the board of directors of Lawyers Rights Watch Canada (an NGO with standing at the United Nations) and now lives in Vancouver on Musqueam territory.

On March 5th, 1496, King Henry VII of England granted John Cabot and his three sons a charter authorizing them to subjugate and occupy all “towns, castles, cities, and islands” they discovered that “have hitherto been unknown to all Christian people.” That, in essence, is an expression of the *Doctrine of Discovery*—the interpretation of a papal decree that supposedly made it legitimate for Europeans to claim ownership of lands occupied by non-Christians.

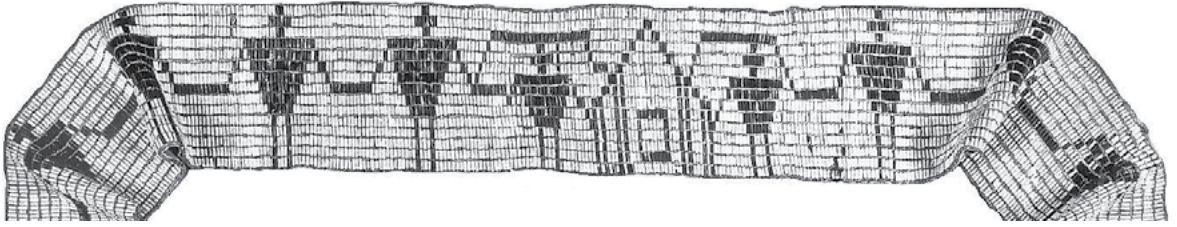
The Cabots did not even know where they were going. They had never crossed the ocean. Yet this nonsense that plainly sanctioned gratuitous violence was the first in a series of documents submitted to the Privy Council in England in the 1888 *St. Catherine’s Milling and Lumber* case—a case that profoundly shaped Canadian understanding of Aboriginal title over land.

By this time, the Cabot charter was almost 400 years old. But Euro-American law and morality were still caught in the thrall of colonialism. *St. Catherine’s Milling* relied in part on the *Doctrine of Discovery* as interpreted by U.S. Chief Justice John Marshall in his 1823 decision in *Johnson v. M’Intosh*. The case was applied in Canada to solve a dispute between Ontario and Ottawa over which level of government (provincial or federal) had authority to grant timber licenses on land traditionally occupied by the Anishinabe.



Dayodekane (Seth Newhouse, 1842-1941), with Two Row Wampum in hand, was an important Onondaga Chief. / PHOTO: PUBLIC DOMAIN

In keeping with the *Doctrine’s* denial of the rights of non-Christians, the Anishinabe themselves were not represented in *St. Catherine’s Milling* – never mind that many of them had converted to Christianity by this time. If they had been legally represented, they might have challenged the timber licenses. They might also have challenged the relevance of



The 1794 Canandaigua Treaty belt is an example of a wampum with linking arms symbolism. / IMAGE: PUBLIC DOMAIN

the Cabot charter because there is no evidence that the Cabots ever entered their lands. Indeed, most of the documents submitted to show how English jurisdiction was established had nothing to do with the territory concerned, focusing instead on the area now known as New England.

A lot has changed since the Cabots set sail, and even since the late 19th century. Colonialism is no longer considered heroic. Many of its elements are now hidden like dirty laundry stashed in a closet when unexpected guests arrive. The Truth and Reconciliation Commission on Indian Residential Schools (TRC) aired some of it, and it was not a pretty sight. As publicly recognized by Chief Justice Beverly McLachlin, the attempt to wipe out Indigenous languages and culture by abducting and imprisoning children was part of a “cultural genocide.”

The rift between Euro-American colonial practice and international law, both ancient and modern, became apparent slowly but inexorably over the course of the 20th century. The carnage of World War I finally made the futility of military dominion obvious. Woodrow Wilson announced that the age of conquest and aggrandizement was gone. The League of Nations was founded to keep the peace by using international law to solve disputes and, instead of allowing the victors to claim possession of conquered colonies, they were placed under mandate until they were ready to become self-governing.

Unfortunately old habits die hard, and the League of Nations failed. After World War II, people tried again with the establishment of the United Nations. This time “the principle of equal rights and self-determination of peoples” was front and centre. It can be found in the preamble to the UN Charter, which was modeled on the American Declaration of Independence. This, in turn, is believed to have been influenced by the Haudenosaunee/Iroquois

Gayenereko’wa or Great Law of Peace. Indeed, human equality is woven into the Golden Rule that can be found in all of the world’s major religions: Do unto others as you would have them do unto you.

This principle – the insistence that human equality is fundamental – has been reiterated in almost every subsequent United Nations covenant, declaration, and accord. In Canada, it did not become part of the Constitution until 1982, when it was included in the Canadian Charter of Rights and Freedoms. Today most people take this principle for granted. It obviously discredits the notion that Christian claims to property supersede those of anyone else.

Retreat from the Doctrine of Discovery

All the same, it is taking time for people to understand the impact of the principle of human equality on some of the assumptions that developed during the colonial age. Decolonization has been, and continues to be, a step-by-step process.

The first step came with the League of Nations mandate system that contemplated the creation of new self-governing states. As these and other colonized territories gained independence and took seats in the United Nations, attitudes began to change. In 1961, the UN General Assembly formally repudiated colonialism. In 1975, the International Court of Justice ruled in the Western Sahara case that a state could not absorb even the territory of a nomadic, stateless people without their free consent expressed through informed democratic processes based on universal adult suffrage. Countless declarations and accords since then have supported the development of an international social order based on the principle of human equality.

In short, the *Doctrine of Discovery* has already been invalidated, first by international agreement and second by the principle of equality. This makes the

movement to get the Pope to rescind the *Doctrine of Discovery* somewhat problematic (see TRC Call to Action #58). On the one hand, the quest implicitly validates a privileged status for the jurisdiction of one particular religion. Because of this, it violates the principle of human equality that lies at the very heart of modern international law.

On the other hand, asking the Pope to rescind the *Doctrine of Discovery* appears to hold the Roman Catholic Church responsible for an American judicial interpretation that was inconsistent with the Roman law principles that founded that particular religious order. As pointed out in 1532 by Francisco de Vitoria, the Roman law concept of *ius gentium* (law of nations) affirmed the property rights and jurisdictions of Indigenous peoples. Historically, it was the U.S. interpretation that made the *Doctrine of Discovery* so problematic in North America. It was, incidentally, an interpretation that was also inconsistent with at least some British colonial law for, as a practical matter, the British came to recognize the jurisdictions of Indigenous peoples, Christian or not.

Be that as it may, the Vatican does have observer status at the United Nations. Churches of many denominations unquestionably became entangled with extreme and perverse manifestations of the *Doctrine of Discovery* that ignored Indigenous humanity. They accepted land grants without the participation or consent of Indigenous peoples and, as well as running the notorious residential school system at the behest of the Canadian government, they actively engaged in educating the Settler population in a world view that ignored Indigenous rights. As a result, Canadian law remains entangled with the ghosts of colonialism in ways that are proving extremely difficult to exorcise.

To understand this problem, we will need to deconstruct several of our modern and inherited assumptions, especially those concerning the extent of Canadian jurisdiction and the concept of property in *Yand*.

The first point to take account of is the fact that colonial practice never defined the limits of international law. A variety of protocols have arisen in various parts of the world to govern relations between differing ethnic, cultural, and social groups.

The Indigenous peoples of the area now known as North America are no exception. Long before European contact, Indigenous peoples had developed confederacies and international protocols. Some of these coincided with the global principles that we are familiar with today, and these remained in effect during the colonial age, even though Europeans often ignored them.

The Two Row Wampum (see picture of Dayodekane holding such) is an Haudenosaunee representation of the international law principle that states should not interfere with each other's internal affairs. With its representation of two separate vessels on a river, it also depicts a capacity to share the environment. On other wampum, one will find depictions of persons with arms and hands linked together. This corresponds to the modern practice of establishing international law through multilateral treaties based on mutual respect and egalitarian alliance rather than military domination.

Despite the Cabot charter, Europeans soon discovered that alliances with Indigenous peoples were necessary for trade, settlement, and protection in their wars with other Europeans. A significant example is Sir William Johnson, the first Superintendent of Indian Affairs. Johnson relied heavily on Indigenous diplomatic protocols to promote British interests.

Or consider the Royal Proclamation of 1763. The Proclamation recognized that "Indians" were not British subjects, and it was only after American independence that policy changed. Initially, Governor Simcoe thought that "Indian" buffer states could be established with British support to separate the rebel colonies from the loyalists. Even at the time of the Marshall decisions, two members of the U.S. Supreme Court recognized that the Cherokee were a foreign state (see *The Cherokee Nation v. The State of Georgia*, 1831). But as settlement increased and the 19th century progressed, "Indians" were increasingly discounted and dehumanized.

On a plain reading, the British North America Act of 1867 did not violate the Two Row Wampum. The infamous section 91(24), which gave Canada's federal government authority to legislate concerning "Indians, and Lands reserved for the Indians," could have been interpreted as a simple delegation of British diplomatic authority to negotiate. This is

not what happened, and this is why we have ghosts related to the *Doctrine of Discovery* to exorcise.

The interpretation of section 91(24) by the Department of Indian Affairs, by Parliament, and by Canada's courts has had an extremely pernicious effect, including the institution of genocidal policies. In keeping with the denial of humanity implicit in the Cabot charter, the 1876 Indian Act went so far as to define a "person" as "an individual other than an Indian." And despite the deletion of this definition from the Indian Act in 1951, the assault on Indigenous jurisdictions has been so persistent and ongoing that it has become difficult to re-establish normal relations.

The Royal Commission on Aboriginal Peoples (1996) may well have announced that "Aboriginal" peoples were "Partners in Confederation." But were they really? Or are we still haunted by the ghost of the Cabot charter?

Have We Decolonized Yet?

Many people assume that Canada became post-colonial when it gained "responsible government" upon Confederation in 1867. This is incorrect. It remained a colony under British law. Its purpose was, and strange as it may seem still remains, "to promote the interests of the British Empire." This can be seen in the preamble and in s.132 of the British North America Act, 1867, now renamed the Constitution Act, 1867.

Other people believe that Canada became post-colonial when it was granted constitutional amending authority by Britain in 1982. The problem with this theory is that it completely ignores the existence of the original Indigenous nations in a way that is regrettably consistent with the *Doctrine of Discovery* and in violation of both international law and the equality provisions in the Canadian constitution.

Just think about it. The individual differences between founding colonies like Nova Scotia and New Brunswick were considered so profound that they were given separate jurisdictions as provinces. But there were no "Indian" fathers of Confederation and no "Indian" provinces. Nor were the Original nations given an opportunity to consult or vote on the "patriation" of the Constitution in 1982. To this day, consultation is generally through "chiefs" elected

according to the Indian Act, the very act that was originally passed by a parliament in which they had no representation, for which they could not vote, and which defined them as non-persons. To this day, Canadian courts assume the right to impose Canadian laws on Indigenous peoples without anyone having bothered to obtain their prior informed consent to become Canadian citizens.

We have become so addicted to the wealth gained by the exploitation and desecration of Indigenous resources that we just can't see how close we remain to the bald piracy condoned by the Cabot charter. So perhaps repudiation of the *Doctrine of Discovery* by the Pope would be worthwhile after all – not as a matter of international law – but in order to exorcise old ghosts and superstitions that plainly lack substance.

In conclusion, it is worth noting that there is no inherent conflict between Christianity and respect for Indigenous rights. Christian denominations co-exist despite being governed by different sets of rules. So too can we co-exist with the various cultural practices of the First Nations.

The biggest challenge comes in the sphere of economics and land use. Canada was built on resource exploitation. Indigenous paradigms tend to see current generations as trustees for those who will follow. The treaties they signed, where there are treaties at all, were only intended to share the land. Almost all were signed before there were automobiles. No one could reasonably have foreseen the destructive impact of fracking, clear cutting, and dams that destroy whole river valleys.

The modern technologies that are pushing climate change are all based in the exaggerated concepts of property regarding land and resources reflected in the *Doctrine of Discovery*. It has reached a point where we are all under threat. The best thing we can do to exorcise those colonial ghosts is to join with First Nations in their struggles to protect the land. No fracking. No pipelines. No Site C dam to complete the destruction of what is left of the Peace River valley. There is no need to turn the earth into a wasteland. We can all join in fellowship to create a sustainable future for their children and ours.

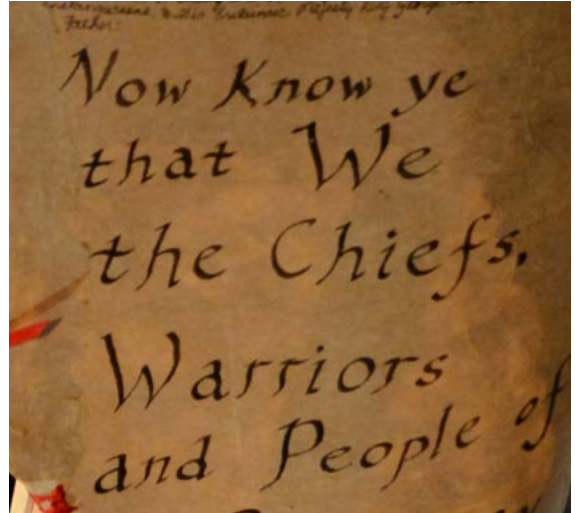
Treaty Promises and Settlement



MICHAEL ASCH is a retired professor of anthropology at the University of Alberta and a limited-term professor at the University of Victoria. A senior research associate for the Royal Commission on Aboriginal Peoples (1996), Michael has published many works, including *On Being Here to Stay: Treaties and Aboriginal Rights in Canada* (University of Toronto, 2014). Michael acknowledges that he lives on the traditional territory of the Lkwungen people, and recognizes that the Songhees, Esquimalt, and WSÁNEĆ peoples have historical relationships with the land that continue to this day.

For Settlers who think in Western terms, it is wrong to move onto lands that belong to others. It is not that we have not done it; it is just that even when we do, there is discomfort. This discomfort is reflected, for example, in the fact that people living in conquered lands do not thereby forfeit their rights to their lands. It is not that we never move onto the lands of others; immigrants do so as individuals all the time. It is rather that, according to our worldview, it is right to gain the permission of those to whom those lands belong before we do so.

But permission did not happen, by and large, in Canada. Instead, Settlers believed then (as most of us do now) that the land was free for the taking even though there were people already living on it. One of the reasons we believed and acted in such ways has to do with the so-called principle of *Discovery*. That matter is being addressed in detail elsewhere in this magazine. What I will focus on is this question of why we negotiated treaties with Indigenous peoples even when we took the view that we had acquired sovereignty on those lands even before a treaty was ever agreed upon. For this discussion, I will draw on the treaties made at the time of Confederation, and particularly Treaty 4 (1874) and 6 (1876), which covered portions of what are now Manitoba, Saskatchewan, and Alberta.



Why Treaties?

There are many ways to answer this question. Today the dominant view is that negotiating these treaties was a practical matter. That is, in contrast to the United States, which was at that time conducting an extensive and expensive war to clear the West for settlement, making treaties offered us a way to accomplish the same thing inexpensively and without force: land in return for trinkets. In other words, proponents of this point of view suggest that treaties were not necessary to settle the West, just expeditious.

Support for this viewpoint comes from treaty texts, for they specify that in return for very limited goods, the Indigenous parties voluntarily agreed that all their lands belonged to the Crown. On the other hand, Indigenous peoples whose forebears negotiated these treaties are unanimous in their opposition to this understanding. For them, the treaties were intended

to establish an everlasting partnership between us based on sharing and mutual respect, as well as the guarantee that our settlement would be beneficial to them.

My research, and in particular what is found in published transcriptions made by Crown representatives of what was said during negotiations, largely supports the Indigenous point of view. While this may come as a surprise to many readers, it would not if Canadian history were taught differently. The fact is that there is a long tradition in Western political thought, especially prominent in 18th and 19th century Britain, that even when we claim sovereignty, we are not permitted to settle on Indigenous lands without their consent as recorded in a treaty. It was memorialized in policy for North America in the Royal Proclamation of 1763 and in the 1764 Treaty of Niagara, which stipulated that, notwithstanding Britain's belief that Indigenous peoples came under the protection of the Crown, publicly negotiated treaties with Indigenous parties were required before European settlement on their "hunting grounds" was permitted.

This thinking infused Indigenous advocacy groups in the 18th and 19th centuries, including arguably the most prominent one: The Aborigines' Protection Society. Founded in 1837, largely by Quakers such as William Buxton and Thomas Hodgkin, the Society was an outgrowth of the Anti-Slavery Society. Their position on settlement was recorded in Standish Motte's *Outline of a System of Legislation, for securing protection to the Aboriginal inhabitants of all the countries colonized by Great Britain*, published in 1840. Motte's *Outline* was to be a model for legislation that would direct British policy. The first principle of that code was

...that in future it be a fundamental principle in colonization, that no settlement shall be made on any land possessed or claimed by its aboriginal inhabitants, without their consent, formally obtained by treaty, or otherwise substantially acknowledged by them.

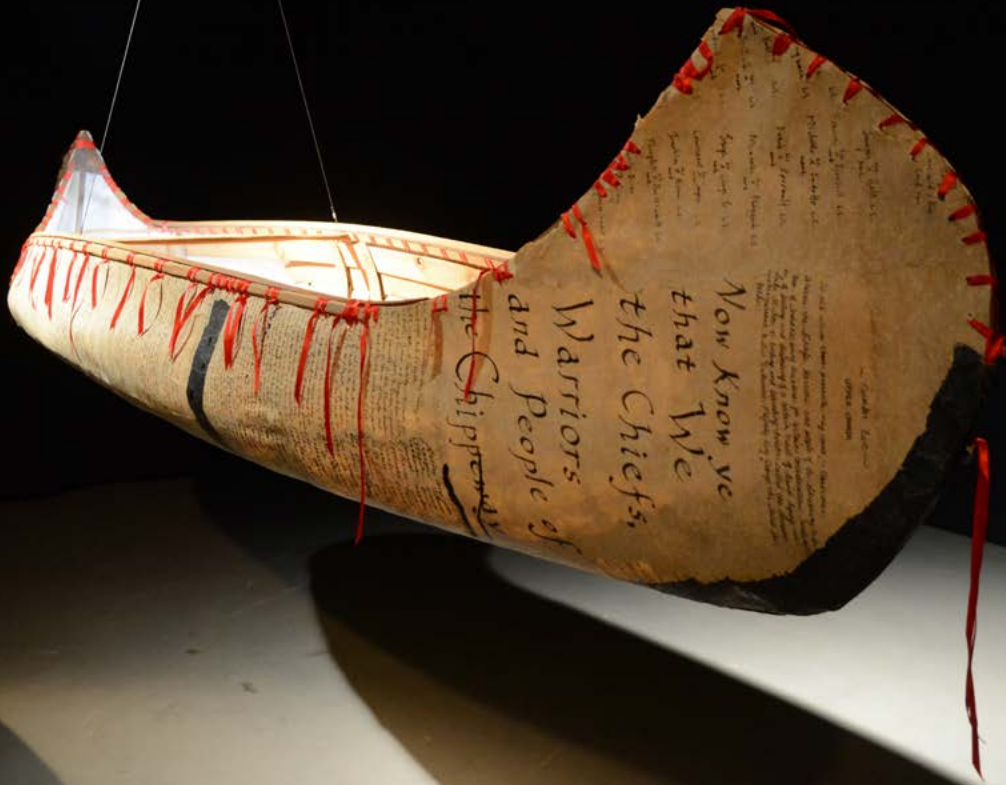
This position, reinforcing the provisions of the Royal Proclamation, played a significant role in directing government policy in the period immediately after Confederation. At that time, Canada pushed strongly to become a trans-continental country. Consistent

with this understanding, it was accepted that the settlement of the West required the prior consent of Indigenous peoples already living there. Some of our leaders, and I would count our first Prime Minister, Sir John A. Macdonald among them, held that the treaties we negotiated were a bargain in which Indigenous parties gave us an unfettered right to do what we will with the land and with the people already living on it in return for some one-time gifts and a few other benefits, such as on-reserve schools. This view is reflected in the way the treaties are written, and it forms the basis for the position on treaty making at Confederation that now dominates our memory of those events.

But that was not the only position taken at that time. There was an alternative, advocated by individuals such as Alexander Morris, Chief Commissioner for the Crown, who negotiated some of the early post-Confederation treaties, and Lord Dufferin, Canada's third Governor General. Derived in part from the Christian teaching that calls all humans "brothers" (to use the gendered language of the time), their view was relational; in return for the gift of settlement, we committed ourselves to an enduring partnership that would be of benefit to all. It's a viewpoint that accords well with the recollections of Indigenous parties as to the terms of these treaties.

Before going further, I need to make it clear that the views of these parties were not in complete harmony. Settlers advocating partnership also believed – influenced again by Christian thinking at the time – that given encouragement, Indigenous peoples would soon shed their ways in favour of ours; not a goal for which there is much evidence to conclude the Indigenous parties shared. I do not doubt that this dissonance would have produced conflict. However, there was sufficient overlap between the viewpoints when these treaties were negotiated to assume that there was a shared understanding of the direction that implementation would take, and would thus hopefully have provided a basis of trust for working things out over time.

But this was not to be. Instead, within a decade of the last of the early post-Confederation treaties (Treaty 7, negotiated in 1877), those holding Macdonald's view took complete control over the implementation process and "Indian policy" in



"Treaty Canoe"

ALEX MCKAY

"The 'treaties' for this work were produced by a group of volunteers transcribing treaties from printed text onto linen paper using dip pen and ink, much as the originals would have been hand-written onto similar paper. Most of the participants had never read a treaty before. Treaty Canoe speaks of mutual, sacred bonds of honour. When exhibited it hangs by a thread balanced on a central pivot point above its one thwart. It responds to the slightest breeze of a passer-by, rocking and turning. Lit from above the craft becomes translucent; in casting a shadow it becomes two canoes, floating in the same current on separate but parallel courses."

general. For them, Indigenous peoples were either unable or unwilling to make the transition on their own. To do so required that they be forced from their ways of living, even if that meant the physical separation of children from parents; and that, as exemplified in the residential school policy, became the norm for our relationship with Indigenous peoples as we built this country after Confederation. It is a legacy that remains with us today.

Towards Kindness

The question for those of us who want to change this direction is to determine the best way forward. This is especially difficult to discern for people like me who seek to move relations in a radically different direction: one that acknowledges Indigenous sovereignty on all lands in Canada and asks how we can live as partners within this reality. In investigating possible directions, I return to the treaties negotiated at the time of Confederation. Here, I have found that the language our negotiators used to describe

their understandings of the partnership to be deeply instructive, at least when the paternalistic lens through which they were framed is ignored.

One place (as recounted in Alexander Morris's book *The Treaties of Canada*) is at the end of discussions regarding the terms of Treaty 4. At this point Kanooses, an Indigenous spokesperson, asks for reassurance from Alexander Morris, Chief Commissioner for the Crown, that we intend to implement our treaty obligations through a principle he describes as "kindness," a principle that another Indigenous leader earlier had used to describe how they see themselves treating Settlers. Next, he asks if the Queen brings the power to ensure this will happen, and then by conclusion asks whether these promises are made in perpetuity:

Is it true that my child will not be troubled for what you are bringing him?

In response, Morris says,

The Queen's power will be around him.

With these words, Morris, speaking for the Crown, reassures Kanooses that these promises will remain forever.

The second place is during Treaty 6 negotiations. Here, the Indigenous leadership asks for the treaty to include a clause promising that the Crown will provide provisions and other support should they face starvation due to the depletion of game on which they rely (a very real possibility at that time) and/or are unsuccessful in growing food, at first, instead of hunting. After an initial rejection of this request, on the grounds that the Queen is bound to act with kindness in such circumstances (and the fear that Indigenous parties would take advantage of such a clause to avoid responsibility for taking care of their own needs), Commissioner Morris relented and placed such a clause in the agreement. What is relevant to us are the words he used to describe it to the Indigenous parties:

In a national famine or general sickness, not what happens in everyday life, but if a great blow comes on the Indians, they would not be allowed to die like dogs.

Those words resonate. Have not our relations with Indigenous peoples been formulated on attitudes that are the very opposite of what these words promise? Where is the "kindness" in forcing people into residential schools or in building massive resource developments that poison the lands on which they live and work? And isn't the fact that we turn a blind eye to the lack of potable water and the inadequate housing in so many Indigenous communities akin to allowing them to live (if not always die) "like dogs"? So what I am suggesting is this. Let us, at long last, heed the words of Commissioner Morris and insist that our governments strictly adhere to the principle he so clearly spelled out in the name of the Queen nearly 150 years ago: that kindness will govern our interactions with those on whose lands we have come to dwell.



"DISCOVERED"^{BUT NOT} DEFEATED

OVER THE CENTURIES, THE "DOCTRINE OF DISCOVERY" HAS BEEN USED TO JUSTIFY INVASION, GENOCIDE, AND THE THEFT OF INDIGENOUS LANDS.



IN CANADA, COLONIAL OFFICIALS WERE REQUIRED TO MAKE TREATIES BEFORE ANY TRADE OR SETTLEMENT COULD OCCUR ACCORDING TO THE 1763 ROYAL PROCLAMATION (ISSUED AFTER THE DEFEAT OF FRANCE AND PONTIAC'S REBELLION)...

IN BRITISH COLUMBIA, HOWEVER, ASIDE FROM THE DOUGLAS TREATIES, OFFICIALS - GUIDED BY THE LOGIC OF THE DOCTRINE OF DISCOVERY - IGNORED THE NEED FOR TREATIES AND CLAIMED NATIVE LANDS FOR THE CROWN...

"We are aware the BC government claims our Country, like all other Indian territories in BC; but we deny their right to it. We never gave it nor sold it to them. They certainly never got the title to the Country from us, neither by agreement nor conquest, and none other than us could have any right to give them title."
Declaration of the Lillooet Tribes, May 10, 1911

NATIVES IN B.C. VIGOROUSLY PROTESTED THE THEFT OF THEIR LANDS, FORMING GROUPS SUCH AS THE INDIAN RIGHTS ASSOCIATION & THE ALLIED TRIBES OF B.C., SENDING PETITIONS & DELEGATIONS TO OTTAWA TO PRESS FOR LAND CLAIMS...

AN IMPORTANT CONTRIBUTOR TO THE EFFORTS OF THE INTERIOR SALISH GROUPS WAS THE SCOTTISH SETTLER JAMES TEIT...



TEIT HAD ARRIVED IN THE B.C. INTERIOR REGION IN THE LATE 1800S & MARRIED SUSANNE LUCY ARTKO, A NLAKA'PAMUX WOMAN...

ALTHOUGH ARTKO DIED OF PNEUMONIA IN 1899, TEIT LEARNED MUCH ABOUT HER PEOPLE'S CULTURE AND LANGUAGE...



WHEN NATIVES IN B.C. BEGAN THEIR LAND CLAIMS ORGANIZING, THEY ENLISTED TEIT'S HELP AS A TRANSLATOR & LOBBYIST. HE ALSO PARTICIPATED IN DELEGATIONS TO OTTAWA.



FEARING THE POTENTIAL UNREST, THE FEDERAL GOVERNMENT BANNED LAND CLAIMS ORGANIZING IN 1927 USING THE INDIAN ACT...



TODAY, NATIVE PROTEST & COURT CHALLENGES HAVE CREATED ECONOMIC UNCERTAINTY FOR CORPORATIONS EXPLOITING NATURAL RESOURCES THROUGHOUT THE PROVINCE...

AND EVEN THOUGH EUROPEAN & AMERICAN SETTLERS USED THE DOCTRINE OF DISCOVERY TO JUSTIFY COLONIZATION, THEY ALSO CONSTRUCTED LEGAL CODES TO LEGITIMIZE LAND THEFT.



IN THE U.S., TREATY RIGHTS FORM AN IMPORTANT PART OF NATIVE STRUGGLES TODAY. FOR EXAMPLE, IN 2013 HONOR THE EARTH, UNDER THE LEADERSHIP OF WINONA LADUKE, ORGANIZED A HORSE RIDE IN OPPOSITION TO TWO PROPOSED OIL PIPELINES CITING THE VIOLATION OF TREATY RIGHTS THE PIPELINES WOULD CAUSE. SINCE THEN, HONOR THE EARTH HAS HELD MORE HORSE RIDES AS A WAY TO RAISE AWARENESS.

IN THE U.S., THE DOCTRINE OF DISCOVERY WAS MADE PART OF U.S. LAW IN 1823, AND IS STILL USED TO THIS DAY IN LAWS REGARDING NATIVES.

"Again, were we to inquire by what law or authority you set up a claim [to our land], I answer, none! Your laws extend not into our country, nor ever did. You talk of the law of nature and the law of nations, and they are both against you!"

Corn Tassel, Cherokee
1785

AS IN CANADA, NATIVE PEOPLES DID NOT ACCEPT THE IMPOSITION OF AMERICAN AUTHORITY NOR THE LOGIC OF A GOD-GIVEN RIGHT FOR CHRISTIANS TO TAKE THEIR LANDS...

MORE RECENTLY, IN 2016, THE SIOUX HAVE USED THE 1868 TREATY OF FORT LARAMIE TO LEGALLY CHALLENGE THE DAKOTA ACCESS PIPELINE IN NORTH DAKOTA (ALONG WITH THOUSANDS OF PEOPLE MOBILIZED IN OPPOSITION)...



DESPITE OVER 500 YEARS OF COLONIALISM, THESE EXAMPLES SHOW THAT NATIVE PEOPLES HAVE USED EVERY MEANS AT THEIR DISPOSAL TO REGAIN CONTROL OF THEIR LANDS. AND IN THIS STRUGGLE THE WORK OF SETTLER ALLIES CAN PLAY AN IMPORTANT ROLE IN DEFENDING INDIGENOUS RIGHTS AND THE LAND!



Remembering Resistance

STEVE HEINRICHS

Stolen lands, broken bodies, fractured nations. Many of us are becoming awake to the ways in which Indigenous peoples have experienced dispossession. Many of us know that we must contemplate these devastating stories – weep through them, even “take and eat” them – if we are to grasp the depth of the wounds inflicted. Yet memories of loss and lament can’t stand alone. They must be matched with Indigenous acts of resilience that can breathe life and hope. From first contact until today, Indigenous peoples have actively resisted, with tremendous tenacity, the theft of their lands and lives. Here are a few of those stories.



1500s • FIGHTING BACK

My 10-year-old learns about Columbus in school this year. She hears about his discovery of the West Indies, his quest for land and gold, and the devastating impact that imported disease has on the Natives. But Abby, who is Stó:ló, isn't taught this: The Indigenous resist Columbus and the European powers, fighting back with weapons, refusing to work as chattel, refusing to conceive children to say “YES” to life. In 1519, Indigenous peoples even band together with Black slaves to fight the Spanish, initiating the first large-scale slave revolt. Such acts are rumours of resurrection amidst crucifixion. They're stories that could mean something to an Indigenous girl.



1678–1721 • RECOGNIZE INDIGENOUS LAW AND LAND

In the 1600s, the Wabanaki confederacy negotiates relationships with competing Imperial powers using their Indigenous laws. Like other nations, the Wabanaki are open to settlement as long as host rules are respected. But the English have a hard time understanding what it means to be guests in another's homelands. When warring European powers sign the Treaty of Utrecht in 1713, England believes they've inherited France's “discovery claims” to Wabanaki territory. The Wabanaki will have none of it. They write to the French King in 1715, rejecting France's ability to cede a land they never owned. Then, in 1721, Wabanaki leaders gather in Georgetown and issue a letter (in four different languages) penned for the British Crown. It's a significant choice: “they were not requesting or pleading for assistance: they were asserting their territorial rights” (Salha Belmessous).



1811 • CREATING A PAN-INDIAN MOVEMENT

The Shawnee chief Tecumseh (1768–1813) is watching the world being turned upside down. The United States is expropriating huge swathes of Indigenous land in what are today the east-central States – literally millions of acres – through the weapon of treaty. According to Tecumseh, none of these treaties are legitimate, for they're being signed under coercive circumstances. With his brother Tenskwatawa (The Prophet), Tecumseh seeks to build a pan-Indian movement that can resist the U.S. as a single bloc. If treaties will be signed, they must be with Indians as a whole, for no one tribe can claim it “owns” the land. Tecumseh travels far and wide to unite Indigenous nations. Unfortunately, while he's out recruiting, American forces destroy Prophetstown, the center of this emerging confederacy. It never recovers. But the



1875 • PRAYER AND DIRECT ACTION

How did treaties come to be on the “Canadian” Prairies? Were they simply Crown assertions of sovereignty over defenceless Indigenous lives? Were they really “land-surrender agreements”? Not according to the elders. Treaties were – and still are – sacred covenants resulting from complex negotiations. Each time the Crown sat to “treat” with Indigenous leaders, traditional protocols and ceremonies were taken up – prayers to the Creator, feasting, tobacco offerings, and the pipe. Such practices – central aspects of Indigenous law – made it plain that the covenant was about sharing. The Crown, as we are coming to know, wasn't always up for this kind of relationship. Hence the little-known story of Cree peoples having to sabotage “geological surveys and the construction of telegraph lines until their rights to the land had been recognized” (Treaty 7 elders).



1890s • ARTS OF RESISTANCE

In the late 1800s, Settler business leaders and missionaries collude to subvert Indigenous jurisdiction over Hawaii. First they force King Kalakaua to sign a Constitution (1887) that effectively strips his office of power and disenfranchises most of the Native population. Eight years later, days after an unsuccessful counter-revolution, these Settlers arrest Queen Lili'uokalani, imprisoning the last constitutional monarch of Hawaii. How does the Queen respond? With multiple arts of resistance. Lili'uokalani prays, crafts political poetry, writes an open letter to the American powers, weaves songs and chants, and even gives a blanket for the people. This is all to express her solidarity with fellow Hawaiians and witness her staunch refusal to accept the usurpation of Indigenous sovereignty.



1920s • NEVER RESTING, SOMETIMES VICTORIOUS

In 1922, Pueblo peoples are up against the Bursum Bill, colonial legislation that seeks to arbitrate claims of non-Indians on Native grounds along the Rio Grande. Under the bill, it's the Natives who have to prove that the land being claimed is actually theirs. It's a familiar Settler strategy – one that persists today. But the Pueblos are wise to the ways of colonial invasion. The All Pueblo Council, a pan-Pueblo political organization that seeks to protect Indigenous interests, was initially formed way back in 1598, the year that the Spanish colonial project began. The Council organizes against the Bursum Bill, travels to Washington, and speaks before the powers. Surprisingly, the Bill is defeated. But there's no time for the Pueblos to rest. Back home, the All Pueblo Council must mobilize to fight Indian Affairs efforts to suppress Indigenous religious practices, which are integrally connected to land, peoplehood, and self-determination. They issue a letter of protest: “Our religion... is sacred and is more important to us than anything else in our life... Will the American people not come to our rescue now, when it is proposed to take away our very souls?”



1960s AND 70s • FISHING FOR JUSTICE

The most famous Indigenous resistance of the '60s, without doubt, is the occupation of Alcatraz. Not far behind, however, is the Fish War that took place in the Pacific Northwest. Native Americans from the Nisqually, Puyallup, and Muckleshoot tribes (and more) believe that the treaties of the 1850s recognize their rights to fish in their “usual and accustomed places.” The state, and the sport and commercial fishing industries, believe otherwise. For decades, Indigenous women and men, like Bob Saticum, have exercised their traditional right to fish at profound personal cost, experiencing harassment, arrest, and prison. Very few non-Natives have paid attention. Then the National Indian Youth Council rallies around the fishers and brings actor Marlon Brando with them. They stage a number of “fish-ins” in the name of Treaty rights, and Settler society takes notice. Conflicts and tensions mount, and eventually the federal government sues the state of Washington for not upholding their end of the Treaty. In 1974, Judge Boldt decides that Indigenous fishers should get half of all harvests and an equal say in the “management” of the fishery.



1996 • REJECT SUPREMACIST THINKING

In the summer of 1990, Mohawks rally against the expropriation of traditional lands, including ancient burial grounds, that would expand a golf course and residential space in the village of Oka, Quebec. The provincial police get involved. Then the federal military. The stand-off receives massive domestic and international attention. It's something of a shock to a Canadian Settler society, largely ignorant of Native peoples and concerns. “Why are the Indians so upset?” A year later, the Royal Commission on Aboriginal Peoples (RCAP) is created, led by Indigenous peoples and consulting Indigenous communities all across the lands some call “Canada.” In 1996, a 4000-page report is released with over 400 recommendations. Among those recommendations is one that the Truth and Reconciliation Commission will echo some 20 years later. RCAP calls on Canada “to abandon outmoded doctrines such as *terra nullius* and discovery... [and] reject the attitudes of racial and cultural superiority reflected in the concepts, which contributed to European nations' presumptions of sovereignty over Indigenous peoples and lands.”



2007 • SEEING RIGHTS

For generations, Indigenous peoples around the world lobby the dominant nations for recognition of their self-determination and jurisdiction over traditional lands. At long last, the *Declaration on the Rights of Indigenous Peoples* is adopted in 2007 by the General Assembly of the United Nations. Only Canada, the U.S., Australia, and New Zealand (all former British colonies) vote in opposition. It's a remarkable victory that breathes possibility. In 2010, all four dissenting states reverse their position, and the *Declaration* achieves the status of a “consensus instrument.” Now the challenge is for states to live into the principles and standards of this legal instrument. Indigenous peoples have clearly demonstrated that they will work with states to make such possible, and that they will hold them to account when they remain silent or transgress.



TODAY • UNSEEN SACRIFICE

All across Turtle Island, Indigenous nations and grassroots circles are struggling on the front lines with remarkable creativity, patience, and persistence. They are protecting, holding on to, recovering, and crying out against the destruction of Indigenous lands. Some get a smattering of attention, like the Sacred Stone Camp in North Dakota, the Unist'ot'en in northern British Columbia, and the ongoing efforts of Grassy Narrows First Nation in Ontario. Yet the vast majority go unnoticed. In every colonial province, in every colonial state and territory, there are Indigenous women, men, and children defending the land and the waters through ceremony, petitions, mass education, direct action, dance, and more. We are called to “see” them. We are called to join in.

[SECT 1](#)[SECT 2](#)[SECT 3](#)[SECT 4](#)

SECTION 2: Discovery Present



ALISON BROOKINS hails from the traditional lands of the Ho-Chunk Nation, now Madison, Wisconsin. A seminarian at Anabaptist Mennonite Biblical Seminary, Alison is intrigued by using comedy and theater for theological communication and truth telling. During a 2016 internship with Ted & Company in Harrisonburg, Virginia, she wrote a one-act play on the *Doctrine of Discovery*. This sketch is part of a one-act play, which is part of a full-length work in progress, *Discovery: A Comic Lament*. Please note: This sketch is free to be read alone and in learning circles. For performance rights, please contact Ted & Company.

My Car

CHARACTERS: Bel: Female, 50ish, Cole: Male, 30ish

[BEL enters. Sees a parked car. Goes up to it reverently. Gently touches a tailfin, peers through the window. Enter COLE.]

COLE: You like it?

BEL: What?

COLE: The car.

BEL: Oh, yes. Yes, it's very nice.



1957 Chevrolet
Bel Air Convertible.

IMAGE: CHEVROLET
FACTORY PHOTO / PUBLIC
DOMAIN

COLE: Just got it three years ago.

BEL: Really?

COLE: Yeah, it was my dad's. Bought it used.

BEL: Uh huh.

COLE: Didn't even pay too much, even though it was already a classic by the '70s.

BEL: Lucky find.

COLE: I restored it.

BEL: Nice.

COLE: It's a '57 Chevy.

BEL: A '57 Bel Air 2400C.

COLE: Oh ho!

BEL: Three-speed on-the-floor transmission.

COLE: Yeah...

BEL: Split seats, flat-pleated black and white interior.

COLE: Yep.

BEL: Did you keep the six-cylinder?

COLE: Nah, tore it out for an eight.

BEL: Six not enough?

COLE: Wanted more power.

BEL: But the eight doesn't run as smooth.

COLE: Eh, you're right. But still. Know a thing or two about cars?

BEL: A thing or two, yeah. This is the car of my day.

COLE: Love the way the '57 tailfins stand proud.

BEL: Uh-huh, don't know why they cut down the fins on the '58.

COLE: And the '58 gearbox just felt sloppy.

BEL: Yeah. I agree. Love the grill on the '57.

COLE: The '55 just didn't feel aggressive enough. This one's all "RRRR."

BEL: Right. "RRRR."

[BEAT]

BEL: Hot damn, that chrome is spotless.

COLE: Spent months on that. Elbow grease and sweat. No other way. Yep, there's a lot of me in this car.

BEL: Sounds like.

COLE: We've been on a journey together. Gone places. [chuckling] This car gave me some surprises.

BEL: Oh?

COLE: You wouldn't believe the strange stuff I found while cleaning it out. I pulled up the mat over the wheel well and found...

BEL: An urn of ashes?

COLE: ...an urn of - what? How...

BEL: I remember.

COLE: You remember?

BEL: Everything.

COLE: ...What?

BEL: About the car. This car. My car.

COLE: How - what?

BEL: This was my car. My grandpa learned to drive in this car. He left it to me. But it was stolen. Many years ago.



Michelle Milne and Doug Reed performing 'My Car.' /
PHOTO: KENT SWEITZER

COLE: Stolen? Now, are you accusing me -

BEL: Oh, no no no.

COLE: This is my car!

BEL: I know it.

COLE: I bought this car, I'll have you know!

BEL: I'm sure you did.

COLE: I bought it from my father!

BEL: So you said.

COLE: He bought it from a used car place!

BEL: Uh-huh.

COLE: Fair and square.

BEL: Of course.

COLE: I have documentation and everything.

BEL: Of course you do.

[BEAT. COLE'S defensiveness is defusing.]

COLE: So... was this really your car?

BEL: Uh-huh.

COLE: What happened?

BEL: I had these new neighbours. New to the area. Seemed like nice folk. A bit pushy, maybe. One day they came over with a petition.

COLE: A petition?

BEL: From this new neighbourhood association they'd started. We'd never had anything like that before - never seemed like we needed one - but the way they were talking, seemed like a good idea.

COLE: What did it do?

BEL: It was pretty basic stuff. Keep the neighborhood free of weeds and other undesirables. Animals on leashes at all times. Neighborhood watch.

COLE: Sounds a lot like my association.

BEL: I signed the petition. Seemed like the thing to do. Next morning I woke up. The car was in their driveway.

COLE: What?

BEL: I went over. They showed me the paperwork. My name on it. My signature.

COLE: How... It was in the petition?

BEL: Apparently.

COLE: Did you read before signing?

BEL: I skimmed it.

COLE: [blaming] Ah, well...

BEL: It was all in a footnote - just listen: [reciting]
"Having determined to hold a

conference with the neighborhood, to remove and set to ease any difficulties and complaints, and wherefore the vehicular transfer and rearrangement-slash-reappointment of the property of the undersigned is in agreement with the guidelines as stipulated by the Association, this treaty shall be ratified by the President of the Neighborhood Association, and shall be binding upon both parties"

COLE: The hell?

BEL: They said it was just there to satisfy the lawyers.

COLE: So what did you do?

BEL: There was nothing I could do.

COLE: What - this doesn't make sense - how could this happen?

BEL: I went to the police. No luck.

COLE: What did they say?

BEL: Turned out the car was never really mine in the first place.

COLE: How? This is illegal!

BEL: Oh, it was all legal.
"Everything was in order."

COLE: But... I can't believe it.

BEL: It was my grandpa's car. He left it to me.

I filled out the Statement of Transfer of Vehicle and Plate Application. But turns out the state required an Affidavit of Motor Vehicle Gift Transfer too. No one told me that.

So, the police couldn't even register the car as stolen because it was never mine in the first place.

COLE: This is incredible.

BEL: Oh no - "everything was in order."

COLE: Huh.

BEL: More newcomers came in. Soon my rent got jacked up. I had to move. I heard about this happening to others too. In other towns. I think I saw my car on the road once. It was the mayor's daughter driving.

[BEAT. Attention turns back to the car.]

BEL: Never thought I'd touch her again.
Gosh, I loved this car.

COLE: It is a nice car.

BEL: Oh, I know it.
I have so many memories in this car. Grandpa at the wheel, all us grandkids piled in - I always got the window - the hot breeze blowing. I remember the feeling of sinking into the upholstery, the feeling of flying... mm-mm, I love this car.

[BEAT]

COLE: So... what do we do now?

BEL: With what?

COLE: Well, your car..

BEL: You could always give it back.

COLE: But then I wouldn't have a car.

BEL: You could pay me for it.

COLE: But I already paid for it! And so did my father. And I put all that work into it.
Look, what if I called the police for you?

BEL: What would that do?

COLE: My cousin is a captain. I could put in a word..

BEL: But it was all legal. The police don't change the laws.

COLE: Well then we need to go to the people who can change them.

BEL: [Scoffs] Yeah, that's easy enough.

COLE: Look - what if we convince the government to give a car to everyone who lost one?

BEL: Who's going to pay for that?

COLE: Maybe people's minds would change if you started telling your story..

BEL: Dude. I've been telling my story.

COLE: What?

BEL: For years.

COLE: Why haven't I seen anything about it?

BEL: Have you been looking?

COLE: Well, not specifically..

BEL: The story is in history books.
Did you study '57 Chevy history?

COLE: No, that was an elective course - I didn't have a '57 Chevy back then. I just took normal automobile history.



1957 Chevrolet Bel Air Convertible.
IMAGE: CHEVROLET FACTORY PHOTO / PUBLIC DOMAIN

BEL: It's been on the news. It's all over social media. And don't get me started on the memes.

COLE: Oh?

BEL: It's not my fault that you just haven't been paying attention.

COLE: Well, maybe I've heard hints of it, but it never seemed like a big deal.

BEL: Oh really?

COLE: Didn't think it applied to my car.

BEL: Of course not.

COLE: There's so much in the news.
And this all happened so long ago.

BEL: I still remember.

COLE: Well there never seems to be

an answer to these sorts of things. What am I supposed to do? I can't pay attention to everything in the world!

BEL: Not even something as big as driving around in a stolen car?

COLE: I didn't know - I got it from my dad - I bought it... this was all so long ago... what am I supposed to do about it?...

[BEAT]

COLE: I don't know what to do.
Wanna go for a drive?

BEL: Now?

COLE: Yeah.

BEL: In the car?

COLE: Yeah.
We can keep talking.

BEL: I'm on my way to a meeting.

COLE: Can I take you there?

BEL: ...Ok.

[BEL gets in the passenger door. As COLE is digging for his keys, BEL slides over into the driver's seat. COLE is taken aback. They look at each other a moment, then COLE hands her the keys and walks around to the passenger door. As they're driving off...]

COLE: So... whose ashes were in the urn?

BEL: My grandpa. We never got a chance to bury him.

COLE: Oh.

BEL: Didn't expect to ever find them. Where did they end up?

[COLE, not answering, sinks down in the car seat, like he wants to disappear in shame, implying that he tossed the urn out. Sketch ends with this unresolved. They drive off.]

FIN

Reconciling the Nation-to-Nation Relationship



LYNN GEHL, PhD, Algonquin Anishinaabe kwe, is an author, advocate, and activist. Her recent book, *The Truth that Wampum Tells* (Fernwood, 2014), offers an insider analysis of the Algonquin land claims and self-government process in Canada.

The following is an abridged and slightly adapted version of a letter that Lynn sent to the prime minister of Canada on December 25, 2015.

Kwey Prime Minister Justin Trudeau,

I am an Algonquin Anishinaabe-kwe of the Ottawa River Valley. Canada's parliament buildings reside on my traditional homeland; as such, my first responsibility is to welcome you to our territory. Welcome.

Over the last year, you have repeatedly stated that "No relationship is more important to me and to Canada than the one with Indigenous peoples." Moreover, you have publicly pledged to renew the nation-to-nation relationship as it is recognized in the Canadian Constitution. This is an excellent goal, and I commend you, as do many Indigenous people. My goal with this letter is to offer you an Indigenous understanding of what a nation-to-nation relationship means.

What most Canadians and Canadian parliamentarians do not know is that Canada's constitutional beginnings did not commence in 1867 with a room full of English and French patriarchs in a top down approach. Rather, Canada's constitutional beginnings predate this moment to a time when the 1763 Royal Proclamation was ratified during the 1764 Treaty at Niagara.



Dayodekane (Seth Newhouse, 1842-1941), with Two Row Wampum in hand, was an important Onondaga Chief. / PHOTO: PUBLIC DOMAIN

The Treaty of Niagara was one of the most significant and diverse gatherings of Indigenous peoples and nations. In the words of legal scholar, John Borrows,

...approximately two thousand chiefs attended the negotiations. There were over 24 Nations gathered with representative nations as far east as Nova Scotia, and as far west as Mississippi, and as far north as Hudson Bay.... Aboriginal people throughout the Great Lakes and northern, eastern, and western colonial regions had travelled for weeks and months to attend this meeting.

The Treaty at Niagara ratified the Royal Proclamation and established a treaty federal order where



TREATY OF NIAGARA BIRCH BARK MEGAPHONE
ALEX MCKAY

"Some say that the Treaty of Niagara is a 'lost treaty', reiterating and reinforcing the First Nations' understanding of the Royal Proclamation of 1763 that recognized the sovereignty of the First Nations. It is remembered and recorded by the First People as a Two Row Wampum."

Indigenous nations retained jurisdiction of their land and resources. This is key. Indigenous nations would continue their process of evolving and manifesting their governance, laws, and traditions in ways that suited them and their ability to live a good life within their knowledge, philosophy, and good governance standards. With this retention of jurisdiction, Indigenous nations agreed they would share the land with Settler people so they too could live a good life.

Again, what most Canadians and Canadian parliamentarians do not know is that this treaty federal order is recorded in both the 1763 Royal Proclamation and the three Wampum belts that were exchanged during the Treaty at Niagara: The British and Western Great Lakes Covenant Chain Confederacy Belt, The 24 Nations Belt, and the Two Row Wampum Belt. While many Canadians are of the thought that the Royal Proclamation is our only founding constitutional document (and most Canadians, sadly, are not even aware of the Proclamation itself), this is a colonial understanding and a narrow interpretation. The three Wampum belts are also founding constitutional documents. The treaty federal order encoded in these documents remains within the oral tradition... and within the hearts, minds, and practices of Indigenous people.

In 1867 that treaty federal order was unilaterally changed with the introduction of the British North America Act. A colonial provincial federal order was unilaterally imposed on Indigenous nations, lands,

and waterscapes. Then, in 1876, with the introduction of the "Indian Act", Canada unilaterally designated all Indigenous land provincial Crown land. The nation-to-nation relationship first agreed upon in 1764 was utterly disregarded and denied

As Canada did this to Indigenous nations, Canada also criminalized our culture, denied us the right to vote in their political system, and also denied us the right to hire lawyers. While these particular oppressive measures have since changed, in the critical area of respect for Indigenous jurisdiction and a genuine nation-to-nation relationship, there has not been any movement beyond political rhetoric. Significant Supreme Court of Canada (SCC) decisions have been ignored. Canadian land claims policies continue to be manipulated for Crown gain. This is not a matter of interpretation and debate. This is truth. Indigenous people, thinkers, ceremonialists, and academics have successfully pointed this out over and over and over again.

It was after the 1973 Frank Calder decision when Canada manifested its comprehensive land claims policy, *In All Fairness* (1981); a policy which remained steeped in the colonial agenda. In short, Indigenous nations were forced to comply with a blanket extinguishment of all their rights. This outraged many Indigenous people, and feeling the heat, Canada eventually tweaked its comprehensive land claims policy text and subsequent practices into a "new" policy titled *Comprehensive Land Claims*

(1987). Now Indigenous nations were forced to relinquish *only* their land and water rights, while we somehow retain other rights – such as the right of self-government, municipal style.

It is easy to understand how these requirements render Indigenous nations with next to no agency and next to no ability to live a good life, as it is through the gifts (resources) of the land and water that nations are able to construct meaningful governance structures and traditions.

Some Canadians have heard about the Tsilhqot'in decision rendered by the SCC in June 2014. Some thought it was a significant victory for Indigenous peoples. How did Canada respond? They put forward a “new” interim comprehensive land claims policy. Unsurprisingly, colonial postures continue. Bruce McIvor, a lawyer specializing in Indigenous law, offered his legal analysis, noting four main issues:

- First, the new policy “disregards the need for high-level discussions between Canada and First Nations leadership to reframe the approach to achieving reconciliation on Aboriginal title and rights claims”;
- second, it “fails to acknowledge that recognition of Aboriginal title must be the starting point for all negotiations and agreements between Indigenous peoples and the Crown”;
- third, it “fails to address the need for the Crown to seek and obtain the consent of Indigenous peoples before making decisions that will affect Aboriginal title lands”; and
- fourth, it “fails to consider and adhere to the underlying principles of Aboriginal title,” and it “imposes a unilateral approach which is inconsistent with Canada’s fiduciary relationship to Indigenous peoples and its obligations to act in good faith in negotiations concerning Aboriginal title and rights.”

The important story here is that despite several favourable SCC decisions and several policy revisions, Canada continually refuses to meet new law. It is in this way that Canada remains rooted in its colonial history and agenda that has denied, and continues to deny, Indigenous nations the jurisdiction of their lands and resources. And it is in this way that Canada continues to deny and obfuscate the nation-to-

nation relationship established at the 1764 Treaty at Niagara. In taking this approach, Canada has done incredible damage to all of us – both Indigenous nations and Settler Canadians.

But what does this mean, in practical terms, for Indigenous nations?

It means Indigenous nations, such as the Algonquin Anishinaabeg, are forced into a land claims process where the only right they have is to terminate, extinguish, relinquish, or define in very narrow terms access to their land and land related rights; the very land and land-related rights from which we need to construct meaningful and life-giving institutions and mechanisms (such as laws, policies, court houses, education, health care, housing, and shelter). Specifically, Canada is offering the Algonquin Anishinaabeg in Ontario only 1.3% of their traditional land and a one-time buyout of \$300 million. Being forced to define our needs in these narrow terms is not a nation-to-nation relationship, nor is it reconciliation. Rather, it is cultural genocide.

This is the reality imposed on Indigenous nations despite our efforts, decade after decade, of going to the SCC to find justice. This is wrong in so many ways. There is no need for Indigenous nations to be dependent on the colonial purse strings of oppression. We are capable nations, with capable members, capable of making our own decisions.

We have to make significant change, Prime Minister Trudeau, and soon. The situation is particularly grave for Indigenous women and children who are especially violated by the sexism and patriarchy of the colonial system imposed on us. Consider the fact that, although there are 17 provincial parks in Algonquin traditional territory, there are no employment opportunities designated solely for Indigenous women and students. What’s wrong with this picture? This is the nature of oppression; the most vulnerable suffer the most.

Research has shown that improving the lives of women and children in concrete and practical ways is the best way to prevent poverty, violence, health issues such as disabilities, and sexual oppression such as incest, rape, prostitution, and missing and murdered Indigenous women. As I write this, I do wonder what your life partner Sophie thinks about

A Need for Courage: Discussing Settler Stumbling Blocks to Solidarity



SYLVIA MCADAM (Saysewahum) is a nēhiyaw author, lawyer, and defender of land and water in Treaty 6. With three other women, she began the Idle No More movement.

Many Canadians have difficulty talking about, let alone understanding, Indigenous nationhood and the need for land reparations. Many have beliefs and questions that prevent them from seeing these matters as relevant or right. And it's good Settlers too – those concerned about justice, equality, and fairness – that struggle with this. To help bridge the gap, Steve Heinrichs asked Sylvia to respond to three common Settler concerns.

STEVE: Thanks so much for engaging this Sylvia. I recognize that this isn't the most enjoyable or the easiest conversation to have. But I think it could really help some of our readers who want to enter this larger discussion around the *Doctrine of Discovery* but can't quite go there because they have nagging underlying beliefs and assumptions that they need to get out in the open and have addressed.

SYLVIA: I understand what you're saying, Steve, yet at the same time, I think it's important to pause and ask, "Who is responsible for doing the educating here?" Should the Original peoples of these lands have to be the ones to inform and equip non-Indigenous peoples? Do we need to carry that burden too? But for the sake of the work that we're trying to accomplish, I will do my best to speak into these matters, seeking to disrupt the entrenched colonial myths and narratives that the majority of Canadians hold. I would like to encourage readers, however, to bear some of the burden by doing personal and collective homework; watch videos, read books, and take classes on Indigenous history, racism, white supremacy, and white privilege. This is critical as a basis of moving



Sylvia McAdam laments an illegal clear-cut in her home territory of Treaty 6 (c. 2016). / PHOTO: BRYAN ENEAS / PANOW

forward to understand how the particular beliefs that we're going to discuss are problematic and contribute to systems of oppression and the erasure of the Original peoples of these lands.

STEVE: Thanks, Sylvia. The call and the concerns you've raised resonate with me. I also want to thank you, very much, for your willingness to engage this. I deeply appreciate you, friend! So here's the first of three common lines of Settler thought that I'd like to raise; stuff that I hear from family and neighbours, read in major newspapers, and even come across in scholars like Tom Flanagan (see his *First Nations, Second Thoughts*):

It's awful what happened back then to Indigenous peoples, but whether we like it or not, the hard truth is that spoils often go to the victors. Besides, native

tribes used to fight each other for land and territory all the time (think of the Blackfoot and the Cree wars on the plains), and they aren't seeking forgiveness or justice from each other, are they? In other words, native peoples need to move on from their desire to get the land back.

SYLVIA: Sure, we had conflicts with other Original nations, this is true. But as we note the presence of conflict, we should highlight that there were far more conflict resolutions, peace treaties, and mutual sharing of the land. Our Indigenous legal systems directed us to live peacefully and continue to do so. I would suggest people read my book *Nationhood Interrupted: Revitalizing nēhiyaw Legal Systems* (Purich, 2015) to learn about such. Peace was always paramount; continued war and conflict was never practiced as a way of life. Moreover, we should remember that when Europeans arrived, they were welcomed as visitors, just as we have always done with other nations. All nations thrived under our original laws and instructions. We had trade and an economy that benefitted everyone, not like today's economy where profits are privileged over most peoples, brown and white, human and other-than-human.

At no time in our Original nations' history was there a complete and utter genocide of any nation, nor taking of land that left any nation destitute, oppressed, or annihilated. Before the term genocide existed, Original nations thrived here. Yet a horrific genocide has been committed and continues to be committed by Settler society against the Original peoples of these lands. I invite readers to research the criteria of genocide as defined by the United Nations, and suggest that we examine Tamara Starblanket's recently released text, *Suffer the Little Children*. Starblanket details the historical and contemporary genocide that continues to be inflicted upon the Original nations of these lands. And of course, there's the *Final Report of the Truth and Reconciliation Commission* that offers a foundation for this information.

As for the adage, "to the victor go the spoils," you think most would question the ethical legitimacy of such, especially when there has been no war (which is the context that gives meaning to that saying). "Victors" require a nation to be conquered, and that is simply not the case with what happened within

so-called "Canada." We made several Peace and Friendship Treaties, including Treaty 6, which covers the territory that I now reside within. At no time was there a battle or a war between the British Monarchy and the Original nations. We are not conquered nations.

Finally, the idea that we need to "move on" is so exhausting for Indigenous peoples. No one would ever think to say that to a Jewish holocaust survivor, would they? Why us, when our lands, children, languages, and cultures, have been and are continually taken from us or suppressed?

STEVE: A second common Settler belief goes something like this:

It is true that Indigenous peoples have been living here for millennia. But the reality is that much of this land was empty and wasn't being used. It doesn't seem right to think that these scattered tribal communities could have claims to such vast swathes of territory.

SYLVIA: Like the previous belief, this too is laced with racist undertones that perpetuate a lie that Original peoples' lands were empty and "unused." Again, I would suggest a couple of books for readers to engage – *1491: New Revelations of the Americas Before Columbus* by Charles C. Mann and *Pagans in the Promised Land* by Steven Newcomb. Both illustrate the ideology of *terra nullius* that promotes and perpetuates the myth of the *Doctrine of Discovery* as it unravels entrenched ideas of "empty lands." I won't go into details, but I'll simply state that these lands were not empty then, and they are not empty now.

At some point in time, we need to move past this "scattered tribal communities" narrative. The Settlers must find their way to a place of justice, peace, and compassion enough so that each will question on what authority their information or convictions are based. Let's be honest. How many Settler peoples who hold such convictions have actually read a book on settler-colonialism or Indigenous history? Only a few outlier scholars, since the 1980s, would dispute the stuff that I'm talking about. The land was never empty and treaties were made to create a co-existence for the future. Injustices happened that are still felt today by the continued violation of treaties. What

would justice look like for the Original peoples of these lands? I hope that, in my lifetime, I get to see moves toward such justice. Until then I am an Indian registered under Canada's Indian Act.

I envy the decolonization efforts that Africa and India are undergoing after they survived colonial genocide and oppression. As my good friend Art Manuel says, "Colonization is against world peace." Canada is still very much a colonial state. Original peoples are still colonized, and our lands are occupied by the descendants of colonial people who reap the benefits. An incredible injustice is still happening. If you are complacent in the face of this injustice, then you are an accomplice to the problem.

STEVE: A third common Settler belief goes something like this:

Why should we acknowledge Indigenous peoples as supposedly sovereign nations with special rights? That's race-based law. Moreover, Indigenous communities were never "Nations." They were small, primitive bands... and they migrated here, just like the rest of us.

SYLVIA: It's amazing to me when I hear comments that describe the original peoples of these lands as "primitive" or "nomadic" or "barbaric," especially given that some of our nations already had running water in their homes and sustainable genetic engineering in their agriculture prior to European invasion. We have lived in sustainable societies for generations that respected and lived with the lands. Settler society can't say the same. Who's primitive?

Language that dehumanizes peoples has always been used to legitimize genocide, theft, and oppression. Whether we migrated here or not is beside the point. But I'm sure many of these Settlers are Christians, and many of them would believe they came from Adam and Eve. That's their creation story and it's a beautiful narrative for them, despite the fact that European science questions their historical interpretation. Original peoples have creation stories that speak their origins, and those teachings are just as true to them as Adam and Eve is to Christians.

It will take courage to go beyond the superficial question around "race-based laws," a question that is imbued with racist assumptions itself, contrary to humanity and contrary to Christianity. I do not

attend any church, but from my superficial research, I understand that the Christian God teaches love, compassion, and justice. Jesus also speaks and teaches Christians to stand against injustice as part of their way of life (their laws). I don't think Jesus was selective in who should be worthy of justice; would he be selective in who gets to be recognized as a people and a nation?

In many places around the world that have experienced wars and genocide, compassion and justice have been invoked to help oppressed peoples find life again. We see this in the aftermath of the first and second world wars, in which Germany was assisted to rebuild and the Jewish people received significant reparation and restitution. Are the Original peoples of these lands not worthy of justice and restitution? We consider ourselves nations. Do we require recognition of the colonial oppressor? Especially in this era in which the Truth and Reconciliation Commission's research has revealed the depths of the genocide inflicted on the host peoples: mass numbers of children taken, communities fractured, medical experimentation, and the Original peoples imprisoned on their reserved lands for almost 100 years to enable the colonizers to seize their lands? To say it bluntly, our lands have been stolen.

It takes intentionality and courage to examine the lies being perpetuated in the dominant society. I ask each and every one of you to reach beyond the lies and myths told to you in classrooms, in restaurant conversations, and in the media. Have courage to truly apply the love, compassion, and justice that your God and Jesus speak of. The Original nations of these lands have been decimated even though treaties have been made. Nowhere else have treaties been so openly violated, and without consequence, over and over again, condemning Original peoples' children to abject poverty, racist laws, policies, and systems.

Consider how funding is distributed within the educational systems. Provincial funding for children is approximately \$12,000 per year. Yet on reserves all over "Canada," Indigenous children receive 30% less. Meanwhile, children enrolled in French immersion receive additional thousands on top of that base \$12,000. There is no rhyme or reason that Indigenous children should be funded far less than their counterparts. The colonial government can

commit this educational injustice because very few Settler people have the courage to explore beyond the façade of equality and democracy of the colonial narrative that “we get everything for free” and that we Natives benefit from “race-based laws.” This is only one example of the structural, systemic injustices that we face (think of the Indian Act – no other peoples are more legislated and policed than the Original nations).

To move forward, we need to realize that treaties are unfinished business and need to be enforced, not merely implemented. Justice, to me, is revisiting what it means to be “treaty peoples.” Right now, Treaty 6 lands are being pillaged and plundered under the guise of “development and economic benefits.” Lands that are protected as treaty hunting lands are being clear-cut, destroying delicate ecosystems and animal habit, decimating even our burial grounds. It will take generations to recover. Deforestation of this magnitude contributes to climate change and violates Treaty 6 terms and promises. Who will stand with us to protect our lands? That’s what this conversation, in many ways, comes down to.

In order to dismantle and disrupt the lies that are the foundation of “Canada” – including the *Doctrine of Discovery* – we need more courageous people: people who will stand for justice, not just for their children, but for all children. *Ekosi.*

■



During Treaty negotiations, the Crown promised host peoples that they would be able to continue their traditional hunting practices. Clear-cuts, without consent, are a transgression of that word.

PHOTO PROVIDED

From Colonial Indoctrinations to Indigenous Lifeways



CHICKADEE RICHARD is Anishinaabe kwe, originally from Sandy Bay, and currently living in Winnipeg – Treaty 1 territory and homeland of the Métis Nation. A grandmother of six and mother of three, Chickadee is a widely respected elder, teacher, and activist. Alongside a passion for environmental justice and water protection, she loves to sing traditional songs and attend spiritual gatherings.

Boozhoo Aiinin,

My name is Benais Quimwin Ikwe, Mukwa Dodem, “Thunder Rain Woman” from the Bear Clan. I am also known as Chickadee Richard. I am grateful that I can address you with my first language, the original language of the Anishinaabe. As an Indigenous person, I have not always had the honour of using my language, being a residential school product.

I am a member of the great Anishinaabe nation, whose traditional territory stretches from the Prairies to the Great Lakes and beyond... to the lands of the Algonquin and Chippewa. We Indigenous peoples don't recognize colonial borders. Those were man made, constructed by dishonest powers. I have relatives who come from beyond those invisible lines, lines created by false governments to separate our lands.

I am a descendant of the White Mud peoples who lived along the White Mud river. I am a descendant of Treaty 1. This is something that I wasn't aware of until my brother shared it with me; he holds the oral history of my ancestors, where we traveled, gathered, and hunted.

I am a member of Sandy Bay First Nation, which is a reserve that is governed under the “Indian Act.” It's approximately two hours' drive from Winnipeg, located along the west side of Lake Manitoba.



At one time, I wasn't considered a “Treaty Indian.” I was called Métis. I was non-status. But the federal government redefined me so that I'm now a status Indian under Indigenous and Northern Affairs. This is part of what I call the “indoctrination process,” where the Canadian state seeks to impose their teachings, laws, opinions, and beliefs on us Indigenous peoples without considering our teachings, laws, values, and beliefs.

One of the greatest misguided indoctrination efforts was the Indian Residential School system and the efforts of churches to use their Scriptures to disconnect us from our ancestral ways. They taught us to be afraid of our cultural practices, to mistrust and despise our ceremonies, to forget our sacred relationships to each other and to our homelands.

My great-great-grandfather was one of the last known pipe and bundle carriers. He was found out



Centuries old petroglyphs at Agawa Rock, Lake Superior, Ontario. / PHOTO: D. GORDON ROBERTSON / PUBLIC DOMAIN

by the church, and they called in the Royal Canadian Mounted Police to come and arrest him because he was still practicing our ancient ways. My grandfather ran into the bushes to burn his bundle, which he did out of fear of going to jail. He eventually died of alcoholism, which he never struggled with prior to exposure to the indoctrination of the churches and governments who imposed their man made laws on peoples who knew only natural law. I have personally come to know our laws as I seek to undo generations of colonization and indoctrination. I have come to know that natural law is rooted in the sacred, in the earth, and surpasses man made laws.

Since contact, history has been dominated by Settler peoples. And there are many theories that Settlers have conjured in their great plan of laying

claim to the land; stories of savages, of uncivilized peoples who prayed to animals and nature, instilling fear into Settler minds even though we were only respecting and giving gratitude to all of life.

I remember, as a child, my mother telling me to respect water. We lived by Lake Manitoba, where we could hear and see the waves crashing against the shores. That lake is one of the biggest fresh water lakes, one of the many bodies of water that has sustained us for thousands of years. I didn't realize that my mother's encouragement to respect water was a spiritual teaching instilled into her by her mother and grandmothers; a call to know the sacredness of water and life, to not waste water and play with it.

We knew the names of all the waters around us – the lakes, streams, and rivers – just as we had

names for all of our hunting and medicine-gathering places, which are still used among our peoples today. Our homelands in each territory have rich stories connected to them that affirm our long-standing relationships to our lands and waters. Our ancient ceremonies and songs acknowledge such too. And there are petroforms and petroglyphs throughout our territories that name our existence and pass down the communications of our ancestors.

Colonial indoctrination has displaced our women from our traditional roles and responsibilities in a matriarchal society. We were strong when we had clan mothers and hereditary chiefs. They still exist in our homelands, but they have been suppressed. The Canadian courts knew that the laws of the land were deeply connected to our clan mothers. In fear, the patriarchal powers replaced our living systems with their own systems of oppression and greed. Today, our women are the most abused and violated people in “Canada.” We are raped, murdered, and thrown away. And in killing our women, Settler society is able to kill our nations by preventing us from creating new life. There is no respect for us.

Settlers have dreamed up various justifications for their plunder of Indigenous women, waters, and lands. At first contact, it was Church laws sanctioning theft of pagan lands in the name of Jesus and *Discovery*. More recently, it is theories like the Bering Strait migration, where we natives become just one more migrant peoples amongst many in a multicultural land where no one has special claim to any territories (no one except those who “use it” according to the blessing of the rich). There is nothing to substantiate this theory or any other.

The Anishinaabe are not immigrants. We are connected to these lands. We have creation stories, as do other Indigenous nations around the world, that speak of the power and origin of our territories. I have had the privilege of sitting with many different tribes and have heard their songs, ceremonies, and teachings, passed down from their grandmothers and grandfathers and from their homelands. We know our roles and responsibilities to these places; we were all given original instructions that bind us to our ancestral homelands and to one another. Settlers have used many tools of terror to instill fear in us, to lay claim to our lands because of their rich resources.

But it is all false teaching. We Indigenous peoples have lived here long before the Settlers, and we will always be here. This is my understanding.



Here's another story. This one was told by Mabel Dunham in 1924 and was published as *The Trail of the Conestoga*. Dunham's tale is about the first mass migration of Mennonites into Canada, the Swiss Mennonites' arrival near the Grand River in Ontario following the American Revolutionary War. The historical romance emphasizes the challenges overcome by the Mennonites as they rambled up from Pennsylvania in their sturdy Conestoga wagons – wild animals, raging rivers, double-crossing land speculators, and so on. *Trail* was a hit: it was released by a major publisher with numerous reprints, and it was later adapted for stage. It's one of those stories we like to tell ourselves, celebrating the Mennonites' simple faith, dogged perseverance, and indefatigable good cheer. William Lyon Mackenzie King, then the prime minister of Canada, liked it so much he wrote a laudatory preface for the first edition. Stories like Dunham's are "the background of our country's story," he wrote, suggesting that the (Swiss) Mennonites "came to this county to find it a wilderness," but quickly turned it into "one of the banner counties of all Ontario."

As you may have guessed, both Mackenzie King and Dunham forgot to mention that the settlement was on the Haldimand tract, contested land that had been promised to the Six Nations Indigenous community just a few years earlier, to "enjoy forever." You can look for Indigenous people in the book, but you'll find them only in a few passing references to the Settlers' fears and in their otherwise palpable absence.

Dunham's story, popular as it was, is rarely discussed by scholars of Mennonite literature. When critics go searching for the first novel of Mennonite literature in Canada, we usually end up finding Rudy Wiebe's 1962 story, *Peace Shall Destroy Many*. Where Dunham's story is about Swiss Mennonites settling in Ontario, Wiebe's story is about Russian Mennonites settling in Saskatchewan, where they are attempting to recreate the colonies they lost in the Russian Revolution. These Mennonites, too, face many challenges, including an impoverished Métis community on the outskirts of their village. Wiebe's thoughtful young protagonist sympathizes with the "Indian" community and even reaches out to it through Sunday school lessons, and several tentative



Issued on August 28, 1974 to mark the centenary of Mennonite settlers in Manitoba, this 8 cent stamp recalls the almost 8,000 Mennonites who arrived between 1874-1880 and settled on two reserves on the east and west sides of the Red River. / IMAGE: PUBLIC DOMAIN

Mennonite/Métis relationships emerge over the course of the book. But *Peace Shall Destroy Many* is a story about the Mennonites' fraught attempts to separate themselves from the world, and their leaders work hard to frame any contact between the two communities as a form of contamination. This story isn't quite as happy as Dunhman's account, and Mennonites were not as happy to see it in print.

Now there isn't space here to recount all the stories we Mennonites have told ourselves about our arrival in Canada, never mind to consider the many stories that have much to teach us about this arrival but which, not being directly by or about Mennonites, are not the type of stories I've been invited to reflect upon. But I do want to tell you a few more, because the stories have changed over the years.

Sandra Birdsell, who is both Mennonite and Métis, likes to tell stories about how her mother's and father's communities have gotten along in Manitoba. Her book, *The Russländer*, tells the story of how the surviving members of a Mennonite family fled to Manitoba from what is now Ukraine, following the Russian Revolution. Her next book, *The Children of the Day*, tells the story of how one of those Mennonites marries a local Métis man and the general hilarity – but really mostly the challenges and hardship – that ensues. Read together, the two novels show a broader history underlying that pattern I noted earlier in many Russian-Mennonite stories: of how colonialism informed their violent departure from the old country, how colonialism facilitated their arrival into this new country, and how it has continued to inform their experience. Together, Birdsell's stories remind us that the story of our arrival has yet to be finished.

The last published story I want to share is another hard one, but it's also one of my current favourites. *North End Love Songs* is a poetry collection about a Métis woman whose brother goes missing in the “nortend,” or north Winnipeg. It is a moving portrait of familial devotion in a beautiful place, set against the enduring legacies of Canadian colonialism in a city with the largest concentration of Russian Mennonites in the world. It was told by Katherena Vermette, who, like Birdsell, is of Métis and Mennonite heritage. She has published work in Mennonite literary venues in the past, but in *North*

End Love Songs, the Mennonites are readable, if at all, only through their absence. Placed beside the other stories we have been telling ourselves about this land over the past century, however, I think this story too, has a great deal to teach us about who we are, where we live, and what we mean by the word “we.”

Stories Claim Us

Here is one final story. I had a conversation with some childhood friends of mine last fall. The topic of Mennonites came up, and a few of them insisted they weren't Mennonites anymore. One wondered aloud if he ever was. This surprised me, given that we had all grown up together in a small Mennonite community, and I had often attended their Mennonite churches with them and their Mennonite families. But their claims are not unusual. Many Mennonites across Canada have left their faith behind, and some Mennonite churches have even started to remove the term “Mennonite” from their names. Since I moved to southern Ontario, where more Mennonites retain traditional dress and other distinctive markings like horse-and-buggies, I am informed with surprising regularity that I can't possibly be a *real* Mennonite. So the story my friends were telling, it seems, is a common one: since they have left the faith or the villages of their youth behind, they aren't *really* Mennonites anymore.

But here's the thing about that story: it's not true. Our past is not that easily dismissed. What's more, it is never simply ours to dismiss. After all, these friends of mine, like me, are in Canada precisely because of our Mennonite identities. Russian Mennonites were invited to settle in Manitoba a few years after the crushing of the Métis resistance. The generous terms of their arrival were negotiated specifically *as Mennonites*: land was set aside for them to settle in clusters *as Mennonites*; freedom from military service, like the allowance to educate their children in their own language and traditions, was awarded to them *as Mennonites*. By the time my friends and I grew up – yes, *as Mennonites* – on that land in the 1980s and '90s, our town was nearly exclusively Mennonite, and we attended public schools where German classes were mandatory and the Bible was read over the intercom. We are, inescapably, products of this past. We cannot simply write ourselves out of this

story or the responsibilities it entails, especially while continuing to enjoy all the benefits and privileges it has accorded us. We are made up of stories, it's true, but we don't always get to choose them. Sometimes, the stories claim us.

In his book *If This is Your Land, Where Are Your Stories?*, J. Edward Chamberlin suggests that stories are “ceremonies of belief as much as they are chronicles of events.” Like Thomas King, Chamberlin insists that we are made up of stories, that our beliefs about who we are and where we belong are formed and passed on through the stories we tell. I like Chamberlin's account because it registers something of the relational, spiritual component of stories, of the significance of participating through listening, and of the power of stories to compel us into action. I wonder what might happen if we Mennonites understood the stories we tell ourselves – whether in published form or passed on orally from our grandmothers – as our little “ceremonies of belief.” Might we ask what, exactly, we have been telling ourselves to believe? Might we work to better locate our stories within the earlier and larger stories told in this land? Might we listen more closely to these stories and find our beliefs nudged into action?



From Both Ends of the Pipe: A Conversation



ANGELINA MCLEOD is Anishinaabe kwe from Shoal Lake 40 First Nation in Treaty 3. Ange is a water and land defender. **CHUCK WRIGHT** is a white Settler living in Treaty 1 territory, Winnipeg, Manitoba. He is a full-time member of the Indigenous Peoples Solidarity Team of Christian Peacemaker Teams (CPT). Upon invitation to contribute to this issue, Ange and Chuck got together for coffee to discuss the relevance of the Doctrine of Discovery to the experience of Shoal Lake 40 First Nation, and what it might mean for Winnipeggers and churches today. Winnipeg receives its drinking water from Shoal Lake through a 135-kilometre aqueduct and an historic dispossession that remains unresolved to this day. Here are some snippets from this conversation.

ANGE: In 1914, the Greater Winnipeg Water District began construction of the aqueduct without prior consultation or consent from the people of Shoal Lake 40 First Nation. Settlers assumed the land was given to them by God and that they had the right to build the aqueduct on Anishinaabe lands and use Shoal Lake water. At the time, they believed the land was largely uninhabited, “with the exception,” according to the surveyor’s report, “of a few Indians.” The government decided to forcefully isolate my community onto a man-made island in order to obtain their water source. Today, we are still isolated. We have to rely on a ferry in the summer and an ice road in the winter. Many community members risk their lives just to get the basic necessities to live, such as groceries, medical appointments, education, and most importantly, clean drinking water. Winnipeg Water Supply actually makes a profit off the water it extracts from Shoal Lake and sells to the city, while the other end of the pipe has been isolated by that same aqueduct. We’ve been living under a boil water advisory for 19 years and counting, as well as experiencing little economic opportunity and inadequate housing.



Unpotable water from Shoal Lake 40 First Nation is used in the art-action, “Reflects on Water”. On each stencil is a quote from a member of the impacted community.

ART: LEAH DECTER AND FRIENDS / PHOTO: DOUGLAS THOMAS, COURTESY OF THE WINNIPEG ARTS COUNCIL

CHUCK: As I enjoy clean drinking water every day in Winnipeg, it really brings this historical injustice home to me – quite literally. This direct relationship to Shoal Lake has serious implications for all Winnipeggers and churches, who not only enjoy reliable water from their household taps, but utilize this same resource in their sacraments such as baptism. In my mind, “repudiating” the *Doctrine of Discovery* must involve much more than words



'Reflects on Water' being created. ART: LEAH DECTER AND FRIENDS / PHOTO: DOUGLAS THOMAS, COURTESY OF THE WINNIPEG ARTS COUNCIL

and proclamations. It's an archaic ideology living through our existing colonial relationships here on Turtle Island. Our city is currently celebrating a "year of reconciliation" in response to being proclaimed the most racist city in Canada (Maclean's magazine, January, 2015). It seems to me we are challenged to take some concrete actions, such as supporting investment in the all-weather Freedom Road to Shoal Lake 40 First Nation, whose dispossession and isolation from essential services is a direct outcome of our drinking water infrastructure.

ANGE: Personally, "repudiating" the *Doctrine of Discovery* and *terra nullius* doesn't mean much to me, or for the relationship between Winnipeggers and the community of Shoal Lake 40 First Nation, because there is no way the land where the aqueduct is can be given back to the people of Shoal Lake 40 First Nation. If we want to create a positive relationship on both ends of the pipe, it should involve Winnipeggers, especially churches, supporting the Shoal Lake 40 First Nation community as we try to get a water and sewage treatment plant so community members

can have access to clean water to drink, to bathe in, and to perform ceremonies. I find it ironic how God and Christianity are supposed to be "good" when my home community does not have clean water to use in ceremonies. How are we supposed to believe God and Christianity is "good" when people of the same human race are currently suffering from lack of access to clean water? I often wonder how they can call water "holy" when it was stolen and has caused much suffering for the people of Shoal Lake 40 First Nation.

I grew up as a second generation residential school survivor. It was tough. Hearing stories from my parents about the physical, emotional, sexual, mental, and cultural abuse they witnessed at the hands of those who serve God led me to believe that Christianity was something evil. As a child, I was awoken nearly every night from my mother's terrifying screams. Nightmares haunted her because of her experience at the church-operated residential school. To this day, I am still awoken at the same time every night. Only now, I no longer hear mom's screams because she has

moved on to the spirit world. It's like my mind and body adapted to being woken up each night, but now I wake up with intense fear because I can't hear her screams anymore. She is gone. She drowned when her canoe capsized as she was trying to get home.

CHUCK: Because of this history and the sense of cultural-spiritual superiority that is still present in many churches, I encounter understandable aversions among some Anishinaabe people to “building partnerships” with Christian-identified organizations (like CPT). I have heard this in our conversation, and I think it helps in understanding the trust that needs to be built. I have some hope through the relationships of solidarity I've witnessed in my work, that Settler Christians can play an important role in transforming these legacies by seeking justice based on respect for each other's culture and traditions. And, as you suggest, action might mean more to the relationships with our Indigenous neighbours than simply denouncing this history.

ANGE: This sense of superiority is widespread amongst Settlers, both Christian and otherwise. This sickness facilitates decisions that ignore or run roughshod over lands and waters occupied and used by Indigenous peoples. Shoal Lake 40 First Nation goes without clean water to benefit and better the lives of Winnipeggers. Winnipeg spends millions of dollars in ensuring Winnipeggers have clean drinking water; meanwhile Shoal Lake 40 community members are given zero dollars. Does this mean that Shoal Lake 40 community member's lives mean nothing, if not even a nickel can be spent by the city to ensure that they do not get sick?

CHUCK: It seems to me that all of us Settlers have the responsibility of bringing balance to relationships that deny people their most basic human rights. The Church, however, has a special responsibility (along with the State), because of the historic role that it played in facilitating such inequities through the spreading of worldviews and spiritual postures that “justified” dispossession.

Sometimes I see small glimmers of possibility. The Churches for Freedom Road campaign is one example of the effort of some Winnipeg churches to exercise such responsibility. They proclaimed their support for the building of the all-weather

road to Shoal Lake 40 on their signage, wrote letters to the powers that be, organized rallies, and raised awareness in their congregations on this topic (see churchesforfreedomroad.org). Of course, there's more work to do, and pressure is still needed. However, while there's a tendency amongst many to think of churches as insular, conservative, and/or apolitical, churches can use their collective power to engage the public, support Indigenous neighbours, and pressure governments in responding to the colonial harm committed in our name.



Economics of Dispossession



MARK BRETT is a member of the Brunswick Baptist Church and Professor of Old Testament at Whitley College in Victoria, Australia, the traditional territory of the Wurundjeri people. Mark's most recent book is *Political Trauma and Healing: Biblical Ethics for a Postcolonial World* (Eerdmans, 2016).

Do not move an everlasting boundary stone, set up by your ancestors
(Proverbs 22:28).

Colonial expansion was historically underpinned by a vast “imaginary”—a network of overlapping beliefs, practices, narratives, symbols, and economic ideas. One might be tempted when contemplating such expansion to speak abstractly of “empire.” But there were many different kinds of competing empires, each with their own peculiar idiom and accent. The Spanish and Portuguese, for example, brought a Catholic vision to their division of the world at the end of the 15th century, and their ideas of labour and land ownership were very different from those that appeared in Puritan guise in New England. So it would be more accurate, historically, to speak in the plural of “doctrines of discovery,” each with their own version of arrogance and their own habits of economic exploitation.

Even the advocacy of Spanish historian Bartolomé de las Casas (1474–1564), who opposed the slavery of Indians in South America, initially suggested that Black African slaves were preferable, although it seems that he changed his opinion on this issue when he realized that the slave trade was not compatible with his theory of just war.

The Puritans did not draw any sanctions from a Catholic discovery doctrine, but their use of Scripture had similar devastating effects. In 1622, Robert Cushman did not need to invoke the book of Joshua and its vision of conquest; even the peaceful



The dominant powers preach the necessity of economic growth, and Indigenous lives and lands are decimated. Edgar Heap of Birds' art - “Ending Lives for Money” - reminds us that unsatiable greed is core to contemporary colonialism (c. 2012). / PHOTO: STEPHEN REES / FLICKR COMMONS

tones of Genesis were turned to advantage in his essay “Reasons and Considerations Touching the Lawfulness of Removing out of England into the Parts of America”:

As the ancient patriarchs... removed from straighter places into more roomy, where the land lay idle and waste, and none used it, though there dwelt inhabitants by them (as Genesis 13: 6, 11, 12 and 34:21 and 41:20), so it is lawful now to take a land which none useth, and make use of it.

Notions of “unused” or “under-utilized” land were taken up in a number of colonial ideologies, sometimes linked to notions of distributive justice. In 1758, Swiss diplomat Emmerich de Vattel dignified his Law of Nations with the suggestion that all humankind has an “equal right” to lands that were

not yet occupied, asserting that unused land can be converted to property by “real possession.” But then it became a matter of interpretation: What counted as real possession? Just as Cushman could acknowledge that the patriarchs of Genesis encountered some Canaanites in the promised land, so too could the later colonial discourses acknowledge the presence of the Indian tribes, while at the same time finding ways to deny or diminish their prior possession of land and resources.

In the famous judgment of 1823, *Johnson v. M'Intosh*, U.S. Justice John Marshall found “universal” agreement across colonial history that the first European power to “discover” a territory was empowered not only to lay an exclusive claim against all other European powers, but simultaneously to diminish the right of Indian tribes to deal with any other party – whether another nation or a private company. Marshall also went one fateful step further in claiming that “discovery gave exclusive title to those who made it,” and it was particularly this extra element that opened the floodgates for dispossession. Even officials in the colonial office in London denounced this doctrine, arguing that the English Crown should first purchase the land, rather than presume that it already held an underlying title. James Stephen, the undersecretary in the colonial office from 1836 to 1847, condemned this American law as a legal fiction that veiled “rapacity and injustice.”

In the American context, the *Doctrine of Discovery* had not in fact been “universally” recognized. Two centuries before Justice Marshall rendered his sweeping judgment, the founder of Rhode Island, Roger Williams (1603–1668) had claimed that the assumption of Crown sovereignty in colonial patents and charters was one of the evils of Christendom. He called on the pilgrims to

repent of receiving title by patent from a king who had no right to grant it.

Accordingly, Rhode Island was initially settled under the traditional law and custom of the Narragansett, which required tributary relationships (that is, annual gift giving and payment) rather than a one-off contractual purchase or treaty. The example set by Roger Williams, and later by the Quaker William Penn, founder of Pennsylvania, did not

prevail. Hundreds of treaties were secured in North America, and all of them were dishonoured in due course.

During the tenure of James Stephen (the British undersecretary of state for the colonies, 1836–1847), the colonial office promoted “treaties and bargains” with Aboriginal people in the formation of a new colony in South Australia, but to no effect. No treaties were secured in the Australian colonies, and the humanitarian statements of principle were no match for brute economic interest.

Stephen later defended the justice of colonization mainly on economic grounds. In his retrospective judgment, the “dismal science” of English political economist Thomas Malthus – that the power of population growth outstrips the earth’s ability to produce subsistence for humanity – had been proven wrong. Malthus had not anticipated the changes wrought by colonial self-government, technological innovation, and the “commercial enfranchisement” that flowed from the abolition of slavery within the British Empire. Stephen helped to draft the Slavery Abolition Act of 1833, but he also lived at the time when the early theories of capitalism were beginning to take hold.

In the North America of the 1820s and ’30s, leading economists were trumpeting their discipline as the civilizing and redeeming science, bringing utilitarian benefits only dimly grasped in previous centuries. While the suffering of Indigenous people was seen as regrettable, this was ultimately outweighed – often with invocations of divine providence – by “the greatest good for the greatest number.” The British Poor Law Amendment Act of 1834 was indicative of the new economic theory. It removed support for the poor because most, it was claimed, could work but chose not to because of the relief that was delivered through the parish system. Relief was now available only in workhouses, thus creating a floating market of labour. According to Karl Polanyi’s classic account, *The Great Transformation* (1944), the laws of the market began to undermine local economies to an even greater extent than had been achieved at the beginnings of industrialization.

No Inherent Claims to Territory?

If the local economies in England were undermined during the 19th century, the impact on Indigenous polities in the colonies was even greater. The English political economist David Ricardo (1772–1823) noted ominously that

on the first settling of any country abounding in large tracts of unappropriated land, no rent is ever paid.

America was viewed in popular conviction as the place where European cycles of poverty could be escaped if each person were properly rewarded with the benefits of their own labour. An editorial in the *New York Times* in 1857 summarized a common version of American exceptionalism by suggesting that

...the doctrine that a man has a right to be supplied with labour and wages by the government or anybody, whether his services are needed or not, is a doctrine which took its rise in aristocratic countries in which the working classes are in a position of degradation and dependence.

The “egalitarian” vision that spread through the colonial-Anglo world suggested that people should rely on their own labour, rather than on hereditary rights – whether aristocratic or Indigenous – thus further fueling a market economy and the exploitation of natural resources. The older defence of Indigenous rights in international law began to fade, and economies became increasingly “deterritorialized.” In the most extreme theoretical statements of cosmopolitan politics today, inspiration is still found in German philosopher Immanuel Kant’s (1724–1804) view that

...no one originally has any greater right than anyone else to occupy any particular portion of the earth.

In short, Kant supposes that there is no such thing as an original land title and that there is no special relationship of residents to the land on which they live. This abstract philosophical notion ironically fits together very well with a late capitalism in which there is no longer any need to invade or annex whole countries since the global flows of capital can move easily across the smooth cosmopolitan space that knows no traditional territories or Indigenous rights.

Where to From Here?

I would suggest we need to recover the legacy of the U.S. Baptist Roger Williams and restore tributary relationships with the First Nations. A good administrative model for this process has been provided by the Waitangi Tribunal in Aotearoa (New Zealand) where the investigation of historic treaty breaches yields negotiated reparations (that is, land and financial compensation). There are many layers to the mending of Indigenous and Settler relationships, but this economic dimension is indispensable. Though many churches are reluctant to engage such realities, fearing that they are too political, or not proper to the life and mission of the church, our Scriptures remind us otherwise.

The biblical traditions are intimately concerned with the politics of empire and land. They proclaim judgement on ancient empires, even when they at times served God’s purposes. For example, YHWH allowed the incursion of Assyrian armies into Israel at the end of the eighth century, but this did not prevent the prophet Isaiah from vividly depicting the predatory delusions of the Assyrian king:

By the strength of my hand I have done this,
and by my wisdom, because I have understanding.

I removed the boundaries of the peoples
I plundered their treasures...

As one reaches into a nest, so my hand reached for
the wealth of the nations

As men gather abandoned eggs, so I gathered all the
countries;

not one flapped a wing, or opened its mouth to chirp
(Isaiah 10:13–14).

The imperial imagination claims not to hear even the flapping of a bird’s wing in resistance, a fantasy also etched in doctrines of *terra nullius*. The prophets condemned such arrogance, and their critique should still inspire the lives of our churches. We may live within the context of democratic states, but our settler-colonial sovereignties stole natural resources from their traditional owners, and this history of dispossession has yet to be reconciled.



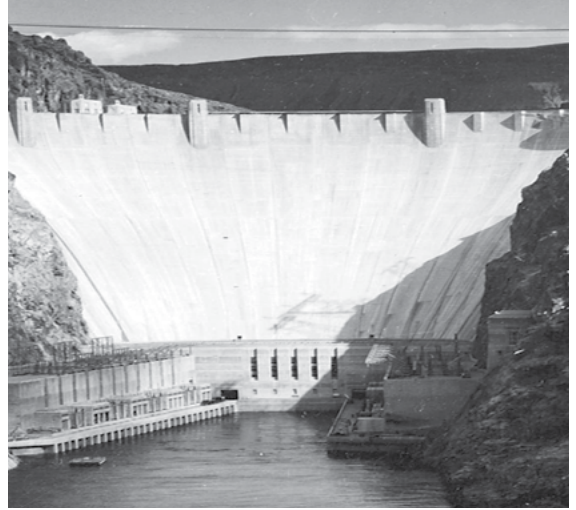
Human Supremacism and the *Doctrine of Discovery*



DERRICK JENSEN is a long-time environmental activist who lives in Crescent City, California, traditional land of the Tolowa. He is the author of more than 20 books, including *Endgame* (Seven Stories, 2006) and, most recently, *The Myth of Human Supremacy* (Seven Stories, 2016). His energies are spent trying to animate resistance against industrial civilization, which creates a culture where living beings become objects.

Having grown up in the arid western United States, I learned early how water rights are allocated here. Generally, it's through something called "prior appropriation," also called the "Colorado Doctrine" after an 1872 Supreme Court ruling. In a nutshell, prior appropriation says that the first person (or economic entity) to use water from a river or other source for what is called a "beneficial use" has the perpetual right to continue using that same amount of water for that same use. A phrase to describe it is, "First in time, first in right." Anyone who comes along later can use some (or all) of the remaining water for the same or some other "beneficial use" provided the new user doesn't impinge on the rights of those who came before. These rights then become property and can be bought and sold like deeds or other markers of ownership. So let's say a mining corporation is going to use a lot of water for some planned operation. Let's also say that all the water rights to the river have already been claimed. The corporation couldn't use the water from the river till it bought enough rights to do so from owners of already-allocated rights.

"Beneficial uses" are generally defined as industrial, agricultural, and household uses. The inclusion of "household uses" is a Trojan Horse, since more than 90 percent of all water used by "humans" is used for agriculture and industry, which means that "beneficial



use" is for all practical purposes defined as industrial and (industrial) agricultural uses.

Of course any worldview that was not human supremacist, and that was not in the grip of industrialism and a way of life that is killing the planet, would recognize that the first beings to have beneficially used water from rivers are the rivers themselves, and the fish who live in those rivers, and the forests who live with the rivers, and the oceans fed by those rivers, and so on. And the Indigenous humans who live by those rivers. (How do the supremacists believe the rivers became so fecund in the first place? It was through the beneficial use of the water by the rivers themselves, and by other members of their communities). But according to members of the dominant culture – this human supremacist, genocidal, ecocidal culture – benefitting the real world, indeed benefitting anyone but members of this human supremacist culture, is not real benefit. It



The Boulder Dam from across the Colorado River (c. 1941). / PHOTO: ANSEL ADAMS / NATIONAL ARCHIVES - 519830

This is quite often explicitly stated. Politicians and industrial farmers routinely say, for example, that any water that reaches the sea is wasted. This was said just this year by a U.S. presidential candidate in a campaign speech. Water could and should be used to fuel the economy, not the living planet.

Welcome to the end of the world.

~

Canadian author Farley Mowat wrote,

It is probably impossible for anyone now alive to comprehend the magnitude of fish life in the waters of the New World when the European Invasion began.

One explorer stated that the waters in the Grand Banks were “so swarming with fish [that they] could

smell doesn't merely waft through your home: it resounds. Your family and friends and neighbors all come to eat your pie. Of course they bring their own gifts to you, things you can eat, things you can use, things of great beauty for you to admire. They bring their friendship.

But I, too, smell the pie. I am intoxicated by the smell, follow it as though I'm closing in on El Dorado itself. When I get to your home I say, “By right of the *Doctrine of Discovery*, I claim this pie in the name of God and Country and Me.”

You say, “We were eating this pie.”

I say, “The only eating that counts is my eating, and I can't let that pie go to waste.” So I kill you. Then I kill your children. Then I kill your other relations.

Then I kill your neighbors. I sell or burn or use for toilet paper the beautiful things your friends brought you. I destroy your home.

This is the *Doctrine of Discovery*.

~

But we can't blame either this culture's appallingly narcissistic attitude or its appallingly atrocious behavior on the *Doctrine of Discovery* any more than we can either blame or credit *The Beatles* or *The Rolling Stones* for the 1960s and '70s. Any well-known music, or other art, or philosophy, or popular entertainment, or religion, or epistemology, is a manifestation of cultural desire. The cultural context must be ripe – the people willing – in order for some cultural desire to really take hold. This is as true of the *Doctrine of Discovery* as it was of *Hey Jude* or (*I Can't Get No*) *Satisfaction*. Can you imagine the music of Jimi Hendrix becoming popular in the 1920s? Or course not: the culture would not have been ready (or willing).

All of which is a long way of saying that more or less all of us are infected with the belief that what (industrial) humans create is meaningful, and what others create is not.

Quick: Name five pieces of great art.

Maybe you chose something by Van Gogh, Monet, Bach, Michelangelo. Maybe you even – good grief – chose something by Warhol.

Why not the four seasons? No, not the cover by Vivaldi. The real ones. Why not deciduous leaves in fall (or spring, or summer or winter, for that matter)? Why not frog song? Or the song of a mountain stream? That of a meadowlark?

It's the same with engineering. The Hoover Dam kills the Colorado River and is a magnificent feat, while beavers, who create some of the most biodiverse habitats on the planet, are systematically eradicated (and with them the rivers of whom they are parts: did you object to calling a river "whom"? Are humans, again, the only subjects?) What about your skeleton? Isn't that a marvel of engineering? Or the rough skin of sharks that allows them to swim faster than if their skin were smooth? None of those count to us as "real" engineering. If we do it, it counts. If anyone else does it – if nature does it – it doesn't count. It's the same with medicine. A surgeon performing bypass surgery is a miraculous accomplishment, but bodies growing

capillaries to bypass clots is no sign of intelligence in bodies. And who discovered antibiotics? If you answered Alexander Fleming, why? Why not the fungi (and bacteria) who not only discovered but invented antibiotics?

Here's a bit by a philosopher that pretty much sums up what's wrong with the dominant culture:

Within material reality, only human artifacts possess intelligent form and intelligent functionality or purpose. Measurable biological patterns lack intelligibility in themselves. Similarly, biological functionality is not truly functionality, but merely resembles the functionality of human engineering.

If you come to believe that "biological functionality" is not truly functionality – and heartfelt protestations and self-delusion aside, most of us most of the time act as though we do – then you can come to disbelieve that, for example, salmon have irreplaceable and true functionality regarding forests, or that rivers have irreplaceable and true functionality regarding salmon, and so forth.

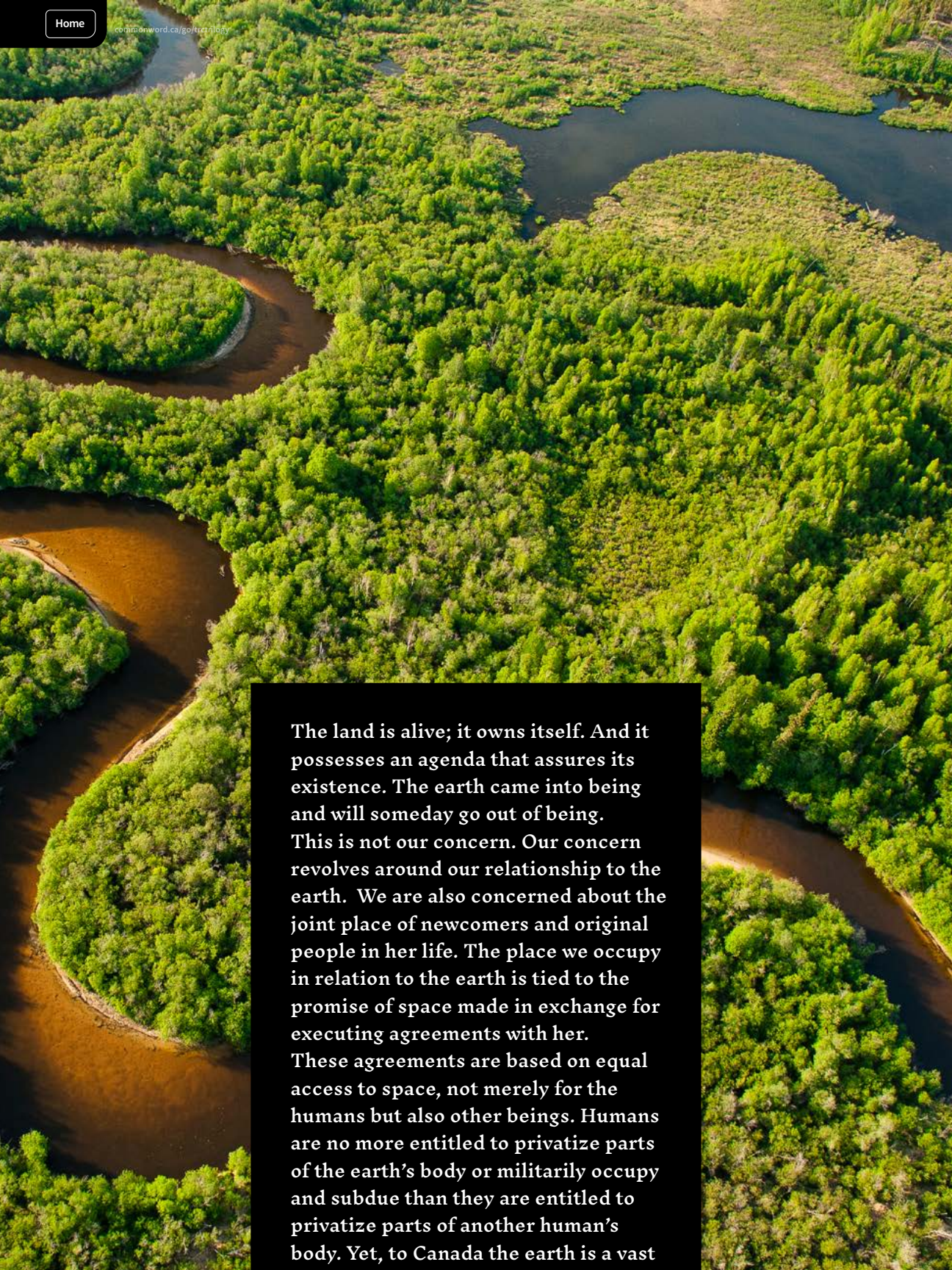
And if you come to disbelieve in these biological functionalities, it means, well, for one thing it means you're insane, since you're not believing in physical reality, and for another, you may come to believe that you can kill off salmon without harming the forest, or that you can murder a river without harming the salmon. You may come to believe that as the only one who is able to create true functionality, that you can destroy, as modern humans are doing, the "biological functionality" of the oceans to metabolize carbon dioxide into oxygen, and a) survive; and b) replace this functionality by one of your own creation, which would, of course, be the only true functionality. You may come to believe that forests can't manage themselves, but that you can manage forests. You may come to believe that after you destroy glaciers, you can create your own and replace their evidently untrue functionality with a true functionality of your own (and no, I'm not making this up). You may come to believe that the world cannot survive without your interference, while the truth is that the world cannot survive your arrogant interference.

There is not one natural community on the planet that has been managed for "beneficial use" under the *Doctrine of Discovery* by human supremacists that

“management” has not either destroyed or is in the process of destroying.

Human supremacists posit humans as the smartest beings around (in fact the only smart ones). Members of this culture contrast themselves positively with members of other cultures who were “primitive” and who were living in “wastelands” and who were letting the rivers and fish and wild creatures and the trees “go to waste.” But I think it’s pretty stupid to assume you’re the only one who can think, and it’s even more stupid to forget that your assumption is nothing but an assumption. And it’s even stupider still to continue to think you’re smarter than anyone else as your culture destroys life on this planet, fueled in great measure by your perception of yourself as the most (or only) intelligent and meaningful being in the universe.



An aerial photograph showing a river with several meanders flowing through a lush, dense green forest. The river's water is a dark brown color, contrasting with the vibrant green of the trees. The forest appears to be a mix of deciduous and coniferous trees, with varying shades of green. The river's path is clearly visible as it curves through the landscape.

The land is alive; it owns itself. And it possesses an agenda that assures its existence. The earth came into being and will someday go out of being. This is not our concern. Our concern revolves around our relationship to the earth. We are also concerned about the joint place of newcomers and original people in her life. The place we occupy in relation to the earth is tied to the promise of space made in exchange for executing agreements with her. These agreements are based on equal access to space, not merely for the humans but also other beings. Humans are no more entitled to privatize parts of the earth's body or militarily occupy and subdue than they are entitled to privatize parts of another human's body. Yet, to Canada the earth is a vast

space to be bought, sold, inherited, exploited and damaged at will; a space to be tampered without regard to earth's own interests or her willingness and ability to sustain us when we violate our agreement with her.

LEE MARACLE
STO:LO

from *Memory Serves* (Newest, 2015).



GARTH LENZ lives in Victoria, BC, the traditional territory of the Lkwungen people, lands that the Songhees, Esquimalt, and WSÁNEĆ peoples have historical relationships with that continue to this day. An award winning photographer whose work has appeared in numerous publications including, The New York Times, BBC Wildlife, and The Walrus, Garth was designated a Fellow of the International League of Conservation Photographers in 2008, one of only 60 photographers in the world to receive this honor.

"A central theme of my work has been the contrasts between the industrialized and natural landscape. The primary focus of my early work was forests and the impacts of industrial logging. As my understanding of ecological issues has grown, so has the range of my photographic subjects. My recent work has been largely focused on the world of modern fossil fuel production and its associated impacts on the landscape. Recent projects have addressed mountaintop removal coal mining, shale gas production, and the Alberta Tar Sands."

To learn more about Garth's work, see garthlenz.com.



SECT 1

SECT 2

SECT 3

SECT 4

SECTION 3:

How do we see each other?

Discover Repentance



RAMONE ROMERO is an artist and writer who grew up in Maryland – unaware it was the land of the Piscataway people – and now lives in Osaka, Japan. He is the illustrator of a number of children's books, including *The Harmony Tree* (Friesen, 2016).

Come, My people,
come and look
at what was done
by your forefathers.

Come and discover
the doctrines they created
and used for their greed
to oppress nations in My name.

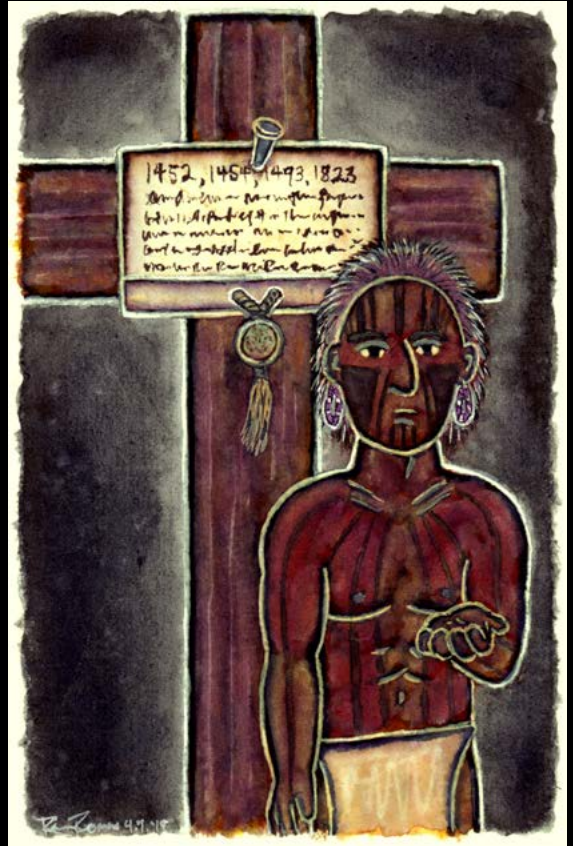
Come and repent, My people.
Come to the Cross and repent
to the descendants of the oppressed
for the sins of your forefathers.

Come, for I have nailed your sins
to the Cross of forgiveness,
but I want you to take part
in repentance and reconciliation.

Come and take part in healing
and bearing the fruit of repentance
for the descendants of the oppressed;
come and seek their restoration.

Come and see the magnitude
of your forefathers' sins,
and find salvation from their effects
in the forgiveness of the Cross.

Come and repent to them,
speak words of life to them,
and work for their healing
and for their restoration.



Come and repent –
be ministers of reconciliation.

Come and repent –
be ministers of healing.

Come and repent –
be ministers of justice.

Come and repent –
be ministers of the Cross.

A Long, Sad History of “Discovery”



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The use of the word “discovery” in the English translation of Pope Alexander VI's papal bull *Inter Caetera* (along with its Latin precursor) constitutes an act of astonishing imperial chutzpah. The term suggests that no one knew about the Americas before we “discovered” them. And if no one knew about them, there was in fact no one there before us. Or if there were others there before us, they were of an inferior category. For that reason, they are readily subject to exploitation, and if necessary slavery, and if necessary killing. The logic of *Discovery* depends on an absolute sense of self and of superiority. This absolute sense of superiority that fueled *Discovery* was grounded in a larger claim of superiority for white Europeans who understood themselves as the God-given, God-legitimated master race and master culture. All the rest follows logically and necessarily from that uncritical assumption.

Biblical Conquest

Of course the Vatican did not invent such an ideology that legitimated such a usurpatious claim. The claim is deeply rooted in the biblical tradition that has long served colonial expansiveness. If we go back far enough, we come to the root of the ideological claim in the tradition of the book of Joshua. This ideological claim consists of three elements that fit together only incongruously.



First, there is the mandate to violence expressed in the Hebrew term *herem* that we translate “annihilate” or “utterly destroy.”

Joshua took Makkedah on that day, and struck it and its king with the edge of the sword; he utterly destroyed every person in it; he left no one remaining. And he did to the king of Makkedah as he had done to the king of Jericho (Joshua 10:28; see 6:17, 21; 10:35, 47, 38, 40).

The roster of defeated kings in Joshua 12:7–24 attests to the complete effectiveness of the violent strategy. The term *herem* is tricky because the older translation, “utterly devote,” has a religious aspect to it so that violent political-military action is given religious legitimacy. It is all done for YHWH! Interpreters have found a number of strategies to “explain away” this raw, shameless usage, but there it stands in the text.



Joshua burns the Canaanite town of Ai.
ART: GUSTAVE DORE (C. 1866) / PUBLIC DOMAIN



The Nakba (Catastrophe) drove more than 750,000 Palestinians from their homes in 1948. The children pictured here were refugees hosted by an orphanage in Beirut (c.1949). / PHOTO: UNITED NATIONS - 123816

is transposed from a summons to battle to a summons to Torah obedience:

Only be strong and very courageous, being careful to act in accordance with all the Torah that my servant Moses commanded you... This book of the Torah shall not depart out of your mouth... For then you shall make your way prosperous and then you shall be successful (Joshua 1:7–8).

The Torah is understood as a rule of obedience that pertains to the internal life of the community, but without regard for those who are external to the covenant community and who therefore have no claim on any Torah insistence on neighborly justice. The Torah is urgent, but its scope is limited to the covenant of YHWH and Israel and the prosperity of Israel. Such a limited scope gives great freedom for violence outside the community. The summary statement of Joshua 21:43–45 holds together these several elements concerning *divine promise*, *divine*

gift, *Israel's possession*, and *Israel's defeat of all the others*. The ideology of chosenness lives comfortably with all of these accent points.

Ideology

When we read further back behind the Joshua tradition, we come eventually to the ancestral narratives in the book of Genesis. In the very first encounter of divine promise to Abraham, “The land I will show you,” is in purview, though it is not at all explicated there. From the beginning, in any case, God and Israel (Abraham) have to do with the promise of land. There is nothing before that for Israel. The theme is more fully explicated in Genesis 15 with a formal ceremony of covenant making that evokes a detailed description of the land of promise (Genesis 15:17–21). The detail is a map of “Greater Israel” from the Nile to the Euphrates, an expansive vision still present in the rhetoric of the most zealous Zionists. The divine promise is

unabashed by the recognition that the land is already occupied. More than that, these occupying peoples count for nothing in the horizon of the divine land promise. That promise, moreover, is reiterated to each of the successive generations in Genesis and then in the Exodus narrative as well (Exodus 3:8). The entire tradition is a move, by divine intent and by human aggression, from landlessness to land. The matter is given intense religious legitimacy in the tradition of Deuteronomy wherein the destruction of Indigenous peoples is urgent because of the danger of religious seduction (Deut. 7:1–6). It is all in the service of chosenness!

The promise of Genesis, the legitimacy of Deuteronomy, and the narrative of Joshua are all of a piece in the dominant ideology of the Hebrew Bible. I have used the term “ideology” which suggests a suspicion about the religious grounding of a self-interested narrative. The term “ideology” can have a double meaning as a *construction of a false reality* or as an *elemental founding narrative* (or both!). The difficult interpretive work is to sort out in the tradition what of it is false construction and what is elemental founding narrative without suggesting bad faith.

Counter-voices

The biblical tradition is aware that the propensity to seize land from others is an elemental human urge, a temptation curbed in the 10th commandment of Sinai: “Thou shalt not covet your neighbor’s house or field” (Exodus 20:17; see Micah 2:1–2). Even though Israel’s large story is about land seizure, Israel also knew about land seizure more “locally.” Thus in both Torah and wisdom teaching, Israel is warned about “moving boundary markers” of land, most especially from the vulnerable who cannot readily protect their land claims. In the Torah land seizure is prohibited:

You must not move your neighbor’s boundary marker, set up by former generations, on the property that will be allotted to you in the land that the Lord your God is giving you to possess (Deuteronomy 19:14).

In the wisdom teaching we have the same instruction (Proverbs 22:28; 23:10–11).

The concern for protection of the land of the vulnerable is given narrative articulation in the dramatic story of Naboth’s vineyard (I Kings 21). Ahab the king wanted the vineyard of Naboth, a nearby farmer. And because Naboth would not and could not trade his land, the queen, Jezebel, devises a violent scheme to appropriate the land for royal usage. The emergence of Elijah the prophet in the narrative indicates that such land confiscation is not acceptable; it will make social life impossible. It is surely ironic that Israel understood this matter in its internal life of political economy, but made no such connection to its ideology of external violent appropriation. (In our own time, a popular strategy for land appropriation from the vulnerable by the strong is termed “imminent domain” against which the vulnerable characteristically have no recourse).

Seek and Find

We are of course heirs of such a legacy of confiscation that made aggressive land seizure legitimate. The rhetoric of *land promise* and *land seizure* has been front and center of European colonialism since the beginning of the “age of discovery” in the 15th century. It was to this rhetoric that the Puritans in Massachusetts made appeal that made the United States a re-performance of the Joshua narrative with the same violence toward Indigenous peoples in the name of the same God.

Two concluding comments. First, this rhetoric now serves in many places in the world for violent confiscation of land and violent treatment of vulnerable peoples. It is operative in the ideology of the state of Israel against the Palestinians. It is operative in white South Africa where the Black population has been confined to inadequate land. And in the U.S. we have “reservations” on very poor land for Native Americans. James Bradley (*The Imperial Cruise*, 2009) has detailed the way in which U.S. policy in the Pacific was given legitimacy by appealing to white superiority that gave entitlement to land and resources that belonged to others. It was as though we had “discovered” the Pacific!

Beyond that, there is no doubt that an uncritical expansive “missionary theology” in the church has given impetus and legitimacy to colonial practices

and policies. The church has eagerly sung triumphalist hymns about the world mission of Christ:

Jesus shall reign where'er the sun
does its successive journeys run.
His kingdom shall stretch from shore to shore, till
moons shall wax and wane no more.

When we sing, “Jesus shall reign,” there immediately follows, in most cases, white rule and white control. The aggressive rhetoric of conquest is even clearer in this:

Lead on O King eternal,
the day of march has come;
henceforth in fields of conquest,
Thy tents shall be our home.
Through days of preparation
Thy grace has made us strong;
and now O king eternal we lift our battle song.

With “the mission” and its expansive ideology have come Western business, a flood of U.S. dollars, and the corruption or displacement of local leadership. It is plausible to conclude that “globalization” is now the form that imperialism takes in which a worldwide elite imagines it is “a tide that raises all boats,” when in fact class division grows between haves and have-nots, with haves being mostly superior Western whites who got the land of promise.

The Vatican’s *Discovery Doctrine* is a powerful performance of this long-term theology of God-legitimated confiscation that is everywhere around us. We who know better are now called to do the “work of discovery” in order to discover forms of a viable world of peace and justice, to discover that “taking” never yields good outcomes. What we “discover” depends on what we are looking for. As Jesus said, “Seek and you will find.” We have been on a “finding binge” in the West. But now we may seek elsewhere for the pearl of great price that features a very different mode of discovery.



Rediscovering Lost Values



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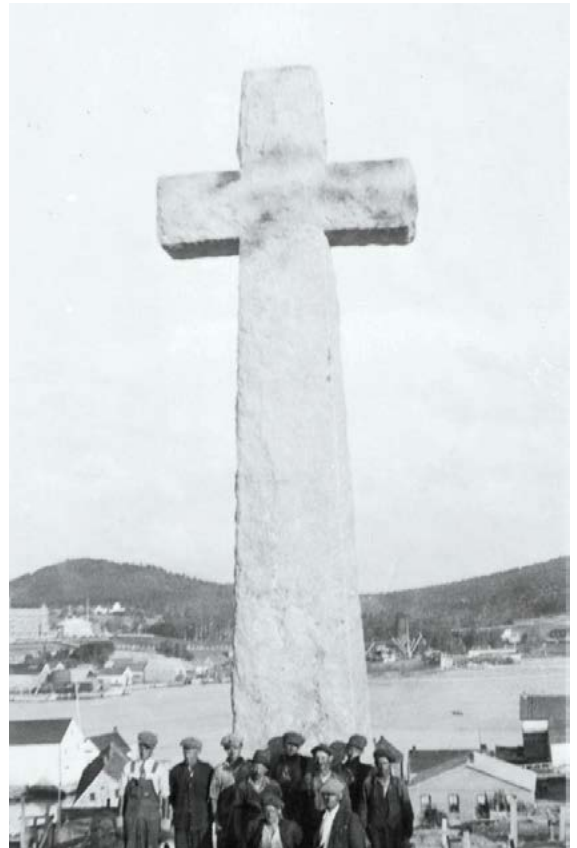
The *Doctrine of Discovery*, generated during the era of early colonialism, has been the catalyst for inequality between Indigenous peoples and Settlers for centuries. It finds a foundation in a very particular way of reading the Bible – a way of reading that most of us Settlers grew up with and accept quite unconsciously. We have always assumed that God is sovereign among the nations, and that, as Deuteronomy and Amos say, God can give and take away lands from nations. This wasn't something unique to the Bible. One of ancient Israel's neighbours, Moabite King Mesha, believed that his God, Kemosh, had given them their land. Moreover, Mesha believed that if they were victorious in battle against the Israelites, it must be Kemosh that had helped them gain that territory.

I am Mesha, son of Kemosh[-yatti], the king of Moab... And Kemosh said to me, "Go, take Nebo from Israel." And I went in the night and fought against it from daybreak until midday, and I took it and I killed the whole population: 7000 male subjects and aliens, and female subjects, aliens, and servant girls. For I had put it to the ban for Ashtar Kemosh. And from there I took Yahweh's vessels, and I presented them before Kemosh's face.

So the idea that

GOD, PEOPLE, and LAND

are tied up in one theological bundle is ancient. It didn't originate with the Catholic Church, or even with the biblical writers. The problem, of course, is that our so-called biblical view of God's granting of



The people of Gaspé, Quebec erect a cross to commemorate Jacques Cartier and the 400th anniversary of French 'discovery' of Canada (c. 1934) / PHOTO: WIKIMEDIA COMMONS / PUBLIC DOMAIN

land to various nations has got us in the crisis we are in today.

But there are other biblical traditions that could offer us a way out. Remember what Jesus said?

Blessed are the meek, for they will inherit the earth (Matthew 5:5).

In the history of colonialism, even to our own time, that verse from the Sermon on the Mount hasn't received the attention it deserves. It doesn't say, "Blessed are the conquerors," or "Blessed are the Settler colonists." It says, "Blessed are the humble ones, those whose wills are surrendered to God. The world belongs to such as these."

Speaking to the poor – those dispossessed by the elite of temple and state – Jesus does not counsel a theology of conquest or politics of power. Instead, he calls the people to a posture of radical trust. It's an incredibly difficult stance. In the eyes of most, especially the dominant, it is foolish and weak. Yet it is one that Jesus – this homeless Jew of non-violent realism – would choose for himself, and with no apparent reward.



Rites of Discovery: St. Junípero, Lewis and Clark



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the Council increasingly separated itself from colonial Christianity and moved steadily back to more traditional spirituality. He is the author of *American Indian Liberation* (Orbis, 2008).

I lost my country back in 1803, something that was cemented by the Lewis and Clark expedition of 1804–06. The legal act involved was called *Discovery*. Yet, incredibly, the (christian) *Discovery Doctrine* was largely ignored during the 2004–06 bicentennial commemoration of Lewis and Clark, even though they were called the “Corps of Discovery.” Instead, americans commemorated the american romance of Lewis and Clark, a romance only occasionally offset by the tragedy persistently experienced by Native peoples. This has been important for me to trace because nearly 10 percent of the so-called louisiana purchase was land inhabited by the Osage Nation. It worked this way.

In 1803, the United States bought my land, Osage land—from France. The U.S. did not, however, buy any actual “property,” which undoubtedly comes as a big surprise to most high school history students. No, the U.S. only bought the euro-christian legal *pre-emptory* right of (christian) *Discovery*, the only thing France had to sell. This was not insignificant. Even if the U.S. could not (yet) claim actual ownership of property, it did portend the extension of U.S. sovereignty and the eventual (and not too distant) conversion of the entire territory to “real property,” that is, legally designated property, so defined by the euro-christian Rule of Law. To ensure U.S. possession of the entire territory, President Jefferson proceeded to send a military unit,



Two hundred years after his death, the US postal service creates a stamp in honour of Junípero Serra (c. 1985). IMAGE: MOTHER HILDEGAD / ISLANDLIFE-INAMONASTERY.BLOGSPOT.CA / PUBLIC DOMAIN

the Corps of Discovery, to enact the legal rituals of *Discovery* to seal the deal. Needless to say, the whole transaction transpired without U.S. politicians even contemplating talking over the acquisition with any of the current occupants, that is, the several dozen sovereign Native nations that lived on their lands, now suddenly U.S. territory. Perhaps we can begin to clarify this history by looking first at another act of *Discovery*, one that took place on the west coast of Turtle Island only three decades before Jefferson “purchased” my land—from the French.

For God and Country

The spanish claim on California is one of the most striking and blatant examples of the legal and ceremonial rituals invoking the *Doctrine of Discovery*. A key player was the newest saint of the catholic church, Junípero Serra. In the late springtime of 1770, the spanish *expedicion of descubrimiento* (discovery) finally arrived at Monterrey Bay on the central california coast. On June 3rd, Father



In 1749, French explorer Pierre Joseph Celoron de Blainville asserts sovereignty of France over the Ohio valley by burying lead plates, including this one.

IMAGE: PUBLIC DOMAIN

Serra, the president of the California missions, gathered together all the people of the expedition – the military personnel are named first in Serra’s report (“all the officers of sea and land”) as literate witnesses – in order to initiate the formal and legal claiming of Indian lands for the Spanish crown. This was the Christian *saint* acting formally on behalf of his Christian prince to legally steal Native peoples’ land (with all due attention to the Rule of Law, as Tocqueville might have averred).

The grand festivities began with the planting both of a large cross and the royal standard. “I then sang the first Mass,” Serra reports, “...celebrated here... [since Vizcaino].” After singing the *Te Deum*, Serra states that

...the officers performed the ceremony of taking formal possession of the land in the name of the King.

This whole celebration of *Discovery* and conquest was accompanied from beginning to end, says Serra,

...with much thunder of powder both on land and from the ship. To God alone be given all the honor and the glory.

Saint Junípero was, of course, very comfortable with having his masses accompanied by the explosion of colonial military weaponry, something that happened at the founding of virtually every mission during this expedition of *Discovery* beginning in 1769. Thus, Serra concludes, the wishes of “His Excellency, the Inspector General [of Mexico]” have been carried out, insuring “the success of this Spiritual Conquest.” Father Serra was free now to subjugate the Natives as a Spanish government functionary under conditions closely related to formal structures of slavery.

Another account of these *festivities* comes down from Gaspar de Portola, Serra’s military/civil government counterpart in the expedition. De Portola was governor of California, and military commander in chief of the expedition to the ports of San Diego and Monterey. His account differs only in that it adds specifics about the formal acts of *Discovery*:

Since it is among the articles of the orders which I am to execute immediately on my arrival at the cited port of Monterey, that I am to take possession in the name of His Catholic Majesty – I ordered the officials of sea and land to assemble, and I begged the *Reverend Fathers* to be pleased to assist in obeying the said order, directing the troops to place themselves under arms, after notifying them that it had been so ordered, and after these preparations had been made I proceeded to take possession in the name of His Majesty under the circumstances that the decree provides, *performing the ceremony* of throwing earth and stones to the four winds, and *proclaiming possession* in the royal name of His Catholic Majesty, Don Carlos III, whom God preserve, and whose possession of the said port of Monterey and other territories that rightfully ought and must be included, must be recognized. *After planting the triumphant standard of the holy cross*, primary cause of the Catholic, Christian, and pious zeal of His Majesty, which is manifested by the superior orders and perceived in the extent with which his royal exchequer is opened for the purpose of gathering the evangelical

seed which is procured to the benefit of the numerous heathen dwelling in it, in order that it may appear at all times, I sign it and the gentlemen officials sign it as witnesses... (emphasis added).

As was the case with Columbus nearly three centuries earlier, the act of *Discovery* required particular ritual actions and witnesses, particularly literate witnesses. Hence, the summoning of missionaries and military officers. Now both the land and the Natives could be harnessed (and forced to convert to the colonial religion) for the economic benefit of a “christian prince.” This was the requisite in church law according to the 1493 papal bull, *Inter Caetera*, the same christian law cited in an 1823 U.S. supreme court decision, *Johnson v. M’Intosh*.

The Corps of Discovery

Across the continent, at the same time as St. Junípero served as a political functionary in the *Discovery* process, british-american colonialists also knew the (euro-christian) international law at stake. As they began the process of crafting their new euro-christian republic on american soil, and indeed, from the earliest english advances into north America, these euro-christian folk used the notion of “Discovery” to legitimize their brutal taking of Indian land. First named the *Doctrine of Discovery* by Chief Justice John Marshall in *Johnson v. M’Intosh*, euro-christian scholars to this day refer to it as international law. Yet this law is only in a limited and flawed sense international because it only adjudicates among european christian nations (“christian princes”). Namely, this *Discovery* principle helped christian nations determine which country had the prevailing legal right to invade and seize particular pieces of prime Indian land. Both as a politician and as a successful lawyer, Thomas Jefferson joined other virginians in arguing (perfectly in order with *Discovery* principles) that the territory of virginia must stretch as far west as the Mississippi River. *Discovery* then was a fiction, a euro-christian legal device to divvy up Indian land amongst themselves according to some invented and then reified Rule of Law. Thus, Lenape scholar Steve Newcomb’s insistence that it be clearly called the *Doctrine of christian Discovery*. In *Johnson v. M’Intosh*, Marshall based his unanimous decision on his and the court’s bedrock identification

of the United States as a christian nation. Indeed, by Marshall’s interpretation, it was christianity that marked european folk as a superior race entitled to take Indian land.

Two decades before Marshall, Jefferson committed the U.S. to the purchase of the louisiana territory by treaty with Napoleon. But that’s just the beginning. Converting Indian land into the euro-christian category of “property” would involve a longer legal/military process of eurochristian deceit and force. Jefferson insured the second part of the *Discovery* process would begin almost immediately. He knew exactly what he was doing in naming the Lewis and Clark expedition the “Corps of Volunteers for North Western Discovery.” This was not mere courageous romance and adventure, or the exciting expansion of the american frontier. Rather, it established an ironclad christian legal claim to other peoples’ homes!

Thus like Spain in California, Jefferson was sending a military unit to perform the historically defined acts and rituals associated with *Discovery* – to mark the territory as the legal expansion of american sovereignty over the territory of louisiana west of the Mississippi – and even to extend the american claim to that territory of the pacific northwest that was as yet unclaimed by any other christian nation. Of course, Native nations already lived across the entire expanse. Thus, one important aspect of Lewis and Clark’s charge was to announce to Indians that the United States was the new sovereign of the whole immense territory. Ultimately, their rituals of *Discovery* were intended to reify american possession. And finally, they were sent with a fixed *Discovery* eye towards also claiming the territory to the northwest of his official purchase: the mouth of the Columbia River and the pacific northwest.

To grasp Jefferson’s explicit understanding of the *Doctrine of Discovery* in appointing this expedition, one has to wait for an Indian historian and legal scholar to do the extensive archival research necessary. Shawnee scholar Robert Miller demonstrates from countless Jeffersonian documents that Jefferson was perfectly clear that his expedition was formally exercising *Discovery* on behalf of the United States. As a real estate lawyer and a land dealer himself, Thomas Jefferson ascended the presidency with a firm grasp and practiced understanding of the

Discovery principles. He never uses the phraseology that Marshall created twenty years later; nor does he even mention the word “discovery” in any formal legal context. Yet it is clear that he did indeed function both legally and politically with a clear understanding of the foundational euro-christian law. The importance of Jefferson’s knowledge becomes apparent in the sheer mass of legal cases (over 400) he handled involving land and land title.

In the context of religious disestablishment and the separation of church and state, the blessing of a church was no longer deemed necessary for enacting (christian) *Discovery*. Yet there were legal trappings that had to be observed and performed, both to insure the United States’ right of *Discovery* to the louisiana territory and to extend those claims further to the northwest. Miller demonstrates that Lewis and Clark “engaged in an amalgamation” of the formal and legal *Discovery* rituals that had been practiced by euro-christian nations of Europe since Columbus as they competed with one another to claim as much foreign property as each could – and give their land grabbing some legal clothing. It is abundantly apparent that Lewis and Clark were exercising great care, Miller reports, “to ensure that they used all the rituals necessary to make *Discovery* claims.”

Just as clearly as St. Junípero and Portola on the beach at Monterey, Lewis and Clark were enacting the rituals of *Discovery* to insure that their “christian prince,” the invasive sovereign called the United States, could legally and morally claim ownership of someone else’s land. The expedition, concludes Miller, is a living embodiment of *Discovery*. Like Portola and Serra and countless other euro-christian adventurers, they “took physical possession of land, built permanent structures, engaged in parades and formal procedures of possession and occupation, tried to obtain native consent to American possession, and engaged in mapmaking and celestial observations.” Lewis even wrote a 2500-word speech that was recited to each Native nation they encountered. The speech explained to Indian folk the new, *Discovery*-based political structure of american sovereignty. Native leaders were given gifts of medals and american flags, marking people as well as territory as belonging to the U.S.

At the same time, Lewis was careful to delineate the new relationship of parent and child to the Native community. From that time on, the president of the United States – in english only, albeit – was to be known as the Great Father. Indians were to be his “children” – and should therefore be obedient children, not unlike the expectation of St. Junípero. In their typical romanticized interpretations of the Lewis and Clark Expedition, historians like Albert Furtwangler or Stephen Ambrose overlook these explicit legal discourses embedded in the actions of the Corps of Discovery. It is all merely a part of the american romance of continental conquest.

So that’s how my people, the Osage Nation, lost our land. It was all done legally, with perfect attention to the (christian) Rule of Law. Needless to say, I must insist that the *Doctrine of Discovery*, the legal device used, is a device predicated on extreme christian arrogance. As an added benefit, once it is invoked, it can be relegated to the hidden depths of law libraries so that Settler christians can live in their homes (on our land) with a distinct degree of plausible deniability. “We never knew.” Yet as my brother is wont to say, “Denial is not a river in Egypt.”



Mapping the Great Divide



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One of the benchmarks of American history, from the perspective of European Americans, is the great journey of Lewis and Clark. It was called the “Corps of Discovery” expedition. President Thomas Jefferson commissioned Meriwether Lewis and William Clark to travel from St. Louis to the Pacific Ocean. This adventure has an iconic place in the popular imagination of the United States. It is remembered as a testimony to the pioneering spirit that pushed the American frontier westward. Like the later voyages of Charles Darwin, it is held up as one of the early scientific milestones of Western achievement: the mapping of an unexplored continent.

Native Americans, of course, have a major part in this story. Other than Pocahontas, the most famous name of any Native American woman in Eurocentric history, is Sacajawea, the Shoshone woman who accompanied Lewis and Clark and is credited with helping them achieve their goal of reaching the Pacific. All along their route, the Corps of Discovery relied on the local knowledge and experience of the Native communities they encountered. These communities not only provided them with invaluable advice on the navigation of their journey, but offered material support as well. It would not be an exaggeration to say that without Native help, Lewis and Clark would never have succeeded.

Yet, as familiar as the saga of the Corps of Discovery is, and as much as Native American involvement is taken for granted in that story, very few people realize the deep cultural divide that this historical drama



actually reveals. A little-known and underappreciated element of the story of Lewis and Clark actually had enormous implications for the future of Native American relations with the very government that sent Lewis and Clark out into Native lands. This more hidden part of the narrative provides a clear and ominous foreshadowing of what was to come because it displays the radical distinctions between the world views of Native Americans and White Americans. What was happening during the Lewis and Clark expedition was a visual aid, acted out over and over, that illustrated the tension between both the vision and character of the two civilizations that sought to occupy the same land.

What was this pivotal element in the story that we have overlooked?

Maps.

The most revealing aspect of the contact between the Corps of Discovery and the many Native American nations they encountered is the content, nature, and purpose of the maps they created and used.



MATO TIPILA
ARLEA ASHCROFT

Mato Tipila is a spiritual place of ceremony and teachings for the Lakota, Sioux, and Cheyenne Nations (Hutlett, Wyoming).

Of course, Lewis and Clark were all about maps. That was, in fact, exactly what they were commissioned to do: create maps. Their top priority for the United States was to chart the territory through which they passed. Thomas Jefferson and his government of westward expansion wanted detailed, reliable, and accurate maps to guide future incursions into not only lands claimed by the local Native American nations, but also, and far more importantly from Jefferson's viewpoint, lands that might still be claimed by European powers like France, Spain, and England. The Corps of Discovery was headed up by a serving officer in the U.S. Army, Captain Meriwether Lewis, for a reason. Armies move by maps. Military campaigns move by maps. Settlers move by maps. Jefferson was interested in establishing accurate topographical data that could be translated into equally accurate maps. With those maps, territorial claims by the United States could be made, and future military operations could be organized and carried out. This explains why Lewis and Clark carried a number of special silver medals struck by the United States mint with a portrait of President

Jefferson – Indian Peace Medals to be distributed to the leaders of Native American nations. They were tokens of United States sovereignty over these nations. Although the Native American leaders did not realize it, when they accepted a “peace medal” they were having their lands staked out as being under the ownership of the United States.

But that should not be surprising because maps are all about ownership in the Western cultural tradition. Maps mark out boundaries. They embody the exact nature of the title the owner holds over the property in question. For White Americans, maps can establish a legal claim. Therefore, this blend of maps, silver medals, and the claim by the United States to Native territory is an integral part of the story of the Corps of Discovery. Lewis and Clark mapped the western lands through which they passed not only as forerunners for both military and commercial conquest, but also to legitimize the claim of their government to vast areas of Native American land.

The tragic irony is that the maps made by Lewis and Clark were often created using Native American maps.

European Americans are not the only ones with a tradition of map making. For centuries, Native Americans made maps too: maps that Lewis and Clark were anxious to see as they made their way into what they considered to be uncharted territory. They eagerly asked about the existence of any maps that local Native Americans might have; they consulted these maps to plan the next stages of their trip; they incorporated features from the Native maps into their own drawings; they relied on Native American maps as part of their work. This is the part of their saga that is not widely appreciated. The importance of Native American maps to the maps created by Lewis and Clark is a subtext to this historical narrative that is often only footnoted, but deserves to be headlined. Why? Because the maps betray the deep difference between the worldviews of European Americans and Native Americans. The maps contain the deeper story of cultural tension. Like a prophecy of things to come, the maps reveal the spiritual and intellectual divide between the two cultures. The maps symbolically predict the conflict that would destroy the very Native communities that were helping the White explorers.

The Native American maps used by Lewis and Clark, like those drawn on buffalo hides with charcoal or painted pigment, did provide accurate information about topographical features, locations, and distances. But they were radically different from the ones created by the Corps of Discovery because they were intended to serve a different purpose. Native American maps were not only pragmatic tools, but spiritual records; they were more sacred texts than travel guides. These maps contained images that were designed to express aspects of the religious life of the people, and they identified sacred locations that were as important as physical locations. Lewis and Clark, though, used these maps in the way their own culture trained them. They discarded the spiritual content that was even more critical to the cultures they were encountering. In doing so, they threw away the opportunity to make real contact. They were blind to what they were seeing.

What message did they miss that was so clearly illustrated on the maps drawn by Native Americans? They missed understanding that Native American maps were not about land ownership or military

conquest. They were not about power, but prayer. They were an expression of the indissoluble relationship between the land, the people, and the Creator. The primary *function* of a Native American map had nothing to do with what Lewis and Clark were busy doing as they sought to claim ownership of everything they saw around them. Native American maps were spiritual testimonies to the sacred location of any people, a location in the vast and borderless creation of God, the One and Only true possessor of the Earth. Native American maps charted the pathway to heaven, not the road to glory.



Unmapping



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In 2005, the Mi'gmaq of the seventh district of Mi'gma'gi published a document called *Nm'tginen: Me'mnaq ejiglighmuetueg gis na naqtmueg* – their statement of claim to the territory of Gespe'gewa'gi. In it is a map that illustrates their Primary Claim area based on research of their traditional land use. It covers an area that includes the entire Gaspé peninsula in Quebec, extends south to Edmundston in New Brunswick and west to the south shore of the St. Lawrence River past Rimouski, then reaches to the east in New Brunswick past Metepenagiag, at the mouth of the Miramichi River. This area of claim is a rewriting of history and an indictment of those who carved up the land into grids so that Settlers could have “private property.”

I spent all my summers until I was 16 on the Gaspé coast. Since 2000, I have returned annually to reconnect with a landscape I have always loved and to discover more about my ancestry on my father's side. On one of these trips I had picked up this statement of claim, delighted with its comprehensiveness as well as its grounding in traditional Mi'gmaq teachings. I showed it to a few family members and friends. One just smirked and was not interested in even looking at it. A colleague from my theology world put the copy I gave her on an unread pile and never mentioned the Mi'gmaq claim again. Another relative, a distant cousin's widow living in Port Daniel who claimed to be interested in family history and genealogy, did not even look at it.



If ignoring the Mi'gmaq claim was the attitude of some, I encountered another, more direct, response that was perhaps more honest. Fred Metallic from Listuguj had asked me if I had any Catholic contacts who could help track down several sacred objects of the Mi'gmaq that had been taken by one of the deceased priests who had served in their community. Typical of many of the invaders, this priest had removed many Mi'gmaq artifacts so he could have his own exotic museum. I eagerly offered to help Fred, as I was feeling both guilty and responsible, as a Catholic, for how my Church had contributed to the attempted erasure of Indigenous culture and identity. I decided to ask an Ursuline sister I knew in Rimouski to help me. She knew of the priest who had spent his final years at Sainte-Anne-des-Monts, and she promised me she would do something. Thinking I would motivate her to act quickly, I showed her the *Nm'tginen* document. She looked at it and then said forcefully, “I don't think so!” I sensed not only disbelief but some hostility in a “how dare they!” tone.

I suspect that it wasn't the actual statement of claim in this glossy document published by the *Mi'gma'wei Marwiomi* secretariat, nor was it the traditional teachings or historical photos of Mi'gmaq from earlier generations that unnerved people. It was the map on the back cover. I could hear the unspoken voices – “there were no Mi'gmaq living here!”

This response is not uncommon amongst Settlers. Many think that by simply tracing our ancestry back to European origins, we are engaging in a form of decolonization. However, I agree with Settler historian Paige Raibmon, who argues that tracing our “colonial genealogy” and family history of land dispossession is a critical first step. Throughout Canada, Indigenous nations are now claiming their Aboriginal rights to territories that were neither ceded or surrendered to the colonizers, nor part of treaty relationships. Like many of these nations, the Mi'gmaq have engaged in rigorous research to back up their claims: through interviews with elders, land use surveys, uncovering traditional place names, and mining oral traditions that reveal specific connections to the land. Yet most Settlers are not aware of or interested in this work and refuse to engage because of what it may mean for their privileged lives. Most, like my family, participate in denying the collective memory of Indigenous presence on the land where they live or lived. Often these families have lived in a specific community, sometimes for several generations, and have a strong sense of entitlement to ownership of the land.

The Mi'gmaq claim brought my family's history and its relationship to the land and waterways into question. What does it mean for your own relationship to the land to unmap the boundaries and lines you've always known? I would spend part of my summers over the next decade exploring this question. It has meant re-storying my own past and sense of place. It has led me on a fascinating quest, almost like a treasure hunt. The Mi'gmaq have their own story of this land, but what does it mean to unlearn the map, as one metaphor for decolonization?

In 2003 I met Manon Jeannotte, who at that time was executive director of the Quebec Federation of Native Women. I had gone there looking for some work leads, which was both naïve and presumptuous as in Indian country everything is done through relationships, and at that time I had none in Quebec.

I noticed on the wall a large map of all the Mi'gmaq communities in the Maritimes and Quebec. I realized Manon must be Mi'gmaq and, as to my knowledge most Mi'gmaq were English speaking, I was curious about her being Francophone.

I asked Manon (in French), “What nation are you from?”

“Mi'gmaq. I am from a small community on the Gaspé coast that you have probably never heard of.”

“Which one? My father is from the coast.”

She replied, “Port Daniel.”

My heart jumped. “But that is where my family is from! Where did your family live?”

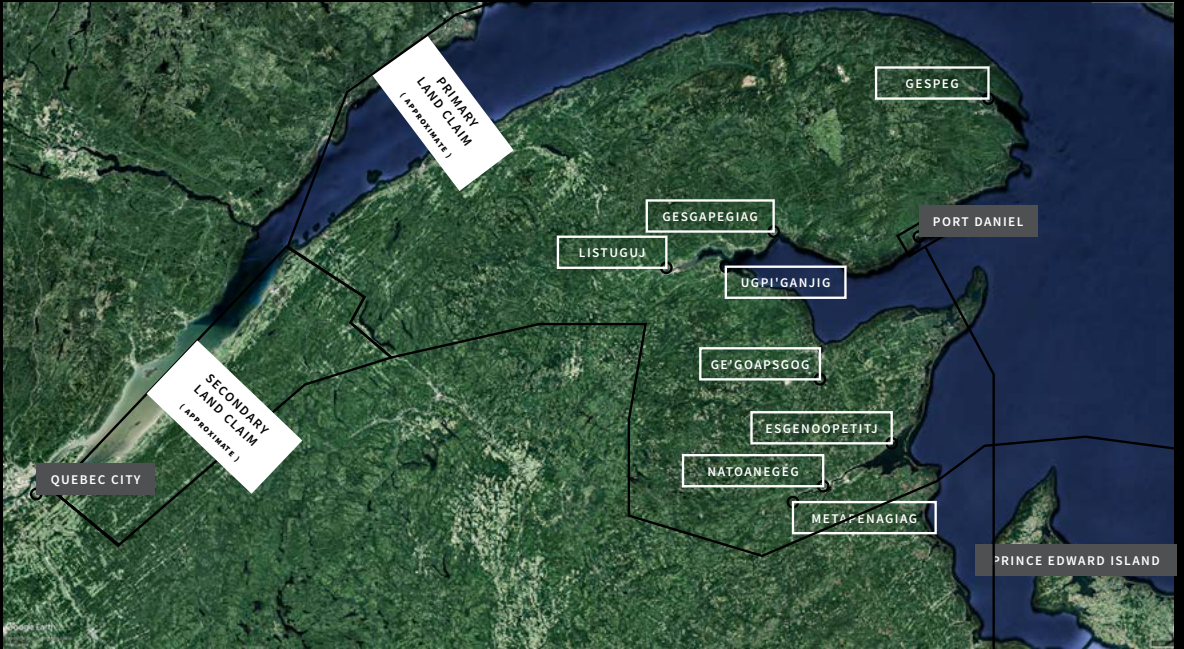
“McInnis Cove,” she replied.

McInnis Cove is a beautiful little side bay off Port Daniel Bay. No one in my large extended family had mentioned that there were Mi'gmaq in Port Daniel, and a few had even denied it!

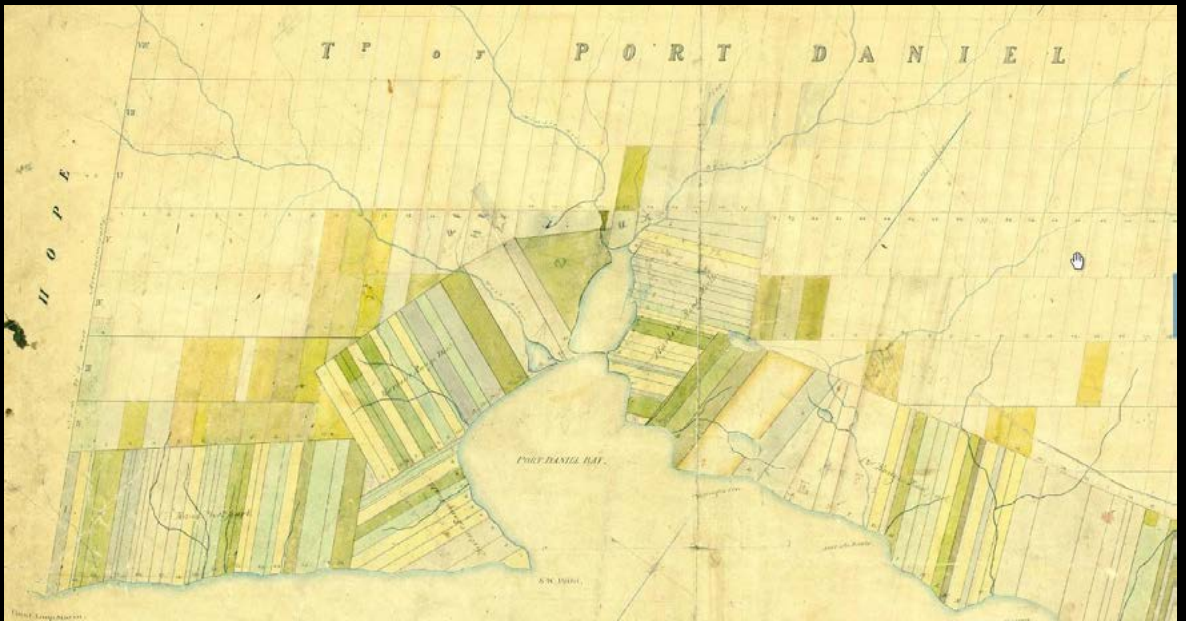
So began my search to uncover Mi'gmaq presence in Port Daniel. The Mi'gmaq had first greeted Jacques Cartier there, and they called the bay *Epsegeneg*, which means “the place where one warms up.” What was the process whereby a seasonal encampment of a thriving Mi'gmaq group of families became a Settler village, and later a municipality where their presence is now represented only by a plaster Indian outside at the back of the local museum? The official story is that there were no Mi'gmaq in Port Daniel when Settler history began. This is reinforced by the colonizer's description of the Mi'gmaq as “nomadic” peoples and hence not connected to specific places. Nomadic is a Western term which denies the complex relationship with land and waterways that hunting and gathering peoples had. It is a convenient concept used to relegate a people to pre-history and reflects a profound ignorance of the nature of Mi'gmaq life and connection to the land.

In the past, the Mi'gmaq moved seasonally from one region of the Gaspé to another. They returned to specific areas depending on needs for food and shelter. Families travelled lightly, often by canoe, dismantling their wigwams. Yet there was nothing random about their movements. Unacknowledged and unrecognized by both the French and the English Settlers who followed them was the fact that the Mi'gmaq used the full range of the lands

Gespe'gwa'gi Claim Territory



An approximate representation of the Gespe'gwa'gi Claim Territory. / MAP DATA: © GOOGLE / CLAIM INFORMATION: WWW.ABOUTOURLAND.CA



Plan of Port Daniel by John Collins, deputy surveyor (c. 1765). / IMAGE: PUBLIC DOMAIN

and resources on the Gaspé Peninsula, called *Gespe'gewa'gi*. Like most Indigenous peoples, they survived because they used the resources within the entire extent of their territory. This relationship to land was not only functional, but central to their spiritual and political worldview, and it was guided by the Mi'gmaq system of governance.

However, with forests hugging the shore and no visible structures or ruins to mark Mi'gmaq space, early Settlers treated these lands as *terra nullius* (vacant land). This concept developed by the French and English complemented the *Doctrine of Discovery* that had been declared by the Catholic popes in the 15th century. The French and English used *terra nullius* to further justify their title, claiming that these lands were empty because they were neither farmed nor developed in any European way and used only for migratory subsistence.

How did the title of the conquerors get enforced? Long before the reserve system was established in Lower Canada, the Europeans had divided up the land for Settlers. Nowhere is this more visible than in maps. If history is written by the victors, so too are maps made by conquerors. Europeans loved to map land: to put lines, boundaries, and declarations of property. But maps are not innocent, particularly when the land is contested. Cartographer Denis Wood has stated

a map does not map locations so much as create ownership at a location, it is the ownership... [that] the map is bringing into being...

In this way, maps were one of the major weapons used against the Mi'gmaq of the Gaspé.

I set out on a quest to uncover early maps of the Gaspé. A friend, Madeleine Quesnel, who was fascinated by the historical geography of Port Daniel, managed to access the earliest topographical maps of the village from the national archives in Quebec City. During my many visits, we spent hours looking at maps. We found the first map of Port Daniel, which was done in 1765, six years after the Battle of the Plains of Abraham where the English defeated the French. The English had speedily drawn up this first legal map of Port Daniel into a township plan. The map identified the lots that English Settlers could now occupy. This map shows the entire frontage on the Bay divided up into ranges with lots of 50 acres

each, with each lot drawn several kilometers into the forest behind. There is no place for the “savages” here. The map served to legitimate private property on land that the Mi'gmaq viewed not as something to be “owned,” but rather shared with all creatures under Mi'gmaq law.

Two maps, one from 1787 and another one from 1888, both illustrate the gradual process of reducing “public” space on the maps. By 1888, the only “free” space had been reduced to a shifting tidal area. The beachfront area where the Mi'gmaq had their summer encampment was now gone. On a 1912 map, the name of my great-grandfather, Pierre Nadeau, appears on the side of the *barachois* (a coastal lagoon), another area of former encampment. I needed to find out more as to how my family had been complicit in the displacement of the Mi'gmaq and whether Mi'gmaq still lived in Port Daniel.

I spent some time researching my ancestors' relationship to the land. It became clear that no one in the family had a vested interest in knowing that there were Mi'gmaq peoples in the area of Port Daniel. Three generations of the Nadeau men were involved in the forest industry; that is, my immediate forebears were implicated in the destruction of the land that had been the source of livelihood for the Mi'gmaq. My family had reaped the benefits of government policies that narrowed “Native space” to small reserves. Yet, by the beginning of the 21st century, there were no Nadeaus left in Port Daniel. Removed from the land, living in cities, we had little sense that our ancestral roots were part of the “myriad makings of dispossession” of Indigenous peoples. Despite this dispossession, some Mi'gmaq still live in Port Daniel today.

In the *Nm'tginen* document that unsettled so many of my non-Indigenous family and friends, there is a statement that the Mi'gmaq do not understand the land the way Europeans do.

Nobody owns [the land]. We are put here to take care of the land. We are just caretakers.

If one understands the land in this way, one has a different embodied relationship to it. Unmapping the land has been the beginning of my experiencing the land in a different way.



Planting Trees in Exile



ALAIN EPP WEAVER directs strategic planning for Mennonite Central Committee and is the author of *Mapping Exile and Return: Palestinian Dispossession and a Political Theology for a Shared Future* (Fortress Press, 2014). He lives in Lancaster, Pennsylvania, in Susquehannock territory.

This summer I visited sacred land. Driving along the even prairie one hour north of Saskatoon, my companion and I came to a rise in the landscape – a slight rise from a distance, although once we had ascended to the top, it had become a hill, giving us a view of the seemingly infinite prairie before and below us. We had arrived at what the Young Chippewyan band of the Nehiyawak (Plains Cree) people call *Oprwashemoe Chakatinaw*, and what German Mennonite and Lutheran Settlers call Stoney Knoll. Atop the knoll, a stand of towering pine trees, planted by the Lutheran Settlers, encircles a grassy clearing. The Young Chippewyans have long viewed this place as sacred. On this clear, cool morning, with the prairie vista stretching out before me, I could easily see why.

Stoney Knoll is the highest point in Reserve 107, the reserve assigned to the Young Chippewyans under the terms of Treaty 6, signed by Nehiyawak and Crown representatives in 1876. In 1897 the Canadian government took this land away from the Young Chippewyans, opening it up to European settlement, first by German Mennonites and then by German Lutherans. The Young Chippewyans have never been compensated for the land taken from them.

On this August day in 2016, we gathered with members of the Young Chippewyan band and the Mennonite and Lutheran communities who settled on this land to commemorate the 140th anniversary of the signing of Treaty 6: to remember covenants agreed to and broken, to listen to Young



Palestinian woman pleads for her olive trees not to be destroyed.

PHOTO: A. MORGAN / CREDIT: EAPPI

Chippewyan stories of exile from their land, and to commit to a future of honouring treaties. The trees stood around us as living witnesses as Young Chippewyan and other First Nations elders led the gathered group in a pipe ceremony, marking the shared commitment to honour treaty relationships and obligations.

At Home in Babylon

The prophet Jeremiah records the Lord commanding the exiles from Jerusalem living in Babylon to

build houses and live in them; plant gardens and eat what they produce
(Jeremiah 29:5).



Chief Ben Weenie (d. 2016) speaks on camera in *Reserve 107*.

STILL IMAGE: REBEL SKY MEDIA

To watch the documentary, see reserve107thefilm.com.

If these gardens were at all like the gardens in contemporary Middle Eastern villages and cities, fruit trees and grape vines would have figured prominently. In the West Bank village where my spouse and I lived in the early 1990s, our neighbours gathered each evening under vine trellises and fig trees, drinking tea and coffee and receiving guests. God's command to the people of Israel living in exile is a harsh one: instead of nurturing dreams of returning to their beloved Jerusalem, the exiles are told to set down roots in Babylon, to build houses and plant gardens. While God promises to bring the people back from exile, for now they are to plant fruit trees, set up grape trellises, and seek the peace of the city to which they have been exiled. Homecoming to Jerusalem is far off; for now, home is in Babylon.

Unsettling Nebraska

Many of my childhood memories revolve around trees at our home in Lincoln, Nebraska: harvesting cherries and apricots, picking up acorns, and raking leaves. When we moved into our home in 1971, it was near the outskirts of the city, part of a new development on land that not too long ago had been farmed. Yet in my child's imagination, the house and its yard seemed timeless, without a history, a sense that was paradoxically reinforced as the trees my parents had planted around the house grew.

The land where my childhood home stands is of course not timeless, but has a rich history, a history that well predates European-American settlement to include the deep attachments of different Native American peoples. Growing up, I remained largely ignorant of and exiled from this history (and I remain woefully ignorant). Not ignorant in the sense of being completely unaware that the prairie states where my parents and I grew up had an Indigenous past: my mother once showed me arrowheads that her great-grandfather had picked up on the farmland in South Dakota where he had settled as an immigrant from western Ukraine in the late 1800s. Yet as a child this history seemed part of a far-distant past.

While my parents moved out of my childhood home several years ago, I still feel rooted to that particular place, its trees a vital part of my emotional landscape. However, as I have learned more, as an adult, about the European colonization of Turtle Island, including forced displacement and genocide against Indigenous peoples, I have also felt exiled from my native home. Increasingly, I have come to realize that a true homecoming for me in the United States – be it in Nebraska or my current city of Lancaster, Pennsylvania – will mean acknowledging my status as a Settler and committing myself not only to learn about the historical and ongoing devastation that the *Doctrine of Discovery* has wrought, but also to discern with others how to begin to confront and dismantle that legacy.

Remembering Palestine

My appreciation for the importance of grappling with legacies of colonialism and dispossession grew steadily over a decade of working with Palestinians and Israeli Jews committed to a future of justice and peace. For these peacebuilders, addressing the mass dispossession that left hundreds of thousands of Palestinians as refugees and internally displaced persons is an essential dimension of durable peacebuilding.

Trees and other vegetation play prominent roles in the stories of uprooted Palestinians who make return visits to the ruins of their homes and villages in what is now the state of Israel. Stands of cactus plants reflect where individual property boundaries once

lay. Prominent fig and oak trees serve as orientation markers for returning visitors seeking to find their way among the ruins using mental maps constructed from tree-centered narratives.

To the average Israeli, the previous Palestinian landscape has disappeared, in many instances covered over by trees planted by the Israeli state to create national parks and forests. Yet, for those with eyes to see and with ears to hear the stories of internally displaced Palestinians still living in Israel, traces of the erased Palestinian landscape persist. Organizations like Zochrot dedicate themselves to mapping the erased Palestinian landscape onto the mental maps of Israeli Jews, convinced that being at home and rooted in the land for Israeli Jews means acknowledging their Settler identities, working with Palestinians to confront enduring histories of Palestinian dispossession, and joining Palestinians in mapping new landscapes of shared space. Zochrot organizes visits by Israeli Jews to the sites of destroyed Palestinian villages led by displaced Palestinians who narrate the villages' histories and the stories of their destruction. Together, group members then erect signs in Hebrew and Arabic marking the villages' ruins, signs pointing to the possibility of a shared future.

Rooted Together

In addition to marking the 140th anniversary of the signing of Treaty 6, this August gathering at Stoney Knoll commemorated the 10th anniversary of a memorandum of understanding. In 2007, the Young Chippewyan band and representatives of the Mennonite and Lutheran communities committed themselves to honour treaties, to joint efforts for a just resolution of the Young Chippewyan land claim, and to live together in peace and right relations.

Near the end of the day, the family of Ben Weenie asked the assembled group for permission to take soil from Stoney Knoll. Ben Weenie, the chief who had taken the lead in initiating the efforts to bring together the Young Chippewyan, Lutheran, and Mennonite communities, had passed away earlier in the year. The family wanted to add the soil from Stoney Knoll to his grave so that, even while he was exiled from the land, the land might still return to him in death. The request was granted. Then, as

participants left the knoll, we filed past a sapling ready to be planted in Chief Weenie's honor. One by one, we took turns placing handfuls of soil around the young tree, a testament of hope that First Nations and Settler peoples, at Stoney Knoll and across Turtle Island, might truly come home to and be rooted in the land.



When Helping Causes Harm



RACHELLE FRIESEN is a member of Emmaus Mennonite Church in Wymark, Saskatchewan. She spent five years living and working in Palestine both with a local organization and an international aid organization. In June, 2016, she graduated from York University with an MA in Social and Political Thought. Her thesis focused on the similarities between Israeli and Canadian forms of settler colonialism. She now lives in Toronto, traditional territory of the Mississauga of New Credit.

I grew up in a White, Settler, Mennonite home on the prairies. Growing up in a family keen to understand world politics, I was inundated with images of poverty and war through organizations such as World Vision and Mennonite Central Committee. I learned that I had a lot, while others had little. I learned that while other countries were consumed by violence, I lived in peace. Most notably, I was taught from a young age that I had the ability to help solve very complex problems such as war, famine, and systemic poverty.

So it was not surprising that after high school I went to university to study politics and international development. While the education I received was more nuanced than the Sunday afternoon “aid programming” I had grown up with, the idea that I could help still permeated. When I graduated I believed I was equipped with the tools to “better” the world.

Following graduation, I went to Palestine for a year to do an internship at a local Palestinian community centre. I knew I was not going to solve *all* the problems in the Middle East, yet I did believe that I was going to help in some ways. I was from North America, where we, I presumed, lived in and embodied peace. Surely I would be able to offer my experiences and wisdom.

Yet within a few months, my carefully cultivated worldview began to crumble. First, I had no idea how to “help.” I remember my first days at the



Sisters of the Sacred Heart pose with students from the Pukatawagan Residential School (c. 1960).

PHOTO: SISTER LILIANE / LIBRARY AND ARCHIVES CANADA

organization being eager and excited to be assigned work. Then they asked me what I could do. I froze. I realized I didn’t know the language nor the culture, and thus the leadership I assumed and envisioned for myself was not an option. Second, I came to see that no amount of readings or documentaries could have prepared me for the systemic and overt violence of the Israeli occupation. Western media and Western narratives of Palestine had left me largely ignorant and ill-prepared for what I was now witnessing. My ignorance to the realities of war mirrored my ignorance of pathways to peace and justice, therefore it was clear that I was not equipped to take upon an advocacy role as it would merely replicate the Western narratives that were counterproductive. I had become a child. I needed help.

I was being invited to humble myself, and it was uncomfortable. Things people said contradicted and challenged my Western upbringing and education. I sat silently in meetings, trying to be a sponge, absorbing what people were saying. Whereas I thought I was coming to “help” and “invest in peacebuilding,” in reality people were helping and investing in me.

What I had failed to realize until my arrival in Palestine was that my desire to “help” was deeply problematic. It was a posture symptomatic of colonialism and White supremacy. True, my intentions were good, although naïve. Yet I was replicating centuries-old power dynamics engulfed in racism. I had labeled people as in need of being “saved,” and I had decided that I knew what their salvation looked like. I was going to “improve” Palestine and Palestinian lives. Yet with this determination for progress, I was subconsciously labeling Palestinians as “degenerate.” I was mimicking the paternalistic logics that were foundational in the *Doctrine of Discovery*, where White Christians saw it as their duty to save and to give guidance to the “heathen” other. Not only was my posture marking communities I claimed to love as “degenerate” it also turned resilient Palestinian women and men fighting for liberation into agentless victims who were merely awaiting the aid that I hoped to provide. Rather than working alongside people in their quest for liberation, I had become an additional colonial barrier they had to overcome.

The longer I was in Palestine, the more my own unconscious racism was revealed to me. Half way through that year, the organization I was working for hosted an Indigenous (North American) - Palestinian exchange. By the time the delegation had arrived, my knowledge of the political reality on the ground had grown. I was writing and preaching about Israeli atrocities to international delegations. I was decrying checkpoints, settlements, and the violence of Israeli soldiers and society. I was vociferously angry at the Israelis who were both zealously and complacently supporting Israeli settler colonialism.

Yet when the Indigenous delegation arrived, a new realization flooded over me. How was I any different than those Israeli Settlers I so much wanted to stop? I became conscious of the fact that I did not have

to travel abroad to find oppression – it existed back in Canada. Land dispossession, police brutality, and Settler entitlement were not just characteristics of Israeli society, they were characteristics of *my* society. While I experienced “peaceable” Canada, others experienced violence wrought by a colonial state. Through my ignorance of Canada’s systemic oppression of Indigenous nations, combined with my patronizing desire to help, I was now contributing – in a small, but very real way – to a form of global settler colonialism.

As I reflect on my initial journey to Palestine, I am reminded of the posture of early colonizers and missionaries who came to North America. Today, we look back in horror at those colonizers who stole culture, land, and lives. The impact was genocide. Yet most of those Christian Settlers were, in their minds, not intending to do harm. It was Church leaders, missionaries, and lay people, all with claims of good intentions, who ran the Indian Residential School system that denigrated Indigenous cultures and assaulted Indigenous bodies. Though it is uncomfortable to acknowledge, I see clear parallels here with my desire to help. Both are centered on Western understandings, systems, and people. Both possess a power dynamic in which the Westerner has the answer and imposes it – while claiming benevolence – on host peoples. And the results are relationships of inequality that perpetuate racism and the violent structures of colonization.

For international aid organizations, even those not officially tied to government agendas, there is always a risk of replicating colonial relationships. I became more aware of this when I returned to Palestine working with such an agency. Through my work, I was tasked with overseeing the projects of local organizations. These were largely organizations that focused on community building, non-violent resistance, and peace education. Despite the fact that I was working with people who had been building a peace movement while living under occupation for over 60 years, it was I who was tasked with monitoring projects, explaining what peace and non-violence meant, and what their success looked like.

The organization often spoke of “partnership.” It stated that we were following partner directives. And it’s true that we listened. But in the end, the goals

and desires of the Western agency took precedence. Although our partners were clear on what they wanted and expected from us, there seemed to be countless reasons why we could not abide. As Westerners, we claimed we wanted to help, yet we acted like we knew more and, most importantly, we ultimately did as we wanted.

I am critical of international aid, but that does not mean that resources should not be shared, nor does it deny how crucial advocacy and solidarity can be in alleviating political violence. While I worked in Palestine, both were significant in maintaining and sustaining the liberation movement. And I witnessed many instances in which international aid and solidarity were done effectively and authentically. Yet it is critically important that we grow in our awareness as to how easy it is for racist and colonial postures (which are also reliant on classism, patriarchy, and heteronormativity) to seep into our work and relationships. From those successes and the above mentioned challenges, I share the following insights on what we might keep in mind while attempting this work.

First, it takes complete humility on behalf of the one with social, political, or economic privilege. It takes the ability to sit in discomfort, to listen, and be challenged. It is recognizing that good intentions may be contributing to profound wrongs. This is a scary thought, yet the implications of not interrogating such intentions are catastrophic. Instead of telling people who struggle what they need, it is vital that we listen and follow through on their requests and expectations.

Second, there needs to be recognition and learning of how those going abroad engage in oppressive structures in their own countries, communities, and families. There needs to be an integral commitment to undoing one's own racism and participation in colonial realities at home, giving oneself to relationships of accountability.

I do not claim to have perfected these things. Every day is still a process of unlearning and learning in hopes that I can undo oppression that I participate in and benefit from. Sometimes I fail and sometimes I succeed. Yet I am especially grateful to the people who are struggling for liberation on the front lines, those who have invested, and continue to invest, in

me. Accountability is often difficult to receive with grace, especially when I perceive my intentions to be good. Yet it is through this accountability that I have been able to build authentic relationships. It is when we together build authentic relationships that we are able to reverse and challenge the colonial structures.



Living in the Shadows of Doctrine



STAN MCKAY is a Cree elder who was born in Fisher River on Treaty 5 territory and now resides in Treaty 1. A former moderator of the United Church of Canada, Stan's main interests are guided by the Royal Commission on Aboriginal Peoples, the findings of the Truth and Reconciliation Commission, and the United Nations Declaration on the Rights of Indigenous Peoples.

I am living in Manitoba, which means “the Creator’s resting place.” We are Inninewuk, which means “the people,” and in Canadian history books we are called “Cree.”

The stories I will share are post-colonial stories, but they are all based on ancient teachings that our knowledge keepers carry for us. The stories carry teachings that form a philosophical and spiritual foundation for how we are to live on the earth. The seven teachings are love, respect, courage, honesty, wisdom, humility, and truth. The missionaries who come to us do not understand that we have these insights, and they work to crush our culture and break our spirit. I will revisit this concern later.

While at a meeting in a small community in northern Manitoba, I learned from an elder about his life on the land. We were having an afternoon tea break, and many of us stepped outside to enjoy the sun. Adam stood beside me and in Cree he said,

That tree has saved my life many times.

He was pointing at a tall spruce in front of us. He told me of a late autumn hunting trip with a friend. They were returning home in their canoe when a strong north wind caught them on a lake and forced them to the shore. They were wet and cold. They walked into a thick evergreen grove and found the calm place where they could make a small fire and dry off. Adam told me other stories of how “that tree” had saved his life.



There is a story told about a trapping family in Oxford House. The elder took his winter catch back to the village in the spring and went to the store. The fur buyer said they were good quality furs and advised him to buy 12 new steel traps. Up until this time he had used snares and dead fall traps. He bought the traps and took them when they returned to the trapline the next winter.

When the elder arrived back in the village the next spring, he had more furs than he had ever caught before. He then placed six of the steel traps in a bag and paddled out on the lake. He offered tobacco and dropped the traps into the water. My father was also a trapper and he taught me this:

You only take what you need, and of what you have, you must share.

There was a gathering of elders in Morley, Alberta, in the '60s and '70s, which met annually for about

eight summers. Elders from many Indigenous nations came together, and what was unique about these weeklong gatherings was that they also welcomed non-Indigenous church leaders to be a part of it all. There were many teepees erected and used as ceremonial and teaching locations.

One morning a young Indigenous man came into a teepee and said to the elder,

I want you to send these Christians home. There are too many of them, and they are taking all of the elders' time with their questions.

The elder invited him to stand with him outside the teepee.

Look at that mountain. Along the creek at its base there are many willows. Just above them are large poplars and birch. Further up you see various evergreens. Those trees do not argue about who belongs on this mountain.

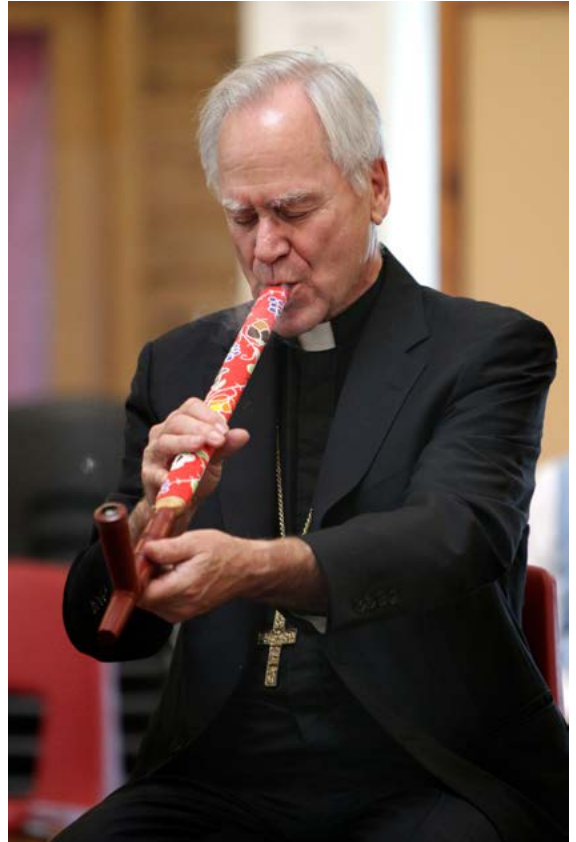
Last month I was sitting with a young father from a village in northern Ontario. As we visited, I learned that they were expecting their fifth child in a few months. I asked how the four children at home were doing, and he said there were only three at home. He explained that his wife had an older married sister, and that family didn't have children. So when my friend and his wife had their fourth child they discussed sharing with her sister. We call this a traditional adoption, and there is now a child in her sister's home. Our traditional teaching is that parents do not own children. They are a gift from the Creator. Sharing them is a great act of love.

The stories I am sharing are offered into a world that is shaped by the *Doctrine of Discovery*. It is not surprising that the stories may be considered unrealistic or irrelevant.

Truths that Limit Love

What are the experiences that shape the dominant understanding of what is truth?

In the Hebrew Scriptures, there is a story of a people fleeing slavery and then spending a couple of generations in refugee camps. There is a growing sense that they are a chosen people who are bound for a promised land. When they arrive, there are tribal peoples living there, but they can be removed. Some



James Weisgerber, the Archbishop of Winnipeg, smokes a ceremonial pipe at Thunderbird House (Treaty 1). Anishinaabe elders and community leaders Tobasonakwut Kinew, Fred Kelly, Phil Fontaine and Bert Fontaine adopted James in a traditional “Naabagoondiwin” adoption ceremony (April 14, 2012). / PHOTO: MIKE DEAL / WINNIPEG FREE PRESS

years later, we are told, there was the development of a system of governance in which the priestly class held privileged positions. In the houses of power, there were paid prophets and keepers of the law.

In Europe, for centuries, there were people who were ruled by royal families who had “divine rights”; there were wealthy elite who maintained a feudal system over peoples who were told they had limited rights to the land. There were many landless peasants who were enslaved. There was an era of Crusades, where people of faith attacked people who were different in appearance and beliefs. In the 20th century, millions experienced a Nazi movement that resulted in the devastating destruction of “religious others.”

The European development of nation states with colonies has resulted in lingering inequalities. Much of the exploitation was called “development.” It was and is based on the *Doctrine of Discovery*.

The World Bank continues to control capital in such a way that a north-south imbalance is maintained. Capitalism rules unfettered in a world shaped by resource extraction and environmental degradation. Churches, especially in the northern hemisphere, are compromised by their investments, and many of their members are aligned with the elite.

I have struggled with the impact of a colonial history that is based on the *Doctrine of Discovery* and its continued influence in the present expressions of the superiority of colonial control.

In western Canada, missionaries participated in coercive treaty negotiations and the operation of residential schools that intended to remove all that is Indigenous. I have written a draft letter to Church leaders asking them to revisit the apologies they made a generation ago. The legacy of missionary activity is complex, but one distressing result of the judgmental role played by churches has been to bring confusion to many Indigenous people. We now have Indigenous churches condemning traditional Indigenous spirituality.

North American Church mission is flavoured by colonial history. I feel the activity of proselytization should cease until the people of the Church (both Settler and Indigenous) comprehend how the *Doctrine of Discovery* presently influences them. The churches also need to engage in their own healing because all of society has been impacted by an unjust history, and we continue with the historic struggle this day.

My personal opinion, as an Indigenous person who seeks to understand Jesus, is that there may be a way to journey in faith. The journey is about faithfulness and mysterious grace. We are living in the days of missing and murdered women and girls, thousands of children in the care of government social services, and teens living in depression and choosing suicide. Indigenous people have little time for orthodox doctrine that limits the parameters of love.



Mission – Omission – Commission?



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Now the eleven disciples went to Galilee, to the mountain to which Jesus had directed them. When they saw him, they worshiped him; but some doubted. And Jesus came and said to them, “All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything that I have commanded you. And remember, I am with you always, to the end of the age” (Matthew 28:16–20).

How might we respond to Jesus’ call to mission today? In the aftermath of colonialism, in the growing awareness of how much of the Church’s mission was steeped in the logics of the *Doctrine of Discovery* and cultural superiority (and still may be), what is our contemporary response? If we believe the risen One summons us to mission, how can that “call to action” be heeded while we reject the *Doctrine’s* death-dealing ways?

In the eyes of many, Indigenous and non-Indigenous alike, the Settler Church has lost much of its credibility. The Church is seen as an agent of colonialism and religious supremacy. And it is not simply those outside the Christian community who carry such views. Many who count themselves a part of the “body of Christ,” who treasure the tradition, who are shaped by the memories of Scripture, are deeply suspicious of “mission.”



I too was once in that place. Yet as I carefully studied mission history, exploring the practice of mission around the globe, I discovered a very complicated story that both Settler and colonized Christians need to wrestle with. The history of Christian mission is painfully ambivalent. At times it is hard to tell where the oppression starts and where the liberating ends. Simplistic narratives about mission that make some into perpetrators and reduce others to powerless victims are tempting. But such binaries fail to attend to the complex realities that were experienced. People’s motivations and practices were often equivocal (“of two minds”). At times, despite the most paternalistic and problematic structures, survival and even the thriving of life occurred.

As my understanding of the history of mission grew, my ability to see the contributions, resistances, and flourishing of the communities impacted by mission was enhanced. I was able to move beyond



Indigenous peoples resisting the Dakota Access Pipeline let it be known that their action is on behalf of all peoples (Sacred Stone Camp, North Dakota). PHOTO: JOE BRUSKY / FLICKR COMMONS

the two most typical frames that people impose on mission history:

- **Triumphalism** – “Look at the wondrous spread of Christianity!”
- **White guilt and victimization** – “It was all colonial violence!” The colonized became Christians simply because they lacked power, faced the threat of death, had no other choice, it was expedient, and so on.

In conversation with African and Indigenous Christians in the United States, I used to find myself apologizing for the impact that colonial missions had on them. I wished that such missions had never happened, given the unfathomable damage and destruction that missions often aided and abetted, or was unable to stop. But this posture – of wishing away reality – was not, I was told, helpful. It actually prevented me from encountering the truth of the pain and loss experienced. You can’t wish that away. You need to see it, sit with it, acknowledge it, and

weep through it. Moreover, this posture prevented me from appreciating the many forms of Indigenous survival and resilience. My avoidance of the reality of colonial-mission wounds reflected my denial of real lives in the present. White guilt was getting in the way of genuine encounter and the possibilities for change and healing. I began to understand that merely uttering apologies for the impact of missions and retreating entirely from mission (as so many well-intentioned Christians, especially those “on the left,” are wont to do) was a form of denial and further abandonment of these Christians’ lives and struggles.

MISSION – Omission – Commission

For many, the word “mission” is a damnable word. It is seen as mere cover for colonialist and paternalistic attitudes towards “the heathen in their blindness” (E.J. Brill). And the invariable result of mission, we are told, is cultural genocide. Yet a close study of the history of mission in Alaska, New Zealand, and

Kwa-Zulu Natal, convinced me that this narrative is not sufficient. We need to complicate it. We need to ask what kind of mission was inherited in a particular place and what options there are to bring healing and transformation in the present. We can't simply dismiss the word (mission), or the practice of it.

For good or ill, the land and the people of the land carry the remnants of the past. Trauma and memory will not go away. Truth and Reconciliation Commissions, like the one that Canada has experienced on Indian Residential Schools, remind us that history cannot be denied. Memories have to be heard before they can be healed; only then can they become liberating visions.

What if the term mission, with its history of good and ill, could be reclaimed and radically shifted, rather than abandoned?

When rethinking mission in a post-colonial setting, I find it helpful to distinguish between sins of omission and sins of commission. Sins of omission have to do with not doing something, with being a bystander, with walking away when one should stand. Sins of commission are sins that involve doing something, intervening, and interfering. What patterns of tragic omission and commission do we need to recognize and refuse to repeat? What in turn might mission become, stretching towards a post-colonial mode?

Mission – OMISSION – Commission

A significant challenge for many Settler-based churches is to be able to recognize the paralyzing and narcissistic reality of White guilt. Unproductive and dangerous, white guilt tends to turn Settler Christians away from Indigenous Christians in the Americas, Asia, and Africa. It renders the very identity of Indigenous Christians suspect through the uniform dismissal of the mode of colonial conversion that stood at the beginning of their faith (or their ancestors' faith). Furthermore, White guilt carries the potential, ironically enough, for White rage: a defensive rage that rejects entirely any responsibility for engaging the damage that colonized peoples have experienced (and continue to experience). Because it eschews relationship with the colonized – not wanting to cause any further damage – it can't listen

and learn from Indigenous peoples (especially those who are Christian), and thus it can produce the mirror image of the *Doctrine of Discovery*. Instead of the old White civilizing mission that saved “savages out there,” we have White people abandoning Indigenous peoples because we still “know what is best for the native” (thus leaving Indigenous peoples to repair the damage wrought by colonialism). This is not an *imitatio Christi*, but rather a self-deluded mockery of both Christ's missional call and the agency of Indigenous peoples.

We need to be far humbler in our thinking. We can recognize the scars of colonial mission and, at the same, rethink what “good news” is. Colonized peoples have known for a long time the emotional and physical toll of spiritual violence, ecological destruction, and massive loss of life. They have known death – in all its multiple forms – at alarming and disempowering rates. Settler churches must not deny these realities, or we commit the sin of omission and avoid our mission. At the same time, we must reject the spirit of White guilt, which nurtures fear, paralysis, and isolation. We must embrace the Spirit of Jesus, which moves us towards humble sacrifice, the seeking of justice, mutual compassion, and committed relationship.

Mission – Omission – COMMISSION

If most consider the colonial legacy of mission to be “bad news,” what would have to happen so our call to common mission could become something like “good news”? What is it that we – Indigenous and Settler – can commit to together? What would it take to move us from colonial interpretations and practice of Jesus' commission in Matthew 28 to a common call to mission?

For Christians, mission is bound up with Jesus, with his call and his sending. Yet over the last number of decades, missiology has rethought how that call to preach, teach, and baptize is to be carried out. A call to common mission is mission “with,” not mission “to” or “for.” A post-colonial approach to mission involves committing oneself to the patient, persistent untangling of the colonial mess of relationships. It is a commitment to the pain of struggle towards mutual healing. There is no triumphalism. It does

not anticipate easy solutions or total recoveries. It is dependent on relationships of trust and mutual respect.

If mission has to do with conversion, what constitutes conversion in a context of post-colonial theology? Here is what I, and many of my missions colleagues and fellow practitioners, imagine.

Co-mission (“mission with”) means

- fostering a critical appreciation of Indigenous history, theory and practice;
- committing to respect and recover Indigenous knowledge and science;
- resisting theological narratives of total human depravity and articulating more affirming images of the human alongside ideas of redemption that take seriously (i.e., make central) the hopes and traditions of the oppressed;
- coming to a compassionate understanding of our own complex histories and their mixed ethnic blessings and embracing the transitory and particular nature of our pasts and identities, which can help us let go of the universalisms we often clothe our culture in and impose on others;
- seeing the earth, in this time of ecological crisis, as a sacred trust and thus committing ourselves to a defence of the Sacred;
- searching for God present in all lands and all peoples; and
- discerning the Spirit/s continually and collectively to consider how each action we take either builds up our different communities or tears them down.

We Are in This Together

At a recent conference in Sweden on the future of the Arctic, participants were convicted by the voices of lament that we heard. Litanies articulating the loss of ancestral knowledge and lifeways were told by members of Canadian First Nations, Swedish Sami, and Alaskan Natives. As the melting of the Arctic continues unabated, Indigenous people are fighting the destruction of their cultures and the passing of elders. The rest of us have much to lose as well. Yet we struggle to see it. We may be in deep denial, benefiting too much from the economic *Doctrines*

of Discovery that are at work, groping for more oil and quick energy. But if we want to resist theological *Doctrines of Discovery*, we must also resist *Discovery* in its other forms, or we risk making empty verbal gestures. This is part of the mission that we are being called to today.

As I write, there is a major Indigenous resistance movement against a pipeline taking place at the Standing Rock Reservation in the Dakotas. It’s received global attention largely because of its size. But this is just one of many resistances taking place around the world. Indigenous peoples, loudly and clearly, are asking to be heard and supported at long last. Can Settler churches hear the call to co-mission that our sisters and brothers are inviting us to? Can we hear that Christ is calling us through them (i.e., Mt 25:40)? We need to work together. We need to be in relationship. Though fear is present, we cannot sit back. The costs, to everyone, are too great. We need to go. Indeed, we have been sent.



Dismantling Injustice Through Balance and Harmony



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But the thing is, we treat racism in this country like it's a style that America went through. Like flared legs and lava lamps. Oh, that crazy thing we did. We were hanging black people. We treat it like a fad instead of a disease that eradicates millions of people. You've got to get it at a lab, and study it, and see its origins, and see what it's immune to and what breaks it down.

- Chris Rock (*Vulture*, 2014)

Since 2012, a growing movement has once again confronted America with its systemic racism. Created after Trayvon Martin, a black teen from Florida, was murdered; created after George Zimmerman, the policeman who killed Trayvon, was acquitted for his crime; “Black Lives Matter” is seeking to unmask America’s White supremacy and bring about a revolution of justice.

Repeatedly, I’ve heard American sisters and brothers wonder aloud why “Black Lives Matter” exists. On the one hand, they can’t figure out where all the hate speech is coming from. On the other, they can’t understand “why people of colour in the U.S. are so afraid and angry.”

As a country, the United States has a sanitized, whitewashed version of history. We say we are a nation of immigrants and we welcome everyone. But the reality is that many who are privileged do not accept – truly accept – those who are different in



colour, religion, and culture.

I want to believe our country was built on high ideals. I want to believe that we are a nation of liberty that receives everyone – “all the poor, the tired, and the huddled masses” who long to “breathe free” – as our sacred monuments and myths proclaim. But we do not.

We can’t even welcome and honour the hosts of these lands. Indigenous peoples are not immigrants. For generations, Indigenous peoples held out a hand of friendship until they too learned that they did not belong. Unwelcome, even despised, in their own living room.

The racist hate and divisiveness of our country has always lain beneath the surface. It is part of the DNA of this country. Movements like “Black Lives Matter” are necessary to give voice to those pushed to the margins.



A Black Lives Matter protest at Herald Square, Manhattan (c. 2014). / PHOTO: ALL-NITE / FLICKR COMMONS

Where does this death-dealing and infuriating violence come from?

Have you ever noticed the shadows embedded in America's founding document – the *Declaration of Independence*? Right there, in this most sacred covenant, alongside the proclamation that everyone knows so well – that “all men are created equal” – is a wicked repudiation of the original, non-White peoples of America.

...the merciless Indian Savages whose known rule of warfare, is an undistinguished destruction of all ages, sexes, and conditions.

Though all men are equal, though all “are endowed by their Creator with certain unalienable Rights,” like “Life, Liberty, and the Pursuit of Happiness,” we're told that this does not include those “red” Indians. They're not truly human. They are “merciless” savages incapable of kindness.

The *Declaration*, of course, was written over against

the British Empire, and thus it is those Indigenous peoples who allied themselves with the Crown that are the primary target here. But this is a founding document. It was intended to imagine social and political relations henceforth. “Merciless Indian Savages” was not just thrown in there without thought to the future. As Adrian Jawart states, the *Declaration of Independence*

...was written by a committee of five people – including Benjamin Franklin and John Adams – and ratified 86 times by the Continental Congress before becoming official and signed. So this was a carefully mulled over phrase in that Natives would forever be considered “savages” in regards to their future relations with the United States.

Framing Indigenous peoples as savage was nothing new. This was simply a continuation of dominant European-Settler ways of positioning Native peoples in order to take their land. It's the logic of the *Doctrine of Discovery*, the logic of power, religion, and politics,

the logic of the devil.

If the Natives aren't truly human, then we're justified in taking the "frontier lands" that they are defending. And if they aren't human, then we can make war on them, take their children, sterilize their women, steal their culture, and relegate them to the past, to the ancient, to the never-now-remembered.

And of course, the same goes for Blacks. If they're subhuman, then do whatever the hell you want to do with them. Enslave them, lynch them, rape them, shoot them, arrest them without cause, tase them, imprison them, blame them and blame them and blame them for all "their problems."

Why is it important that we specifically say Black lives and Indigenous lives matter? Because these peoples have been treated as if their lives don't! The *Doctrine of Discovery* is not just history. It is being played out each day in our communities, schools, and throughout the U.S.A.

Finding Hope

Sometimes I get deeply discouraged by the pervasive violence in these lands that I so love. But I find solace in my Christian faith and the Indigenous teaching of my ancestors. I appreciate the work that activist theologians Vine Deloria Jr. (Hunkpapa Lakota) and Tink Tinker (Osage) have done, even though they come to different conclusions than I. They believe Indigenous theology can't be reconciled with Christian theology. But what if we try to find ways in which Indigenous theology can broaden our understanding of Christianity, providing us with a more balanced view of spirituality? There are two Indigenous teachings that I have found especially helpful: balance and harmony.

In this day of protest, I ask myself: What am I seeking? What's the goal? The end hope? My immediate answer used to be liberation and justice – all wrongs being made right. But what if I saw harmony and balance as the goals? Would this not encompass something broader and more holistic?

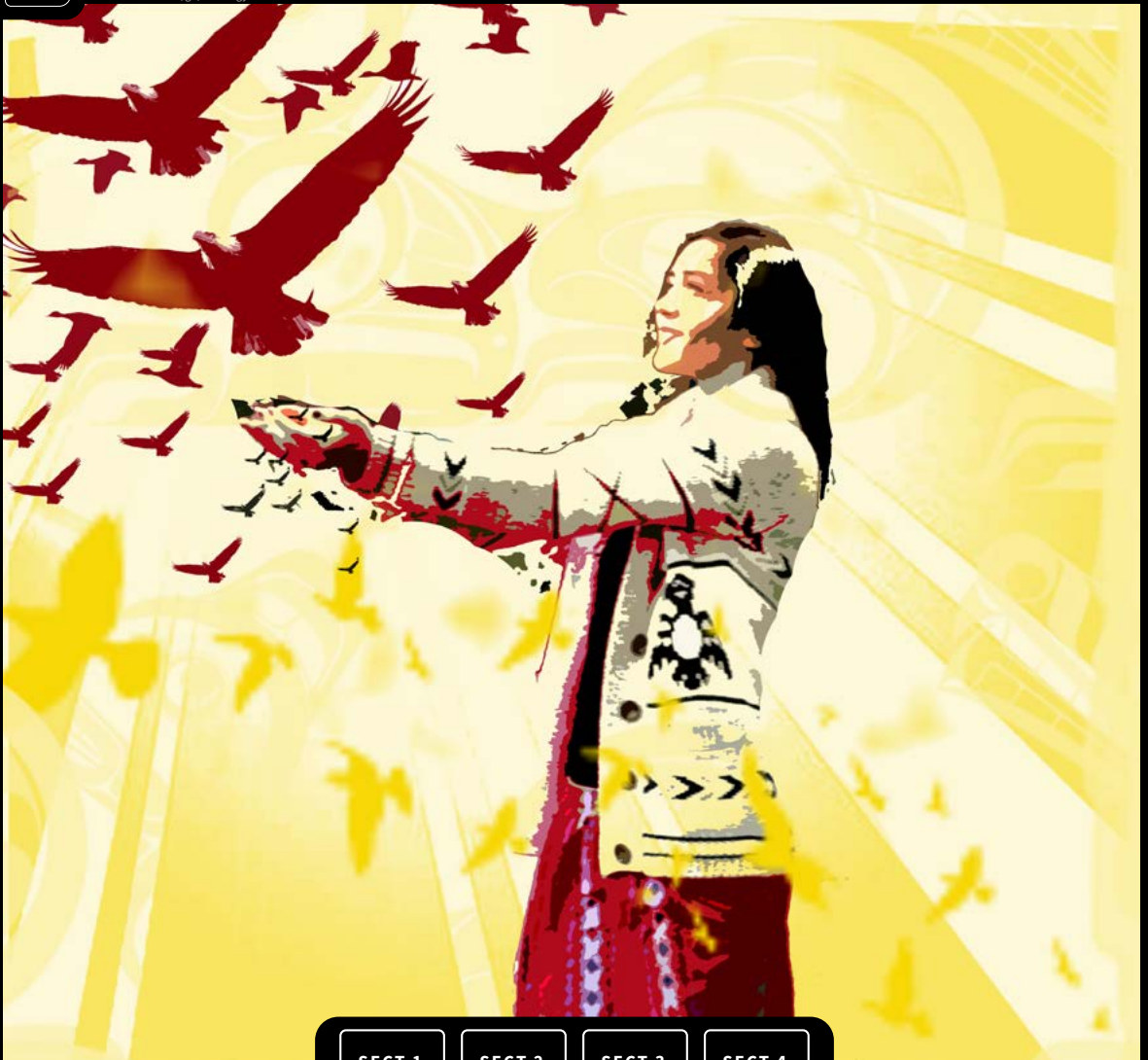
These concepts of harmony and balance are huge. You could say they're equivalent to God reconciling all creation, but maybe they're bigger than that. Some Native Americans speak about liberation, yet most prefer balance and harmony. It has to do with the fact that we are interdependent and we are to live our

lives in that belief. What if we really embraced this idea of interdependence?

As I write, the Standing Rock Sioux, and thousands with them, are protesting the destruction of their lands and waters for the "creation" of a pipeline. What is happening in the Dakotas speaks to what I think it means to be interdependent. Humanity, mother earth, and the waters are all bound up with one another. The millions of people living today, and the generations to come, are all bound up with one another. Bless one, bless the other. Curse one part of the circle, curse the whole. Interdependence means we are all connected. Our actions have consequences on others. We are not isolated beings, and when we act as such we disrupt the well-being of the created order. Honouring our interdependence helps bring us back to harmony and balance.

Social movements like Black Lives Matter and the Standing Rock resistance are working at making things right for people of colour and Mother Earth... and White people. The hope is for everything – not just a few privileged peoples – but everything living within the created order to experience balance, and in such, life abundantly. Liberation is important, no doubt. Yet it will be through a collective discovery of a spirituality of harmony that we defeat the merciless powers of our day, including the principles underlying the *Doctrine of Discovery*.

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SECT 1

SECT 2

SECT 3

SECT 4

SECTION 4: Return, Repair, Rebuild

On Repudiation: A Cherokee Perspective



RANDY S. WOODLEY is a Keetoowah Cherokee descendant, husband to Edith, father of four, and grandfather of three. The distinguished professor of faith and culture at George Fox Seminary and the co-sustainer at Eloheh Farm, Randy lives in the land of the Kalapuya people with their blessing.

There is a story that I picked up when I was living in Cherokee country during my years in eastern Oklahoma. As the story goes, there were two White men who showed up on a remote path and asked if they could hunt buffalo and live for a while among the Cherokee. Since there were plenty of buffalo back then, and no one had ever seen or heard of a White man (and thus had no reason to distrust them), those Cherokees decided to give the men food and a place to sleep. After feeding them, they felt the best hospitality they could offer was to give them a nice, thick buffalo robe on which to sleep and to let them know they would be secure. The Cherokees said,

Just lay this buffalo robe down and you will always have a place to stay here in Cherokee country. Where you lay down your buffalo robe, that place will be yours. It now belongs to you.

Well, the two White men had an idea. And when the Cherokees came back later the next evening to check on them, they found out just what these White men were up to. It seems the two men spent the whole day cutting the buffalo robe into one long, thin strip, starting from the outside and going all the way to the center. Now, a buffalo robe is a big hide, so that strip ended up being very long indeed. The White men had stretched and laid that strip across this great big area, connecting it at the ends, making one enormous square. The Cherokees looked puzzled. Then the White men proclaimed,



You said that wherever we put this buffalo robe, the land is ours. Now you see where the buffalo robe is. Everything inside that square is ours!

The Truth About Stories

Like many of our Indigenous stories, the point is not whether or not this event really happened. The point is that this is what you can expect from Settlers. They can't be trusted. Though generosity is extended to them, they'll abuse the kindness and take advantage of it. It means that their gain, including land and its bounty, is more important than the potential relationships that can be built between two peoples. The most important part of the story to me, though, is that this old story is still being told around Cherokee country today.

Nowadays, well-meaning liberals and Christians

might focus their concern on the two men in the story. “If only the Cherokees,” I can hear them say, “had met better people to make a different initial impression.”

One of the holdups of the settler-colonial mindset is that it interprets most problems through the ideology of individualism. As a result, they have difficulty understanding community ethics and community accountability. It also makes for dull story telling. Notice the story does not overtly condemn the White men as individuals, it simply describes their actions. And again, it matters not if the story is factual. What matters is that it is true.

What is true in the story is that settler-colonial society thinks they have a right to steal Indian land, by whatever means necessary, and remove the Indian to some other place. What is true in the story is that self-aggrandizing avarice is bound in the hearts of Settlers, regardless of their religious disposition. What is true in the story is that the motivation for justifying and maintaining these heinous acts is White, dominant culture supremacy. How do I know it is true? Because the Settlers still have the land.

The damage done to Native Americans, and the land they were co-sustaining, is unfathomable. Whole systems of science, law, rhetoric, economic trade, languages, mathematics, agriculture, architecture, medicine, and more were totally disrupted, and we are now left with only the fragments of vast and highly advanced civilizations. The harmony on this continent was broken through settler-colonialism. Was it perfect before then? No. A Utopia? Not at all. But it was a land filled with extremely diverse groups of people who had figured out, for the most part, how to get along with each other and all of creation. And when there were problems, sometimes severe problems like war or drought, the people knew what was needed to restore harmony amongst themselves and with the land.

The old-time Cherokee folks say it is the task of all human beings to restore harmony when it is broken. My hope is that the repudiation of the *Doctrine of Discovery* will set in motion the repair of these systems of harmony in North America (though those systems will look different now, for things rarely stay the same). My hope is that, together, we can restore harmony in the land. But I have had hopes in the past. Unfortunately, they’ve led to no good ends.

On Reconciliation Movements

Back in the mid to late 1990s, White Christianity experienced a “reconciliation movement” that I really wanted to believe was going to bring about peace and harmony between Indigenous and Settler peoples. After my wife and I participated in a number of these “platform reconciliation” events, we began to understand the dynamics of what was really happening. The White folks wanted “reconciliation” to expunge some latent sense of guilt, and that included a “nod and a wink” to Native folks. The Whites would do some crying around, say they were sorry, and then send the Native Americans back to the same physical and metaphorical places where they had been banished to generations earlier.

During those years, I was pastoring the Eagle Valley Church in Carson City, Nevada. Most of our congregation was made up of traditional Native American people who were following Jesus but in traditional Native American ways. Whenever I would return from one of those crazy “reconciliation” trips, I could count on the same wisecrack coming from one of three men in our congregation who always sat by the door. “Hey pastor,” they would say, “did they give you any land back?” The tone was not that of a sincere question. It was more like the tone you may have heard in the buffalo robe story. Of course, after a half-dozen times, I finally got the message. And, I’m thankful for those friends and the sarcastic tone they used. It caused me to think deeper about what I was doing.

The dominant form of North American Christianity is a Christianity that centers Whiteness, making White the “norm” and the “universal.” In the Apostle Paul’s language, whiteness is “a power and principality” that is killing the Church Christ loves. One of the endemic flaws I find in White Christianity is its pervasive theological dualism. Because White Christianity is embedded in strong European Enlightenment experience and thought, it should be no surprise that a great gap exists in Settler Christianity between word and deed. In Euro-centric theology, what one believes means everything. Belief almost always trumps experience. Doctrine wins over action. Orthodoxy beats orthopraxis. Theology is something you think, not something you do. Indigenous traditions, for the most part, don’t have



Godzilla on the path of discovery. / ART: STEVEN PAUL JUDD, KIOWA AND CHOCTAW

doctrinal beliefs; we simply *live* and *do*. Our belief is living our daily lives. With White Christianity, one can actually hold a set of beliefs and rationalizations as to why there is no consistency between those beliefs and real life. Of course, this problem is not unique to White peoples. Jesus even dealt with it.

I recall a story about a farmer who had two sons. The farmer told one son to go work in the field and that son said he would go, but he didn't. The second son whined around and complained when he was asked to go work in the field, and he told his father how much he hated the farm, complaining the whole time, but that son actually went to work. After telling the Pharisees that story, Jesus turned to the Pharisees and asked them to identify the righteous one. They told him it was the one who did the work. Then Jesus told them something absolutely astonishing! He said that the ones they consider the worst among them, the prostitutes and tax gatherers and other "sinners"

are receiving the kingdom before the religious folks. For Jesus, it seems it was all about what one does, not what one says they believe. Jesus' shalom kingdom was one made up of actions, and he didn't have a whole lot of good to say about correct beliefs.

My third great-grandfather, Gulequah, fought against the Americans at the time of the "War for Independence." He was fighting against the Americans in order to gain Cherokee freedom. That Cherokee War (known as the Chickamaugan War) lasted some 16–19 years. In 1791, Gulequah was a signer of the first peace treaty between the Cherokee and the Americans – the Holston Treaty. It was not good. In fact, the people from the U.S. who staged it went to great lengths to be sure everything was tilted in the Americans' favour. Nonetheless, George Washington sent peace medals to all those chiefs and headmen who had signed, including Gulequah. The Holston Treaty meant that our two peoples were to

be friends; it says the words, “Peace and Friendship” right there on the medal. But after knowing the history of the treaty and what has happened since, I have to ask myself, “How long can a friendship last when one friend thinks he/she deserves everything and the other friend deserves next to nothing?”

Making It Real

Repudiating the *Doctrine of Discovery* cannot merely be a theological position or a statement of belief. The land taken by one people because they thought, and continue to think, that they were superior to another people, resulted in tragic loss. That loss continues today in the form of generational poverty, disease, limited opportunities, post-colonial stress disorder (PCSD), and post-traumatic stress disorder (PTSD).

The loss to Indigenous peoples is real and calculable. For this reason, repudiation must start with a full litany of wrongs perpetrated against the Indigenous peoples of North America, including the specifics of who, what, when, where, how, and why. The purpose of naming these crimes and their perpetrators is for the healing of both the offended *and* the offenders. Theologically, we call this “confession.” Confession allows the perpetrator to know the reality of these crimes and to understand how they’ve impacted people’s lives. Confession allows the victims to validate their experiences and those of their people without the usual retorts like, “When are you going to get over it?” or “You’re never going to get ahead playing the victim.”

Next, there must be a creative process put in place that begs the offended to help the offenders come up with ways to ensure this will never happen again. White Christians, in my experience, are really poor at building relationships with Natives. Give a church an issue and they will program the hell out it... but relationships? Biblically, what we are after here is “repentance.” The offenders must not only stop the violence of dispossession, but proactively do the opposite. This takes a while because it has to be done in relationship, or it has little chance of success.

Finally, the offenders must provide “restitution.” According to Biblical patterns, restitution should be greater than the original offence (think of the Zacchaeus story, Luke 19) and it should be left up to the offended to what, in particular, that restitution

should be.

There’s no denying how tough this is. But people can do very tough things when necessary.

What I have outlined is a Christian path, but it seems pretty Indigenous to me. It also seems like simply the truly human thing to do for anyone who is trying to please Creator and care for their fellow human beings. You might have noticed that I didn’t say anything about people apologizing or saying, “I’m sorry.” One’s words are not really necessary when one’s actions speak for them.

My concern over Christians mobilizing to repudiate the *Doctrine of Discovery* is that they will still view it through a non-Christ-like, dualistic lens and fool themselves into thinking that they simply need to condemn the *Doctrine* without taking the action really needed to heal the friendships between our peoples. So, if you are not ready to deal with the foundation undergirding *Discovery*, namely White Supremacy, White Privilege, and White Normalcy, then do not repudiate it. Save yourself from the hypocrisy. Because, if you repudiate all the documents bearing reference to the *Doctrine of Discovery*, tear them up into little shreds, and do not act with the righteousness that should be accorded such an action, you may as well tape all those shredded papers together into one long strip and place it on a map of the North American continent. And that will be your buffalo robe.

■

Calls to Action, Br-ump-Bump



JANET ROGERS is a Mohawk/Tuscarora writer living and working as a guest on the traditional lands of the Songhees and Esquimalt people on Vancouver Island. Janet's poetry lives and breathes in areas on the page and as spoken word presentations, performance poetry, video poetry, and recorded poetry with music. This poem comes from her latest work, *Totem Poles and Railroads* (ARP, 2016).



looking to the left
then right
positioning ourselves
somewhere in this redress
patching up our wounds
like road crews
in the commission of truth
merging and making square
armed with these calls
to action

numbered requests
so many suggestions
prescriptions all beginning with
“We call upon the federal, provincial,
territorial, and aboriginal
governments...”

equalizing compensation
busted k-k-kanadians
remedies for the malaise
restoring stripped dignity
upon territories by eradicating
the spanking law
that's all

monitoring our own neglect
administering our own medicines
handling the sliding scale
and setting new precedents
and measurements
for success

authoring treaties and dissolving
two-way for four-way portals
with language and culture
including clauses for non-compliance
prison term punishment
let's try it

all things defined by adequate funding
have we learned nothing
but how to correspond in dollars
with the white-man
for over time
what we find to be adequate
will inevitably evolve
as will this law
no land no advancements
no chance for balance
only more hand-outs
who do we make the cheque out to

the UN Declaration reads as
un-declare let's pump the brakes here
Indigenous rights
a meaningless concept
absent of commitment
a signature-less contract
“R” words left flapping
like tattered flags
over parliament's decaying
brick home

Rights	rights
Reconcile	reconcile
Response	response
Relocate	relocate

D is for independent decisions
and safe drinking water
E expressions of interest
and evolving realities

winter olympics actually
cited as successful relations
unprecedented four-host first nations
get our regalia on and dance
for the good people



War paint / ART: STEVEN PAUL JUDD, KIOWA AND CHOCTAW / PHOTO: CHRIS CHRISTIAN / FLICKR COMMONS

contributions to the
larger cultural national fabric

larger cultural national fabric

upon closer examination
the garment is frayed and worn
patched with miss-matched fabrics
darning them together
damning it forever
too little too late

drums and feathers
the new black and brown
incantations and chants
environmental tourism
omits a history eliminated
by name changes
singing in ceremonies
for your listening enjoyment
our employment

a collective dream and shot-gun wedding
a nightmare written in legalese
still calling on the crown
to join pen to paper
royal proclamations
adopting Indigenous laws never
agreements with the master
diamond encrusted collars still choking

spiritual self-determination
hot lava-beds of policy-making
creation stories taught as myth
not bible books but oral legacies
the way it was meant to be
misinterpretations to suit the seasons

we are the rich fine wine
improving with age
improving health
improving negotiations
demanding the pope's apology
funding museums
and the canadian federation
of 2017
one hundred and fifty
years of deceased school children
buried treasures in unmarked graves

TRC of canada
I trust a TRC of mafia more
there may be no honour among thieves
at least their treaties
come with a time line
and a no fault clause
honour?
our honour?
how much
does that cost?

Making Words Real: A Conversation on Repudiation



SARA ANDERSON lives and works on unceded, unsundered Anishinaabeg (Algonquin) territory in Ottawa, Ontario. She is of Indigenous and non-Indigenous ancestry, works for KAIROS Canada in the role of reconciliation education project coordinator, and is a member of Ottawa Mennonite Church.



JOE HEIKMAN enjoys listening and learning on Treaty 6 territory in Saskatoon, Saskatchewan. He works as a pastor with Wildwood Mennonite Church.

In July, 2016, Mennonite Church Canada joined a growing number of Canadian and American church bodies who have officially repudiated the Doctrine of Discovery. Delegates passed a resolution recognizing that the Doctrine is “fundamentally opposed to the gospel of Jesus Christ and our understanding of the inherent dignity and rights that individuals and peoples have received from God.” Sara Anderson and Joe Heikman were part of the group that organized this resolution.

JOE: Working for KAIROS Canada, you (Sara) have experience facilitating paths of reconciliation between Settler and Indigenous groups. Now that Mennonite Church Canada has formally repudiated the *Doctrine*, what do you see as the next steps that our national body should pursue?

SARA: The resolution called for the formation of a working group that will lead the national church in our journey towards reconciliation, beginning with the *Calls to Action* from the Truth and Reconciliation Commission. I think the first step is the inclusion of both Indigenous and non-Indigenous voices in that working group. This won't be easy for our church, given that we are White dominant and there are very few Indigenous members, but we absolutely need Indigenous voices and leaders. Reconciliation is a long journey, and partnerships are essential. What



Delegates at Mennonite Church Canada Assembly 2016 prepare for voting on several topics, including resolutions on the *Doctrine of Discovery* and Palestine-Israel. / PHOTO: YOSEPHINE IRMA SULISTYORINI

would it mean for us to commit ourselves to building these relationships and holding on to them through thick and thin? If we want to avoid repeating the colonial patterns that the broader Canadian Church has practiced, this will be critical.

JOE: I see many individual Mennonites who are committed to living the work of reconciliation. For me, that begins by intentionally adopting a posture of listening to Indigenous leaders, grassroots and otherwise. As part of a majority culture, many of us are used to setting agendas and directing conversations, but listening and following are more helpful at this stage. We need to create space for the voices that have been silenced, and are presently shut out. Our national body has demonstrated some helpful ways of doing this: inviting Indigenous leaders to open

church gatherings, participating in gift-giving and peacebuilding rituals, and using treaty numbers or Indigenous place names in addresses. These are things my congregation can do as well. What other suggestions do you have?

SARA: One of the best ways to undo the *Doctrine* and its legacy is to build relationships with the Indigenous nation(s) on whose traditional territory we walk, work, and worship, and with other Settler friends and colleagues engaged in this journey. So yes, we should try to make territorial acknowledgements an integral part of our congregational services, and we should include local Indigenous groups in our prayers and liturgies for peace, reconciliation, and justice. But we also need to get out there and meet Indigenous people: host a movie night featuring an Indigenous filmmaker for our neighbourhoods, have a potluck for community members, invite an elder or traditional knowledge keeper to come speak to our congregations on the priorities and issues for the local Indigenous nation(s) and how we can become involved.

JOE: Many Indigenous communities also host annual public events like powwows or treaty ceremonies that are great places to start; my congregation tries to include these types of events in our regular communications. I know that making these initial connections can seem daunting. In my experience, Indigenous neighbours often feel the same anxieties, but more importantly, they value these relationships. Even as an oft-ignorant Settler, I've been welcomed at powwows, potlatches, and sacred fires and have always found someone willing to help me navigate the cultural differences. An attitude of respect, a desire to learn, and a good sense of humour cover a multitude of social blunders.

SARA: Having other hands to hold as we venture out into these connections can be really helpful. We should make sure that our congregations are aware that we are not on this journey alone. In fact, reconciliation in the Canadian context between Indigenous peoples and Settlers almost requires an ecumenical attitude. Let's discover what other denominations or Settler colleagues are doing in our area and see if we can join in. A lot of these groups are active on social media.

JOE: I've found that as well. And at the same time, I wonder if there's anything specifically "Mennonite"

that we're being called to in this task of repudiating the *Doctrine*.

SARA: Definitely. I've heard from a number of Mennonites, "How does this relate to us? The *Doctrine* was a medieval product of the Catholic Church in collaboration with various European nation states, so why does this affect us now in 2016?" It's a good question. We have to find ways to help our community understand that the *Doctrine* has ongoing implications for Indigenous peoples. Moreover, we need to identify the various ways that we Mennonites benefit from the contemporary legal systems supported by the *Doctrine*. Despite our roots as a persecuted church on the margins, Mennonites in Canada were, historically, given the opportunity to settle upon land that was often cleared or taken from Indigenous nations. We were allowed to practice our own spiritual and cultural customs and to know and celebrate our history, rights that have been denied to many of our Indigenous neighbours.

JOE: You're right. Much of what we value – our work ethic, our agricultural and business success, our education and institutions – was and is enabled by systems that favour some groups over others. That piece of critical self-reflection is so important, but we have so many defences in place to keep us from seeing ourselves clearly. I participated in an Indigenous Peoples Solidarity delegation with Christian Peacemaker Teams several years ago, and we spent about a week breaking down those internal defence mechanisms. It was difficult, emotional work, but if we don't go there, we won't be able to genuinely relate to our neighbours.

SARA: Let's be honest. Many of our congregations won't be able to enter spaces like that. It's pretty unsettling. So we need individuals to take up that heart and head work, the nitty-gritty of examining and decolonizing our own attitudes and beliefs. We must challenge racist attitudes about Indigenous peoples in Canada. We have to learn how to become Settlers who do not speak for or on behalf of Indigenous peoples, but walk alongside and behind Indigenous neighbours in the journey of reconciliation. That's tremendously difficult. It takes trust and strength. And it leads us back to the need for real relationships. I encourage folks to make those connections by visiting a local friendship centre, band office, museum, or cultural

centre to find out how we can support Indigenous-led projects of resilience and reconciliation.

JOE: When we passed the resolution to repudiate the *Doctrine*, my sense was that it was done with serious intentions. There's a real desire to do right. But I believe there are some places that this path must lead us that we haven't openly acknowledged. One is working out our theological understanding of how Christianity relates to Indigenous spirituality. The *Doctrine of Discovery* was based on the premise that our religion was better than Indigenous pathways, so much so that the latter should be erased. The Truth and Reconciliation Commission has stated that one of the most devastating impacts of church mission and the residential school system was spiritual violence – destroying Indigenous beliefs and ways of living for individuals and communities. Justice Murray Sinclair has repeatedly stated that reconciliation must include recognition from the Church of “Aboriginal spirituality as valid and as an equal means of worship” as Christianity. Some Mennonites are open to this. Many are not. Either way, the conversation about how our faith relates to the marginalized religious traditions of these lands is a significant one that we need to pursue.

SARA: For me, this gets to the heart of repudiation. Underlying the *Doctrine* was the belief that European Settlers were bringing civilization to “savage” people. This “civilizing mission” rested on a belief of racial, cultural, and spiritual superiority. Are these beliefs a part of our Anabaptist faith and traditions today? And if so, what would it look like to confront these beliefs? Part of this work includes re-examining the biblical texts that have been used to legitimize the *Doctrine*. How do we understand, for example, Old Testament stories of divinely sanctioned conquest and occupation, or the Great Commission of Jesus, which has been used to devalue Indigenous cultural and spiritual practices? Are there other ways to read these scriptures, particularly from the perspective of traditionally marginalized voices? What will we learn if we include in our reading circles Indigenous people and those from other denominations? Moreover, what would we learn if some of us ventured beyond our traditional spiritual boundaries to humbly learn about and participate in Indigenous ceremonies and practices? As Mennonites and other faith groups

move forward with the work of reconciliation and repudiation, all of us will have to grapple with these questions.



We Must Not Be Silent:

Churches Act Against the *Doctrine*

Over the last number of years, Christian communities have been taking steps to speak collectively against the Doctrine of Discovery, educate their constituencies, and call for solidarity with Indigenous rights struggles. Some are tempted to dismiss much of this as “a lot of words with little action” (see 1 John 3:18), but others sense a real move of the Spirit.

What do you think?



ROMAN CATHOLIC

- In 1537, Pope Paul III issues the bull, *Sublimis Dei*, which is a landmark statement in Western understandings of the human rights of Indigenous peoples. According to some, it revokes *Inter Caetera*, Alexander VI's bull that gave licence to conquer and enslave the Indigenous:

The Indians are... by no means to be deprived of their liberty or the possession of their property, even though they be outside the faith of Jesus Christ... nor should they be in any way enslaved.

The words are strong, but many aren't sure what to make of it given that the very same pope annulled the bull's executing brief and sanctioned slavery in other parts of the world after penning this affirmation.

- On the 500th anniversary of Christopher Columbus' landing, Pope John Paul II goes to the Dominican Republic and confesses the sins of the Church in the Spanish conquest. Eight years later, at St. Peter's Basilica in Rome, he begs forgiveness for Catholics who violated “the rights of ethnic groups and peoples” and showed “contempt for their cultures and religious traditions.”
- In 2016, four Canadian Catholic organizations issue a statement repudiating the *Doctrine of Discovery* and call all Canadian Catholics to the ongoing work of Indigenous-Settler education and just relationships.



EPISCOPAL CHURCH

- John Dieffenbacher-Krall, executive director of the Maine Indian Tribal-State Commission, engages the Episcopal Church of Maine in discussions around the *Doctrine of Discovery*. In 2007, the Church passes a resolution that calls on Queen Elizabeth and the archbishop of Canterbury to rescind the 1496 charter given to John Cabot to claim possession of all the lands in the “New World” that weren't claimed by Spain and Portugal.
- In 2009, with an overwhelming majority of delegates at its 76th general convention, the Episcopal Church becomes the first denomination to officially repudiate the *Doctrine of Discovery*.
- In 2012, Presiding Bishop Katharine Jefferts Schori issues a pastoral letter urging congregations to do their homework and learn about the *Doctrine* and its impact on Indigenous peoples.



QUAKERS

- Inspired by the Episcopal Church, the Indian Committee of the Philadelphia Quaker Meeting (est. 1795) continues their venerable tradition of solidarity work by publically renouncing the *Doctrine*, affirming the *UN Declaration on the Rights of Indigenous Peoples* (UNDRIP), calling for monthly reflection on Indigenous-Settler relations, cultivating “joyful and meaningful relationships between Friends and Native peoples,” and supporting Indigenous survival, respect, and inherent sovereignty (2009).
- After considerable education efforts within their national community, the Canadian Yearly Meeting formally repudiates the *Doctrine of Discovery* in August, 2013.
- The Canadian Friends Service Committee (CFSC) intervenes at the Supreme Court of Canada in the landmark Tsilqot'in Nation case (2013). In the intervention, CFSC urges the Supreme Court to formally repudiate the *Doctrine*.



KAIROS

- From the Mackenzie Valley Pipeline in 1975 to the Site C dam today, KAIROS and its predecessors have stood with Indigenous peoples around the world as they assert their right to free, prior, and informed consent (FPIC). KAIROS' Gendered Impacts initiative brings together Indigenous women from four continents to strategize on how to ensure FPIC is respected in their communities.
- In 1987, all KAIROS member churches issue a pastoral statement on Aboriginal rights. A New Covenant is a remarkably progressive statement for its time, based on the same principles and standards that the UNDRIP articulates.
- In response to the Report of the Royal Commission on Aboriginal Peoples (1996), KAIROS creates the Blanket Exercise, which helps raise awareness of how government policies impact Indigenous peoples. Twenty years later, its become one of the most popular decolonizing teaching tools, helping participants understand what implementation of the UNDRIP will mean.



UNITED CHURCH

- The United Church's Saskatchewan Conference decides in June, 2015, to share oil royalty revenue from a bequest with the All Native Circle Conference (the self-governing body of United Church Aboriginal congregations) for use at their discretion.
- Later that year, the General Council Executive adopts the UNDRIP. The adoption is followed by the formation of a task group to carry out the work of implementation.
- A poster is produced – *Four Steps to Acknowledging Territory: Decide, Discover, Design, Determine* – and mailed to every congregation to help them develop meaningful acknowledgements of the traditional territory where they gather for worship.



ANGLICAN CHURCH OF CANADA

- At the 2001 General Synod of the Anglican Church of Canada, delegates spend a half day learning about the *Doctrine of Discovery* and accept a report from the Anglican Council of Indigenous Peoples about the ways in which a renewed relationship can take place, resulting in a work plan titled *New Agape*.
- In 2014, a Primate's Commission on the *Doctrine of Discovery* is established (with a majority of Indigenous people) to create a plan of action to carry out the General Synod's 2010 repudiation of the *Doctrine*. The Commission's mandate has been extended to 2019.



MENNONITES

- On the 500 year anniversary of Columbus' non-discovery of the Americas (1992), Mennonites organize the Jubilee Fund, which issues annual grants to Indigenous organizations seeking to rebuild connections with traditional lands.
- In 2014, a group of Mennonite church and lay leaders in the United States form a coalition to explore ways to animate action around the *Doctrine*. The result is the creation of an online video geared for non-mainline Christians that explains how the *Doctrine* is related to the Church and the ways it might be dismantled in the name of Christ (see dofdmennon.org).
- Delegates at Mennonite Church Canada Assembly (2016) pass a resolution that repudiates the *Doctrine of Discovery*. The resolution also calls for a working group, which will articulate steps that the community needs to take towards an integral response to the Truth and Reconciliation Commission's *Calls to Action*.

OTHER FELLOWSHIPS

The following Christian communities have taken action to repudiate the *Doctrine of Discovery*:



Healing from “Lies that make us crazy”: Practices of Restorative Solidarity



ELAINE ENNS and **CHED MYERS** live in traditional Chumash territory in the Ventura River Watershed of southern California. Members of Pasadena Mennonite Church, they organize and educate cross-denominationally around issues of faith and justice with Bartimaeus Cooperative Ministries (www.bcm-net.org); their publications can be found at www.ChedMyers.org.



Crazy Horse, it says in my American Heritage, was “killed while resisting arrest.” This is not the first lie I have discovered in the dictionary, but I wish it was the last. What would the last lie look like?... Lies can make you crazy... The dictionary tells us the root for craze is *krasa*, Old Norse meaning “to shatter.” This is not a lie.

– Christina Pacosz

Some Winded, Wild Beast, 1985

Do not lie to one another, seeing that you have stripped off the old self with its practices and have clothed yourselves with the new self, which is being renewed in knowledge according to the image of its Creator. In that renewal there is no longer Greek and Jew... barbarian or Scythian (Colossians 3:9–11).

The *Doctrine of Discovery* was an ideological tapestry woven by late medieval European rulers from threads of entitlement and assertions of sovereignty. After more than a half millennium – while untold violence and injustice were carried and covered over by this fabric – it is being unraveled as a tapestry of *lies*. We see now that its very warp and weft were determined by the lethal fantasy of White supremacy.



Delegates at Mennonite Church Canada Assembly 2016 prepare for voting on several topics, including resolutions on the *Doctrine of Discovery* and Palestine-Israel. / PHOTO: YOSEPHINE IRMA SULISTYORINI

These “Old World” lies have been so intricately knit into the cultural, religious, and political history of the “New World” (itself a fabrication!) that they are almost invisible, especially to those who still wrap themselves in this cloth. The *Doctrine* continues to exert profound influence on our imaginations, often unconsciously. And those lies, as poet Pacosz puts it, make us crazy, shattering us both personally and politically.

Biblical Cosmology Against Lies of Discovery

Under the deceit of an older empire, the epistle to the Colossians urged early disciples of Jesus to resist the temptation to lie to one another. Christians were to live against the self-aggrandizing “spin” of imperial

society, and instead, they were to “clothe” themselves (a baptismal metaphor) in the “true consciousness” of Creator’s image. *That* image was reflected in *every* tribe and tongue: Jew, Greek *and* “foreigner” (the Greek *barbaros* suggested a Native who spoke a strange language; see I Cor 14:11; Acts 28:2).

In the traditional worldview of the Bible, Creator placed human beings in a good creation. The first ancestors were birthed *in, from, and for* their primeval “garden” (Gen 2:7, 15). This archetype also appears in many Indigenous creation narratives, which describe the people’s “emergence” or “formation” from a beloved homeland.

Genesis also recognizes the diversity and dispersion of peoples across the earth in their respective native lands (Gen 10). Such a “map” of Creation is echoed by the apostle Paul:

From one blood God made all nations to inhabit the whole earth, and allotted the times of their existence and the boundaries of the places where they would live, so that they might search for [Creator], feeling about for and finding God – though indeed [Creator] is not far from each one of us (Acts 17:26–27).

This worldview spells out a fundamental equality of peoples, wherever they are placed: all blessed and beloved (as well as fallen and flawed).

Colossians understands discipleship as defecting *from* a culture of lies about the world (the Greek word is *pseudomai*, meaning to falsify) *to* the “renewal of consciousness” about the original design of Creation. This sheds cold light on the *Doctrine* as pseudo-theology/anthropology. Its conceit that one people “discovered” another arrogantly applauded the “discoverer,” objectified the “discovered,” and rationalized the conquest of one by the other. Driving this was the European presumption of ethnic superiority and entitlement to the land and resources of others. None of this, however, conforms to the biblical perspective.

Notably, the verb “to discover” is scarce in scripture, and it only concerns how God “finds *us* out” (see Ps 44:21; Jer 31:19, 50:24). Though both Testaments

speak of “chosen” people, they exhibit a decidedly checkered history. Even the Israelites’ (re)inhabitation of the traditional homeland of the Canaanites was considered a divine gift to a people who had survived slavery, and their tenure was contingent upon their fidelity to a covenant of justice and mercy.

Repenting, Revising, Remembering

The *Doctrine’s* tapestry of lies *continues* to shape and shatter our identities as Settler and Indigenous communities on Turtle Island. For example, the discourses of “discovery” and “entitlement” still determine the politics and economics of resource extraction around the globe, causing ongoing displacement and destruction. For North American Settler Christians, therefore, it is of utmost importance that we *stop lying to ourselves*. Colossians’ exhortation to “strip off the old” fabric means repudiating the *Doctrine* in all its historic *and contemporary* manifestations, and renewing ourselves in the truth of creation and redemption. Given how profoundly the *Doctrine’s* fabric of lies has obscured the biblical good news, this is difficult work.

For starters, neither personal nor denominational verbal rejections of the *Doctrine* are sufficient. Like formal apologies for past wrongs, such declarations are necessary. But they are the *beginning* of our discipleship as “Treaty Christians” – that is, as those who recognize that we live on land bound by historic (if flawed) covenants between Settlers and First Nations.¹ Our next steps require repentance and a journey toward what we call “restorative solidarity.”

Restorative solidarity invites Settlers into two essential disciplines:

- Learning the stories of Indigenous communities victimized by historic (and current) injustices rooted in the *Doctrine*; investigating our complicity in them; and “turning around” the attitudes, behaviors, institutions and social systems that perpetuate the culture and politics of colonization.

1 We recognize that not all lands in Turtle Island have been Treated. Much of present-day British Columbia, for example, was settled without any such agreements. Nonetheless, the covenant solidarity practices that we are envisioning would still apply in such lands alongside the clear need for Settlers to pressure their governments into treaty relationships of respect and mutuality.



COLONIALISM SPRAY PAINT
GREGG DEAL, PYRAMID LAKE PAIUTE

"Colonialism Spray Paint" welcomes people to Gregg Deal's "Redskin," a performance piece that explores the various forms of public abuse that Indigenous peoples have to endure.

- Listening to how Indigenous communities are identifying harms, needs, and responsibilities, and then working with them to make things as right as possible through practices and covenants of accountability, restitution, reparations, and even reconciliation.

There are many obstacles to embracing such “response-ability.” Here we will focus on the self-legitimizing myths, distortions, and silences that persist in our Settler communal narratives and self-perceptions. Our task is to navigate these “blind spots” – most of which have spiritual roots in the *Doctrine* – critically, courageously, and creatively. We believe this is best done through disciplines of *re-membering* (piecing together that which has been shattered by lies) and *re-seeing* (“looking again” at how stories of our peoplehood have been distorted and *de-vised*).

Our communal narratives of Settler history are a patchwork, stitched together from fragments including local legends, heroic (or tragic) tales, “official” accounts (generated by news accounts, academic histories, or government documents), and regional and national myths. These narratives

are imprinted onto our psyches and souls through family traditions, race and class-based cultures, the education system, and the dominant media. While some of this lore is precious and even sacred, many of the stories we tell ourselves function to *de-vised* and *dis-member* (that is, render invisible or unimportant) First Nations’ history and tradition.

For example, it is still common to hear comments regarding the Settler legacy such as: “There was really no one here when our people came,” or “My ancestors worked to develop lands that weren’t being used.” Yet these are simply variations on the older *Doctrine* assertions of *terra nullius* – a key thread in the tapestry of lies. On the other hand, our Settler literacy in the deep histories and sophisticated lifeways of First Nations peoples is meager at best. Nor is there much incentive from the dominant culture to improve it. For treaty people, such norms and assumptions must be transformed by true encounters.

The hard work of *re-seeing* what has been *de-vised*, and *re-membering* what has been *dis-membered*, includes:

- Piecing together the whole truth about our

immigrant histories – *where* we came from (and its cultural remnants), *why* we migrated (forces of push and pull), and *how* we arrived in North America (social and economic circumstances). This is particularly crucial work for ethnic Europeans who have assimilated into “Whiteness.”

- Identifying problematic tendencies within our Settler narratives such as *heroism* (e.g. hardships endured or “bringing Progress”), *entitlement* (e.g. the “just desserts of hard work” or “the land belongs to those who develop it”), and/or *superiority*.
- Critically acknowledging the structural and cultural *privileges* our people received in the past and continue to benefit from (including land grants, government subsidies, military backing, market advantages, favourable political bias, and educational opportunities). But we also need to probe storylines of trauma and dysfunction that have wounded or deformed us.
- Learning a more complete and honest history of our places that gives priority to the suppressed narratives and perspectives of Indigenous peoples. This includes “stories the land holds” from a Native point of view.

The rest of this article now turns to illustrate this work with a few examples of those trying to facilitate these practices.

Expressions of Restorative Solidarity

Elaine has experimented with workshops with fellow Canadian Settler Mennonites who are seeking to explore this delicate but important terrain. The group begins by building a community altar consisting of family heirlooms and symbols representing their desire to build authentic relationships with Indigenous neighbours. Next comes an exercise that retraces the steps of our ancestors through migration stories and a timeline of settlement based on the above questions. A second exercise focuses on what participants know about Indigenous history in the area where they grew up or now live. Participants must wrestle with what

INDIAN LAND FOR SALE

GET A HOME

OF
YOUR OWN

EASY PAYMENTS



PERFECT TITLE

POSSESSION

WITHIN
THIRTY DAYS

FINE LANDS IN THE WEST

IRRIGATED IRRIGABLE GRAZING AGRICULTURAL DRY FARMING

IN 1910 THE DEPARTMENT OF THE INTERIOR SOLD UNDER SEALED BIDS ALLOTTED INDIAN LAND AS FOLLOWS:

Location.	Acres.	Average Price per Acre.	Location.	Acres.	Average Price per Acre.
Colorado	5,211.21	\$7.27	Oklahoma	34,664.00	\$19.14
Idaho	17,013.00	24.85	Oregon	1,020.00	15.43
Kansas	1,684.50	33.45	South Dakota	120,445.00	16.53
Montana	11,034.00	9.86	Washington	4,879.00	41.37
Nebraska	5,641.00	36.65	Wisconsin	1,069.00	17.00
North Dakota	22,610.70	9.93	Wyoming	865.00	20.64

FOR THE YEAR 1911 IT IS ESTIMATED THAT 350,000 ACRES WILL BE OFFERED FOR SALE

For information as to the character of the land write for booklet, “INDIAN LANDS FOR SALE,” to the Superintendent U. S. Indian School at any one of the following places:

CALIFORNIA: Reno.	MINNESOTA: Sioux.	SOUTH DAKOTA: Fort Totten, Fort Totten, Fort Totten.	GEORGIA: Cal. Sec and For Agency, Oklawaha, Wadswick.	SOUTH DAKOTA: Cherokee Agency, Crow Creek, Lower Brule, Fort Spotted.	WASHINGTON: Fort Spotted, Taha, Taha.
COLORADO: Idaho.	MONTANA: Crow Agency.	OKLAHOMA: Ardmore, Cantonment, Colony, Durington, Muskogee, Ft. Payne.	OREGON: Elsie Agency, Pradette, Roseburg, Siletz.	WISCONSIN: Oneida.	
IDaho: Lewal.	NEBRASKA: Mary, Santee, Winthrop.				
KANSAS: Eureka, Harker.					

WALTER L. FISHER,
Secretary of the Interior.

ROBERT G. VALENTINE,
Commissioner of Indian Affairs.

Lies like this require reparation. United States Department of the Interior advertisement offering Indian Land for Sale (c. 1911). The Native American portrait used is Not Afraid of Pawnee (Yankton Sioux). IMAGE: CALIE.ORG / WIKIMEDIA COMMONS

is missing from their stories and timelines, focusing especially on how these gaps correlate to Settler privilege or Indigenous dispossession, and with how they undermine efforts to build relationships with First Nations communities. The process closes with healing rituals involving focused breathing and body movement.

We have been impressed with an ecumenical project called “Healing Minnesota Stories,” which focuses on learning “stories the land holds,” as Mahican pastor Jim Bear Jacobs puts it.² Inspired, we decided to investigate the “hidden history” of a particular site of past trauma a few miles from our home in southern California. A simple historical plaque beside a freeway tells almost nothing of the real story of that place, so we are interviewing local Chumash elders to learn the deeper narrative. We are working with them and a graduate student in Fine

Arts to discern how we might publicly depict a more truthful and healing narrative. In the process, we are learning about the struggle of these elders to achieve laws that will ensure respect for and preservation of ancestral remains.

A more well-developed engagement in restorative solidarity is work around Stoney Knoll, Saskatchewan (see Alain Epp-Weaver's account in this volume). We have watched this process closely, particularly two initiatives. One effort is by Mennonite Central Committee Saskatchewan to establish a land trust to which church folk can contribute money to help the Young Chippewyan and other landless and federally unrecognized bands establish a tribal base. It's like "a treaty appreciation fund," says Ray Funk, "to which Settlers can contribute 1 percent of our gross income for example, or 10 percent of capital gains on property." Raising awareness and funds is also the goal of a related Indigenous-Settler collaboration: the annual Spruce River Folk Festival. Through such events, Mennonites and Lutherans have raised over \$60,000 for Young Chippewyans to do genealogical research in order to establish their heritage. These modest, highly relational experiments in reparation broach the contentious but crucial issue of ongoing socioeconomic disparities between Settler and Indigenous communities.

A different example is the "Return to The Earth" project, animated in 2005 by Mennonite pastor and Cheyenne Peace Chief Lawrence Hart. Its mission is to "support Native Americans in burying unidentifiable ancestral remains now scattered across the United States, and enable a process of education and reconciliation between Native and non-Native peoples." Congregations have been invited to build cedar boxes and sew muslin cloths to be used to transport and bury repatriated ancestral remains. Elder Lawrence encourages churches to learn from the Indigenous descendants in their place and support their efforts to preserve and steward cultural property and legacies.

Lastly, many of our faith-rooted activist friends have stood with Indigenous groups who are non-violently resisting pipelines and other forms of resource extraction. For example, Christian

Peacemaker Teams has a longstanding commitment to the Grassy Narrows First Nation in Ontario. Anglican and evangelical colleagues joined Coast Salish people to protest the Kinder Morgan pipeline at Burnaby Mountain in B.C. in 2014. And recently, Lutheran friends in Duluth joined with others to stand with Sioux and other tribal activists at Standing Rock, North Dakota – a dramatic and successful demonstration.

Each of these examples represents small but meaningful practices of restorative solidarity. Our commitments to repudiate the *Doctrine* and weave a new fabric of justice must become habitual. It is important, for example, to acknowledge the First Nations stewards of *every* space in which we worship and work. We should support local Indigenous small businesses, arts programs, language and cultural rehabilitation efforts, etc. Church folk can show up at powwows and invite Native cultural groups to share in churches. A worshipping community that has crafted a wide spectrum of local restorative solidarity practices is the Anglican-ecumenical Salal and Cedar Watershed Discipleship Community in BC.³

There are "too many lies in the world," laments poet Pacosz. "We must chase them to the sun, again and again, no matter how tired we think we are." Another early church epistle makes a similar call: "So then, putting away lies, let all of us speak the truth to our neighbours, for we are members of one another" (Eph 4:25). This is our discipleship commission, the only way to healing and wholeness.



Listening To Be Undone



CHRIS HILLER is a Settler Canadian living in Haudenosaunee, Anishinaabe, and Attawandaron traditional territories in southern Ontario. A former Indigenous justice coordinator for the Anglican Church, Chris' work as a researcher and university educator centers on pedagogical strategies for transforming Settler consciousness, recognizing Indigenous sovereignty, and working towards decolonized futures.

I remember the moment when the *Doctrine of Discovery* first came alive for me. I was working at the time for Anglican Church House (our national office in Toronto), and in that role, I was privileged to sit with and offer support to a committee working to prepare a plenary session on the topic for the 2001 General Synod. I entered this work thinking I had a fairly good understanding what this *Doctrine* was all about, yet what I heard in that circle floored me. One by one, Indigenous members named realities faced by their communities – lost lands and languages, grinding poverty and poor health, disparaged traditions and spirituality, substandard housing and education, horrific experiences of violence and incarceration, fragmented families – as direct consequences of that originating *Doctrine*. Through their words, I glimpsed these realities for the first time as they saw them: not solely as the effects of paternalistic or even racist policies, but as manifestations of a foundational refusal to recognize their full humanity, their very existence, and the inherent rights given to them by the Creator.

As I reflect on what it means to live against the *Doctrine of Discovery*, I think back to that experience of listening in the circle. As a researcher, I've had opportunities to talk with and interview Indigenous solidarity activists, both Christian and non-Christian, about how they came to recognize and support Indigenous title, rights, and sovereignty. The stories



these Settlers tell follow different pathways with distinct twists and turns. But each seems to circle back to a deceptively simple yet profound process: that of truly listening to Indigenous peoples.

The kind of listening these activists describe is more than just a means of acquiring information about Indigenous lives and realities. It is a deeply *reflexive* process: one that asks us as Settlers to take what we hear from Indigenous peoples and think critically back upon the culture and society that have formed us. This form of listening also turns *inward*, pulling at embedded assumptions and allowing us to see more clearly the ways we have internalized arrogance, paternalism, and a sense of entitlement to the land. It is an ethical practice in which we listen repeatedly and with humility in a desire not to master but to *be undone* by the other. Most importantly, this listening is not an end to itself, but it sparks cycles of reflection and action that foster relationships of accountability and solidarity.



The Anglican Church of Canada offers up an expression of reconciliation at the Truth and Reconciliation Commission in Edmonton, Alberta (2014). PHOTO: EDMONTON.ANGLICAN.ORG

It is through sustained listening – to different Indigenous people and in diverse contexts, often those shaped by traditional culture, knowledge, and protocol – that we as Settlers begin to finally “connect the dots” of how settler colonialism works to erase the presence and continued sovereignty of Indigenous peoples, their ongoing presence on and with the land. In listening, we begin to recognize the spidery tendrils of the *Doctrine of Discovery* in the present: in legal demands for Indigenous peoples to

“prove” their relationships to their territories from time immemorial; in federal policy initiatives that actively undermine traditional governance structures or that pressure Indigenous peoples to “extinguish” their title and rights to the land; in genocidal child welfare policies that continue where residential schools left off in separating children from families and decimating communities and cultures; and in church structures that impose Western constructs and refuse Indigenous self-determination.

It is also through deep listening that assumptions born of the *Doctrine of Discovery* and *terra nullius* begin to lose their grip on us. We begin to see ourselves – and to account for ourselves – in relation to a particular Indigenous traditional territory or treaty relationship. Our rigid categories of “their land” and “our land” – notions that plague disputes over land – begin to dissolve in the face of a growing realization that Indigenous title underlies “whatever we might have on paper.” Spaces we saw before as “empty wilderness” reappear within the lens of Indigenous teachings, knowledges, and life practices as lands deeply known, used, and interwoven with Indigenous lives, histories, and cultures. We begin to perceive the diversity, beauty, and profound value of Indigenous cultures, languages, and philosophies, to question family and national narratives, and to grapple in earnest with what it means to live on and benefit from stolen Indigenous land.

This kind of listening is difficult work. To truly denounce the *Doctrine of Discovery* and all its legacy is to lay ourselves bare to the reality that Canada as a nation rests on fraudulent foundations, and that by extension, our continued claims to home, place, identity, and property are based on theft and lies. These realizations provoke complex emotions: fear, guilt, anger, grief, even despair. They can also feed into “knee-jerk” defensive reactions – even backlash – when the assertions of Indigenous peoples call into question what Eva Mackey terms our own “fantasies of entitlement” regarding the use, ownership, and jurisdiction of land we have come to imagine as “ours.”

Many of the people I interviewed spoke of the need for Settlers to develop ways to help one another work through these difficult emotions, to name racism and paternalism, and to dismantle defensive reactions tied to privilege. We need to support each other in the challenging work of listening to those voices we find most threatening: those who deem the Canadian state wholly and irredeemably illegitimate; who critique reconciliation as another Settler agenda to claim redemption without truly decolonizing structures; and who insist that the wrongs of the past and present can be righted only by reparations and the return of stolen lands. To undo and be undone by the legacy of the *Doctrine of Discovery*, we must

also learn to make peace with and embrace the uncertainty that arises in relation to structural and personal decolonization.

That said, all of this listening and learning comes to naught if it fails to foster concrete action to address continued encroachment upon Indigenous peoples and their nations, lands, cultures, and lives. As Settler Christians, we have a special responsibility to collectively and individually reach out to First Peoples and take up their invitations to be present, to listen, and to support their unfolding processes of resistance and resurgence. The adoption of the *United Nations Declaration on the Rights of Indigenous Peoples* and the *Calls to Action* of the Truth and Reconciliation Commission (TRC) represent decades of costly struggle and consensus building. Working with Indigenous peoples to call for their full implementation at all levels of government is an important place to start. So is responding to local invitations to build relationships, participate in coalitions, and offer financial, material, and direct action support, as well as standing with Indigenous brothers and sisters as they struggle for self-determination and recognition within our churches.

Through such evolving relationships of accountability, we can live against the *Doctrine of Discovery* by learning to discern and challenge the *Doctrine's* legacy wherever it manifests: in laws and policies from which we benefit; in histories that circulate in the media and from our pulpits; in what we learn (and don't learn) in schools and universities; in cherished stories of our origins that get hauled out at national commemorations and family and community gatherings; or in colonizing assumptions that are whispered across dining room tables, formalized into liturgies, or repeated in the stories we tell our children.

~

The 2001 synod took place at a time when the Anglican Church faced immanent bankruptcy arising from the costs of residential school litigations. Synod organizers recognized this as a moment that called for prayerful listening, and so they cleared a day's agenda and left it in the hands of the Anglican Council of Indigenous peoples. The 600-seat hall was rearranged into giant concentric circles, and an unprecedented number of Indigenous people were

invited as delegates. As part of that remarkable day, Indigenous Anglicans spoke clearly and powerfully to the *Doctrine of Discovery*, drawing upon historical analysis, images, movement, theological reflection, and personal stories to communicate the dehumanizing legacy of that original collusion of Church and imperial powers, and to call upon the Settler Church to denounce it and repent. The hall was hushed throughout, the Spirit a palpable presence as they spoke. When they had finished, delegates sprang to their feet in an ovation that seemed to go on forever; afterwards, we all seemed to look at one another differently. It took nearly a decade for the Anglican Church of Canada to resolve to formally denounce the *Doctrine of Discovery*, with significant missteps along the way¹; the Church has recently committed (in response to the TRC's *Call to Action 48*) to implementing that renunciation in a concerted way. Yet that Spirit-filled moment in 2001 remains for me a glimpse of what we can be together when – even as institutions and structures threaten to crumble all around us – we choose to listen and to walk together into uncertainty, led by the Creator's Spirit of honesty, justice, renewal, and love.



1 In 2003 (prior to later class action suits), the Anglican Church of Canada signed an individual settlement agreement with the federal government regarding residential school litigation. The decision went forward despite clear opposition at the time from the Anglican Council of Indigenous Peoples (ACIP), who sent out a press release to that effect, raising concerns about a clause requiring residential school survivors seeking compensation for physical and sexual abuse to waive their future rights to sue for loss of language and culture. ACIP experienced this decision as a major breach of the Church's apology to and covenant with Indigenous peoples. In the midst of important and committed efforts to work towards reconciliation on multiple fronts, it is essential that we as Settlers and Settler churches remain mindful of the ways that we reinforce colonial relations, even as we work to eradicate them.

Found Wanting: The Australian Church and Moral Leadership



SARAH MADDISON is associate professor in politics at the University of Melbourne. She lives and works on the land of the Wurundjeri people of the Kulin nation. Sarah has written extensively on Indigenous politics, reconciliation, and settler colonialism.

I was raised an atheist. My parents were committedly secular in their outlook, refusing to have me christened and discouraging me from attending Sunday school with my friends. As parents so often are, however, my parents were also inconsistent. From the age of 10, I was taken out of the secular state education system and sent to private Anglican schools. In these institutions, I was required to attend and participate in both church services and Christian religious education. As a child who had not been brought up within these traditions, I found them somewhat confusing. They also made me angry.

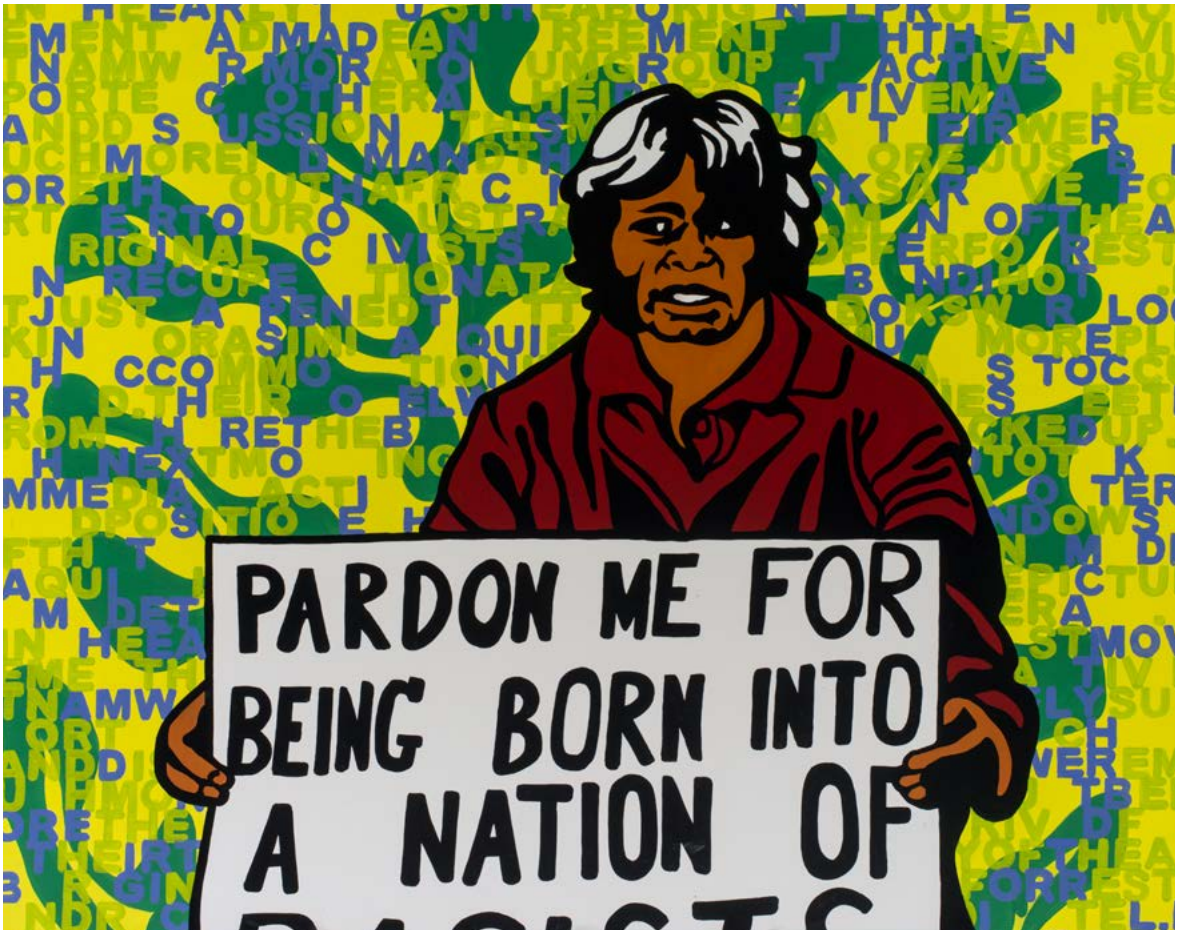
My parents were atheists and deeply moral people. My father was an academic in the field of medicine, and in the 1970s he became the dean of a new medical school that radicalized a staid set of disciplinary practices with a new orientation towards community medicine and group, problem-based learning. My mother was not in paid work but devoted an inordinate number of hours to a voluntary role in a nascent organization concerned with the welfare of children in hospital; this organization drove reforms enabling parents to stay in hospital with their sick children rather than leaving them in the care of strangers. In short, the everyday lives of both of my parents were animated by moral leadership in their communities and by values of kindness, compassion, and social justice.

Hence my anger when I encountered Christianity and found that these same values were effectively



“claimed” by the Church. In church services and divinity classes, I was told that these values were taught by Jesus Christ and that it was only through His teachings that one could truly discover kindness, compassion, and commitment to social justice. To me, this made no sense. I knew my own parents to be atheists, and I understood their rejection of institutionalized religion. Thus, I soon came to resent the idea that the values with which I had been raised did not somehow belong to my family, or me, but instead were the prerogative of Christian faith.

It is for these reasons that I have always looked to the churches – and indeed to most organized religion – for a higher standard of moral behaviour. Sadly, when I look at the history of my country, and indeed the contemporary work of reconciliation, I find the churches lacking in the values they claim as their own.



"Foley Vs The Springboks"
 RICHARD BELL & EMORY DOUGLAS
 2014

In 1971, the South African national rugby team was touring Australia. Many activists protested their presence because of South Africa's apartheid system. Gary Foley (pictured here) reminded the mainly white protestors that they had justice issues that needed addressing at home.

IMAGE: COLLECTION OF THE UNIVERSITY OF QUEENSLAND / REPRODUCED COURTESY OF THE ARTISTS AND MILANI GALLERY / PHOTO: CARL WARNER

The Church and Colonization in Australia

White Australia was settled on a land that was occupied by several hundred Indigenous nations – a fact conveniently ignored under the doctrine of *terra nullius*. The British colonists who arrived in 1788 advanced a brutal program of violent dispossession that spread from Sydney Cove to all corners of the continent, with devastating effect. In the decades following, governments, churches, individuals, and institutions were involved in regimes of atrocity

against and dispossession of Indigenous peoples, justified as part of a civilising project deemed a “moral necessity” in the advancement of Western, “Christian” civilisation.

By the time Australia federated as a nation in 1901, the official policy towards Aboriginal people had moved on from the raw brutality of invasion. Violent dispossession gave way to a policy benignly referred to as “protection,” which assumed that Aboriginal people were merely an ancient remnant that would inevitably die out. These policies saw the creation of reserves and missions on which Aboriginal people

were contained, often forcibly removed considerable distances from their traditional lands. Between 1901 and 1946, all Australian States passed legislation that would “protect” Aboriginal people by controlling their independence of movement, marriage, employment, and association, and that authorised the removal of Aboriginal children from their families.

The churches and missionary regimes that took up much of the Settler state’s labour in these endeavours overlaid the “protection” of Indigenous peoples with a proselytizing Christianity that denigrated Indigenous culture and spirituality. On many missions, Aboriginal people were prevented from expressing any form of their traditional language or culture. Ceremony was forbidden, and even personal names were replaced with Christian names. The intent of these practices, often justified as being in their “best interests,” was the assimilation of Indigenous peoples such that they were no longer a visible presence in the Settler society.

Missions and missionaries played a unique role in administering protection regimes. Granted license to govern in ways not allowed of Christian workers anywhere else in the world, missionaries in Australia found themselves, as Colin Tatz has argued, “out of their pastoral depths.” Because they were willing to work in locations where governments would not, missionaries became agencies of the government with the ability to apply the same harsh powers as government officials.

Christianity certainly found a toehold in some Aboriginal and Torres Strait Islander communities. Amid the trauma of dispossession and protection regimes, many Aboriginal people adapted colonial Christianity to their own ends. For example, Percy Mumbler (1907–1991), an elder and activist from the New South Wales south coast, understood land rights as being a gift from Jesus:

This land that I speak about is belonging to us, and we was put here by the Maker, the Lord Jesus... And we know our heavenly Father walked amongst our people. This is right! “This is your land, and everything I put in this land is for you to make use of.”

The anthropologist and Anglican priest A.P. Elkin, encouraged this idea of “building up a ‘New Testament’ on their own ‘Old Testament.’” Others,

however, such as Gadjai Frank Sebastian experienced the divisive effects of missionary regimes on their families:

We bin brought up as a Roman Catholic there in Beagle Bay, when they took us there, the Stolen Generation. And when you come out of there believing that you a Roman Catholic, next thing you know your sister’s over there believing some other Church and your brother’s over there in another Church... [and] that’s the divisions we got today and we facing up to that and there’s argument between our families.

Through these policies and practices, many Aboriginal people experienced a kind of fracturing of previously intact identities and family connections in ways that have had intergenerational effects. The Christian missions that undertook much of the work of “protection” and assimilation bear considerable liability for this damage, although this remains largely unaddressed. Indeed, most Australian missionary organisations maintained a negative attitude towards Indigenous culture and a commitment to the policies and practices of assimilation up until the 1960s.

The Church and Reconciliation

Over time, mainstream missions began to reject assimilationist practices. Many churches became active and enthusiastic participants in the formal decade of reconciliation in Australia between 1991 and 2000, showing considerable community leadership on these concerns. However, there has been little action since. It is clear that Australian churches could more fully acknowledge their role in past practices, particularly through making appropriate and meaningful reparations.

There have been a few steps in this direction. All the major Christian denominations have apologized for their roles in the child removal practices that created the Stolen Generations. As early as 1988, the former Anglican Primate, Archbishop John Grindrod, made an apology for the “hurt done” to Aboriginal and Torres Strait Islander peoples. The Catholic church has also apologized “unreservedly” for the part played by members of that church in the commission of past injustices. Further measures taken by some churches include improving access to records from missions and other institutions to

assist people in tracing their past and finding their families, providing counselling services, and offering to contribute to a national compensation fund for members of the Stolen Generations if such a fund were to be established by the Federal Government.

But there is far more that all churches could do. Consider, for example, the fact that all church property is built on land from which Aboriginal people have been dispossessed and which was never ceded or sold by them. This is true both of remote mission stations and urban churches. What might it mean for reconciliation if Australian churches led the way in returning land or paying appropriate compensation for loss of land to Aboriginal communities? The return of land would express the churches' recognition that past policies and practices were wrong. Although some churches have considered returning land and buildings used to house forcibly removed children or other mission land to Aborigines, this has not happened to any great extent.

Churches could also pay compensation to Aboriginal and Torres Strait Islander people for past harms, in much the same way as they have awarded compensation to non-Indigenous people who, as children, were subjected to inadequate care, including sexual abuse, in church-run institutions.

Yet despite some evident good will, the churches have not shown the kind of moral leadership one might expect, seeming instead to be waiting for government action to which they might contribute. For instance, the then secretary general of the National Council of Churches in Australia, Reverend David Gill, argued in a speech in 2001 for the establishment of a national healing fund, calling on

all Australian governments, whose predecessors legislated for laws which gave warrant to practices leading to the Stolen Generations, to contribute generously to the fund

and urging church agencies "which cooperated with such practices" to also contribute. The churches, according to Gill, were standing ready to "be partners" in such a joint effort. In 2009, in the wake of the national apology to the Stolen Generations, the federal government announced funding of \$26.6 million over four years to establish a Healing Foundation. If the churches followed suit and have also contributed funds to this endeavour, it is a well-kept secret.

Finding Moral Leadership

"Christian values" were, in part, used to justify the abuse of Aboriginal and Torres Strait Islander people during the protection and assimilation eras of Australian colonial policy. Through attempts to "civilize" Indigenous people, missionaries and other church workers did immeasurable harm and were complicit in the dispossession of Aboriginal people from their lands.

As a child, I was confused and angered by teaching and practices that suggested that values that were intrinsic to my atheist family were somehow the sole preserve of Christianity. When one holds these claims up to scrutiny in terms of the failure of many churches to make good on their promises of reparation, it is hard not to feel that anger again. Churches want to offer moral leadership in contemporary society. Too often, however, this leadership seems overly focused on issues of personal morals, while avoiding the much harder question of what it means to lead transformative change in contemporary settler-colonial societies.

In this regard, there is much work for the churches to do. There is land to return, compensation to pay, and reparations to make. If a committed program of reparation and repair were more evident, atheists and other non-Christian people like me might be less offended by Christian claims to moral certainty. Certainly churches would be better equipped to offer the kind of leadership they seek to provide.



Share the Gifts: Honour the Treaties



ELAINE BISHOP lives in North Point Douglas, Winnipeg, on Treaty 1 territory and the homeland of the Manitoba Métis. Elaine is the mentoring clerk of the Canadian Quakers and serves on a number of local boards with special interest in health equity. In her spare time, she likes to read, garden, and look at the stars.

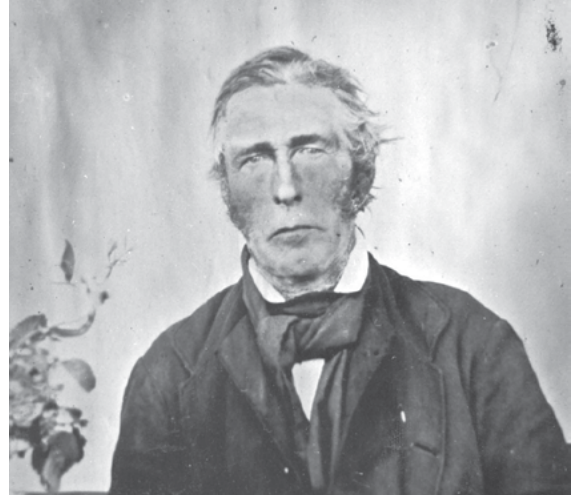
Discovering Dispossession

I am the daughter of English World War II survivors. My father, Edward, and mother, Muriel, went from high school into war – my father into the Royal Air Force and my mother into nursing. When I came to Turtle Island, an almost 3-year-old in June, 1951, England still had rationing. The awe never left my mother's voice on those few occasions when she spoke about her first venture into Canadian shopping: not only could you get butter and eggs but you had to choose a brand!

This was the Canada to which I moved as a tiny Settler: a land of butter, eggs, and peace. So imagine my shock, horror, and grief when I learned the true history of this land. I am still learning more about the depths of Indigenous dispossession at the hands of British and Canadian settler colonialism. Looking back, I can see hints along the way.

We moved to Winnipeg in 1957. Prairie skies stole my heart! I loved the winters and cheered when three snowploughs were stuck outside our house after a blizzard. Among the visitors who stayed in our home from time to time were teachers who taught in the Norway House Indian Residential School. But I did not know, then, what that meant.

I attended Grant Park High School. My graduating class of 1966 complained that the Pan American pool was not opening until after we graduated. I lived less than a mile from Roostertown, the shamefully

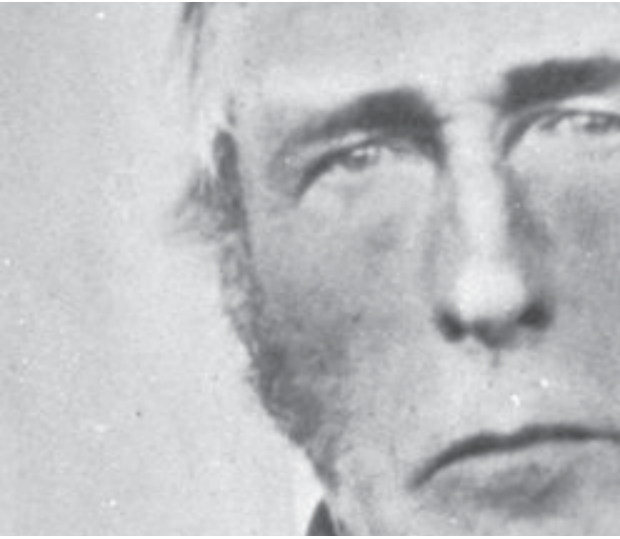


Robert Cock (1801-1871) was one of the first European explorers of the Adelaide region of South Australia following the establishment of the colony in 1836. Cock paid interest on 1/5th of the value of his land to the Aborigines as rent.

IMAGE: PUBLIC DOMAIN

poor Métis community that was cleared to make space for those recreational buildings. Even though Louis Riel – the Métis freedom fighter and founder of Manitoba – was a childhood hero, I did not know that Roostertown was even there.

Later, living and working in Kingston, Ontario, I knew about its federal prisons. Who in Kingston could not, with its six or more prisons, including the only federal institution for women? Any woman serving more than two years was sent there. I was asked to visit a young Indigenous woman serving time for murder. Her story, new to me then but now familiar, reflected the experience of others. Taken by child and family services, removed from family, language, and culture, angry, striking out, ending up in jail, and doing federal time. Yet I also came to know someone who was smart and caring, a survivor



with resilience and passion. This was early in my journey of asking: Why?

Kingston also held answers. It was there, with Elder Art Solomon (Ojibway), that I first went into a federal prison. Art offered me the gift of discovering how the recovery of Indigenous spirituality brought wisdom, strength, and healing to many Indigenous men and women.

Fast forward to 1988: I was the peace and justice coordinator for Quakers in Canada. At our summer gathering that year in Alberta, we were challenged by the chief and his Elder to live our peace testimony by joining the Lubicon Cree Nation as they blockaded their land. This was their act of honour and non-violent resistance in the face of the decades-long refusal of Canada and Alberta to recognize Lubicon's inherent land rights. By then, more than \$4 billion worth of oil and gas had been stolen from Lubicon unceded land; land that had never been transferred to Canada as there had been no treaty negotiations. But the colonial governments of Alberta and Canada defined the land as theirs and allowed oil and gas companies to extract resources. The Lubicon paid the price: loss of moose, which fed and clothed them, sickness from toxic chemicals, polluted lands and water, and disruption of traditional life.

Invited, I represented the Quakers with the Lubicon on the frontlines. I was arrested when, after five days of resistance, the non-violent barricades were taken down by the Royal Canadian Mounted

Police. On the land on which I was a guest, in “my country,” I was arrested by police with rifles, one in battle fatigues with face paint, armed with a sub-machine gun. This changed my life. A few years later I returned to Lubicon territory and served that community for four years as a Mennonite Central Committee voluntary service worker. What a gift.

Now it is time to give back.

Beyond Words

I want to repudiate the *Doctrine of Discovery* in ways that move beyond words towards meaningful action. I want to take real steps to honour the *Calls to Action* of the Truth and Reconciliation Commission (TRC). In gratitude for the gifts that have been shared with me by Indigenous peoples of this land, I commit to sharing gifts back. This, for me, is what it means to be a Settler member of Treaty 1, the treaty covering the tiny piece of land on which my house, my home, sits. So the *Share the Gifts: Honour the Treaties* movement is being birthed.

I learned of a way to give back from Australian Quakers. At the invitation of Aborigines, Settlers in Australia were encouraged to build relationship with their local Aborigine community/nation through the payment of an annual contribution recognizing that Settlers benefit from the Original peoples' lands.

This “pay the rent” concept actually has a long history. It was first demonstrated by the Quaker Settler Robert Cock back in 1837. Cock was part of the Sydney settlement of New South Wales, and he recognized that he was living on land that belonged to the Aboriginal inhabitants; land that was taken from them by force. In an unusual move, Cock decided to pay the interest on 1/5th of the value of his land to the Original peoples as rent. It was not, Cock made clear, an act of charity, but a response to “a just claim that the Natives of this district have on me as an occupier of those lands” (Report of the Aborigines' Protection Society, 1839).

I had come to understand, since coming to Canada, that I had been gifted by this land that was Indigenous land before British ancestors arrived. In 1871, southern Manitoba, including the Winnipeg area, became a part of Treaty 1, the first of the numbered treaties in Canada. The land was to be a shared space according to the stories I have heard.



"Falkirk"

ARLEA ASHCROFT

Original homeland of the Arikara, Mandan and Hidatsa Nations, now Falkirk Coal Mines (outside of Fort Berthold Reserve, North Dakota).

And we are all – both Indigenous and Settler peoples – treaty people. I know about treaty days and treaty payments. But what does treaty mean, for me, a Settler woman, when the *Doctrine of Discovery* was and is used to dispossess Indigenous peoples from their lands for the benefit of Settlers?

Then I had a vision: a long line of Settlers of all sorts, shapes, and colours next to a line of Indigenous people. The Indigenous people are receiving their treaty payments. We line up for another reason—to share some of the wealth, the gifts, that we have received by living on this good land. Our sharing is also a commitment, a way to renew that original treaty promise: to build friendships, to honour the Indigenous vision of sharing the land, of relationships built on justice.

Today, there is a small circle of Indigenous and Settler peoples here in Winnipeg, gathering in coffee shops and offices, taking the first steps towards creating this witness. Local Cree and Anishinaabe

Elders have shared with us that “rent”, while it may be a fitting concept in the Australian context, is not a concept in their traditions. So we have called our movement *Share the Gifts: Honour the Treaties*. We are currently working out how to create a process and structure reflective of Indigenous ways of being; a structure in which power is held by Indigenous Elders and participants while Settler participants offer their gifts and take on the tasks, under the wisdom of Indigenous participants, of educating and inviting others into the hope and possibility of joining the line and giving their gifts. Decisions about the use of the money raised will rest with the Indigenous circle.

As the clerk (chair) of Quakers in Canada, I was in Ottawa for the final Truth and Reconciliation Commission (TRC) events in June, 2015. I was in the room when the three Commissioners gifted Canada with their final report including the 94 *Calls to Action*. We Settlers were invited to “climb the mountain”, the path laid out by the TRC that will lead

towards reconciliation. I do not expect to live to see the outcome of this journey. As the Commissioners reminded us, it took seven generations to get here, so it may take seven more to recover. Yet I believe that we can get there! *Share the Gifts: Honour the Treaties*, is a small but hopeful movement that will help bring that about. I pray it does.



Seeking a Spiritual Covenant: Possibilities in the Haldimand Tract



ADRIAN JACOBS is a father of five and grandfather of two grandsons. He is the keeper of the circle at Sandy-Saulteaux Spiritual Centre, the national Indigenous ministry training centre for The United Church of Canada, located in Beausejour, Manitoba (Treaty 1).



KAREN KUHNERT is a mother and a minister in the Evangelical Lutheran Church in Canada. Karen lives in the Haldimand Tract, traditional lands of the Neutral, Anishinaabe, and Haudenosaunee Nations. Passionate about education and justice, Karen has served a few terms as a member of the KAIROS Indigenous Rights Circle.

KAREN: It wasn't long ago, Adrian, that you and I had an opportunity to partake in a gathering of ecumenical Christians and Six Nations at Ohsweken, in Haudenosaunee territory. It was a significant time of conversation around what we neighbours in the Haldimand Proclamation lands might do to collectively respond to the Truth and Reconciliation Commission's *Calls to Action*. I was particularly struck by something you said in that gathering: "The most promising possibility for a tangible response to the injustice wrought by the Church is a 'spiritual covenant.'" Can you tell me more?

ADRIAN: Back in 2007, in my role as community liaison with the Aboriginal Neighbours program of Mennonite Central Committee (MCC) Ontario, I attended a meeting of the Haudenosaunee Council at the Onondaga Longhouse. It was there that I met Six Nations researcher Rick Hill. Rick asked me if churches pay property taxes, and when I said "No," he replied, "That's good, then churches are not part of the system." Rick went on to say that he thought it would be good if the churches would make a "spiritual covenant" with Six Nations.

Over time, parameters for such a spiritual covenant



were developed. In short, churches in the Haldimand Proclamation lands would acknowledge Six Nations jurisdiction over the land, pay a token lease payment to Six Nations, and Six Nations in turn would permit the church to continue to function as church. If a church was ever decommissioned, the land would then revert to Six Nations with Six Nations' assurance that the land would be used for spiritual and community purposes, and not business purposes (like a smoke shop!).

KAREN: So land set aside and stewarded by generations for sacred purposes would continue as such.

ADRIAN: Exactly.

KAREN: That reminds me of the biblical concept of jubilee, described in Scriptures like Leviticus 25. The land was to be restored to the original occupants every 49 or 50 years as a way to restore power relations and reconcile peoples with one another and God, the ultimate owner.

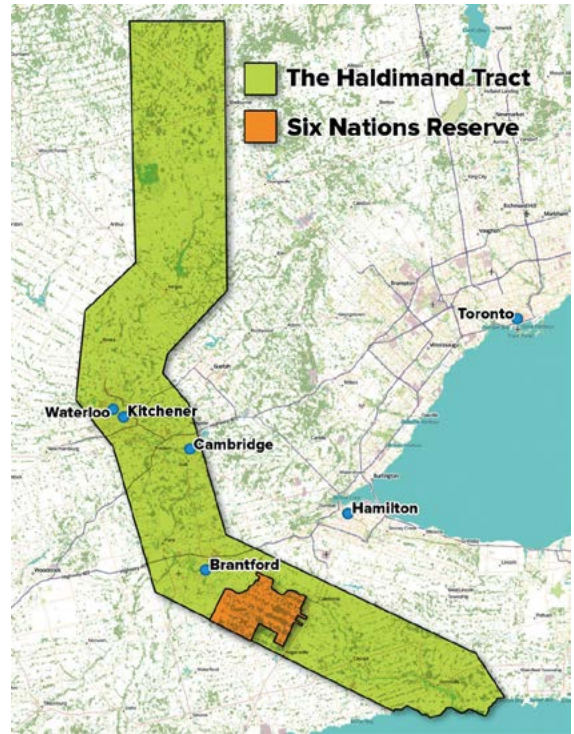
ADRIAN: I'll have to think more about that.

KAREN: When you brought up this notion of a spiritual covenant last year, there were about 30 people from Lutheran and Mennonite Churches present. Immediately, there were a few of us who thought of the relationships that are forming in Stoney Knoll, Saskatchewan. For us it was something of a “Kairos” moment.

It was Harley Eagle of MCC who first drew my attention to the Stoney story (see also Alain Epp-Weaver’s contribution in this volume for further background). In short, in 1897 the federal government gave away the Young Chippewyan’s reserve land (Reserve 107) without their consent. The land was occupied by Mennonite and Lutheran farmers who believed their “property” had been “empty land” before they settled it. The dispossession of the Young Chippewyan by the federal government created a situation of fear as well as a practical and spiritual conflict for the Mennonite and Lutheran farmers of Stoney Knoll. Over the course of some years, and many conversations, they got to know one another and their concerns. Through the gentle guidance of Indigenous and Settler leaders, they created a spiritual covenant, and today they work together, pursuing a just settlement of the Young Chippewyan land claim.

ADRIAN: Dealing with land issues can seem incredibly scary. But this example shows us all that tangible reconciliation is possible and can be achieved in ways that uphold previous treaties and polish the covenant chain of relationship.

KAREN: Manifesting reconciliation is challenging. It is hard to move from head to heart to hands. I was a participant in the world-wide apology by Lutherans offered to Mennonites in Germany (2010) that culminated in a ritual of forgiveness by the Mennonites. We Lutherans persecuted Mennonites over religious differences beginning at the time of the Reformation, the same era as the Six Nations were committing to the Great Law of Peace. In the famous story of Dirk Willems – in which a Mennonite rescues the “enemy” who sought to imprison and kill him – we see how Lutheran minds became warped and neighbours turned against one another. Lutherans participated in the dispossession of Mennonites from their ancestral lands.



A map of the Haldimand Tract; what was originally granted to the Six Nations and what remains today.

IMAGE: ALTERNATIVES JOURNAL, ADAPTED FROM SIX NATIONS LANDS AND RESOURCES / MAP DATA FROM OPENSTREETMAP.ORG

ADRIAN: And I believe Mennonites have been learning about how they participated in the dispossession of Indigenous peoples in this land they relocated to. Mennonites ran residential schools and, just like the Lutheran community, they passively permitted the dispossession and persecution of Indigenous peoples. Reconciliation-making is an action – an action of covenant keeping, not a call to being comfortable.

KAREN: True. As we reminisce about our pasts, most folks probably aren’t aware that European Lutherans and Haudenosaunee have been in relationship for generations, going all the way back to the time of the Two Row Wampum (c.1613). “Palatine Refugees” dispossessed by European wars settled in the traditional territory of the Haudenosaunee. Lutherans, Mennonites, and Six Nations peoples have all been displaced from our homelands by wars, threatened in our identities by pain, from grief, and loss.



Central Church in Cambridge, Ontario sits on the banks of the Grand River within the Haldimand Tract (c. 1925). / PHOTO: ALBERTYPE COMPANY, LIBRARY AND ARCHIVES CANADA PA-031830



St. Peter's Evangelical Lutheran Church in Cambridge, Ontario. PHOTO PROVIDED



Stirling Avenue Mennonite Church in Kitchener, Ontario. PHOTO: MICHAEL D. HOSTETLER

ADRIAN: It was loss and grief in Haudenosaunee communities that gave rise to the Great Law of Peace. The teachings of the Peacemaker (which we believe date back at least to the 1100s) have resonance with Mennonite people particularly and can be a focus for our moving forward in mutual respect for one another's spiritual commitments as well as the spiritual covenant that we envision.

The basic elements that would underlie a spiritual covenant with the Six Nations, those elements of respectful living, mutual peace, and right relations in the land gifted from Creator, are already articulated in the Two Row Wampum, the Dish with One Spoon, and the Silver Covenant Chain commitments we have made together.

The Two Row Wampum belt depicts the river of life and a nation-to-nation agreement of peace and respect between the Haudenosaunee, complete with their laws, leaders and peoples in one vessel, and Settlers in a parallel vessel, with their laws, leaders and peoples. The Dish with One Spoon, or Nanfan Treaty of 1701, outlined how to share as nation-to-nation neighbours. Polishing the Silver Covenant Chain of these and other "linking treaty" commitments returns us all to the original spirit and intent of these promised relationships. Canada bears responsibility for upholding the "honour of the Crown" for the treaties that preceded the formation of Canada. British, colonial, and Canadian officials bear fiduciary responsibilities through their insistence on overseeing Six Nations lands and trust monies.

KAREN: Was the Stoney Knoll situation similar? Was the Canadian government overseeing their lands and trust monies?

ADRIAN: I prefer to speak of the Six Nations example. The Six Nations Elected Council initiated a lawsuit in 1995 asking the Government of Canada to account for the original 950,000 acres set aside for Six Nations in Governor Haldimand's Proclamation of 1784. That tract of land was six miles on either side of the Grand River, from its mouth at Lake Erie to its source near Dundalk, Ontario. Six Nations also called on the Canadian government to account for its trust monies. To this date, Canada has not disclosed its accounting of these matters. Canadian officials have admitted the historical record indicates deficiencies in Canada's fiduciary duties.

KAREN: Six Nations Chief Ava Hill told Eastern Synod Lutherans this summer that the Grand River Six Nations now has 26,000 citizens living on 45,000 acres. That's only 5 percent of the "in perpetuity" land set aside in the Haldimand Proclamation. Meanwhile Lutherans and Mennonites alone have more than 70 Churches within that original 950,000 acres.

ADRIAN: Indeed. Six Nations leaders invited Mennonites and Lutherans (and Anglicans and other Christians) to become neighbours in the Haldimand Proclamation lands and, as in the case of Stoney Knoll, did not consent to the federal government taking control of the land and the trust monies arising. A spiritual covenant, in keeping with the Silver Covenant Chain commitments, puts the churches who sign in a position of conscientiousness alongside Six Nations peoples appealing to Canada to rectify inequities in which we have been caught. I don't believe Church people looked to build places of worship on stolen land. We were meant to be neighbours.

In fact, a story is sometimes told of a Mennonite farmer who came to the Six Nations people near Brantford in the early years after Mennonites moved to the Grand River Valley land of Six Nations. He brought with him his lease payment for his lands in the Waterloo area. The Six Nations representative asked the farmer how the season was, and the farmer replied that it had been difficult. He was asked if he had seed for next year and grain for bread. The farmer said, "No. All I have is this lease payment of grain." (Mennonites are remembered at Six Nations as people of the land who care for each other). The Six Nations representative then said, "Take this grain for bread for your family and use it for seed for next year. You can make it up when you have a better harvest." When I told this story recently to a Six Nations person after they learned of the Mennonite concern for justice, he said "Are they coming to settle up?"



To Cede and Surrender



STEVE HEINRICHS is a Settler living in Winnipeg – Treaty 1 territory and the homeland of the Métis Nation. A member of Hope Mennonite Church and the director of Indigenous Relations for Mennonite Church Canada, Steve loves to dialogue with communities about decolonization and the good life it can bring.



In land shaped by mothering Manitou
In place scarred through power and passion
We come before you, our common Creator
And ponder

Sacred space,
a millennia's elder, yet new to most
Welcoming nations,
hosting stranger, orphan, and migrant
Resilient peoples,
struck by benevolence, arms, and industrial sin
Long-suffering peoples,
turning cheek to the glutton of greed

Forget, we try, but we know well
It is the circle of respect that will remain alone
It is the gifting of rivers and earth that can sustain

The covenant memories are alive
Even today

So with fragile words
imagined from heart
we Settlers
and covenant peoples
and split relatives
and unwitting bystanders

We all of us
some of us
Express a dream
a small opening
a stumbling
out of iniquitous indifference
cheap talk and hypothetical realities
to friendships of peace; arm-in-arm
to truth with justice; one-bowl-with-spoon
to hope in laughter; braided love

We know well, we are far off
 The rejected cry out; the land too
 Treaties broken; circle too

Some are committed
 To lament and learn
 Some have readied
 To repair and renew

But o how we need your hand
 Come and gift us with your cruciform ways

God of the damned and the despised
 Christ of the poor and Christ-against power
 Spirit of newness, breathe in this place
 – Manitowapow -
 You are here!

Give us this day
 courage beyond calculation
 risk beyond anxiety
 generosity beyond extraction
 action beyond apologies... all those apologies

That we Settlers
 May cede
 And release
 And surrender ourselves
 to you
 and to all our relations
 The Cree and Ojibway
 The Dakota and Métis
 The muddy rivers
 The concrete prairie

Of what we have
 We can share
 Pray God, we will
 Even now. In land shaped by mothering Manitou
 In place scarred through power and passion
 We come before you, our common Creator
 And ponder
 Sacred space,
 a millennia's elder, yet new to most
 Welcoming nations,
 hosting stranger, orphan, and migrant
 Resilient peoples,
 struck by benevolence, arms, and industrial sin
 Long-suffering peoples,
 turning cheek to the glutton of greed

Forget, we try, but we know well
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So with fragile words
imagined from heart
we Settlers
and covenant peoples
and split relatives
and unwitting bystanders

We all of us
some of us
Express a dream
a small opening
a stumbling



THE DOCTRINE IN DIALOGUE: A Study Guide

Reading stories of violence and dispossession can leave us unsure of how to respond and wondering what to do next. Use this study guide as a resource to facilitate conversations around the *Doctrine* in your church, classroom, or small group.

Be sure to allow enough time for sharing and exploration – this might mean splitting these discussions over several sessions. Use the questions and recommended readings provided as entry points into each section, but feel free to explore any ideas or themes that you encounter along the way.

While you can certainly consider these questions on your own, they're best explored in community. If your church or small group hasn't already planned a reading group for this magazine, encourage leadership to do so or become a leader and organize one yourself.

SECTION 1: Discovery Past

In this section, we're introduced to the *Doctrine of Discovery* as the legal and theological basis for historical and ongoing acts of violence against Indigenous peoples and lands. "Given its global and devastating impacts," writes Robert Miller, "it is clear that all fair-minded people need to understand how this international law of colonialism was developed."

Recommended Reading

At the Helm of Discovery: Church and Land Theft 16

JENNIFER REID

Still Questioning: The Theft of Indigenous Children 28

SHARI RUSSELL

The Sweet Fiction of Owning Land 31

RUDY WIEBE

Questions for discussion:

- Conversations like these can be uncomfortable and intimidating for those of us who have even indirectly benefitted from systems of injustice for so long. Are there any concerns or trepidations that you bring to this discussion? What outcomes would you like to see, and what are your hopes for moving forward?
- Jennifer Reid provides a brief history of the Church-sanctioned conquest. It's easy to distance ourselves from acts of violence that seem like the ancient past, or that were perpetrated by denominations other than our own, but Reid argues that the vast majority of Canadian Churches have unwittingly embraced or benefitted from the *Doctrine's* legacy. Do you agree? How do you see *Doctrine*-based assumptions still at work today?
- Rudy Wiebe calls into question the very notion of land ownership. If you own property, have you considered what that land title means in light of the *Doctrine*? What might that land have looked like before colonization? What stories do you have that connect you to the land on which you live? What are some ways in which you could use your property or resources to resist the legacy of colonialism?
- How much do you know about the legal status of the area in which you live? Do you live on treaty land? If so, has that treaty been honoured?

SECTION 2: Discovery Present

The *Doctrine* has its roots in the distant past, but its legacy carries on today through ongoing dispossession, racist laws and Settler practices, intergenerational trauma, and the exploitation of resources. As Angelina McLeod puts it, a “sense of superiority is widespread amongst Settlers, both Christian and otherwise.” May we learn to be humble and recognize the violence in which we are steeped.

Recommended Reading

My Car 50
ALISON BROOKINS

**A Need for Courage: Discussing Settler
Stumbling Blocks to Solidarity** 59
SYLVIA MCADAM IN CONVERSATION
WITH STEVE HEINRICH

**Human Supremacism and
the Doctrine of Discovery** 76
DERRICK JENSEN

Questions for discussion:

- Alison Brookins’ play *My Car* is a simple yet unsettling reflection of a dilemma that Settlers face in the 21st century. Many of us don’t feel complicit in colonization because it happened before our time or our ancestors weren’t involved. And yet we find ourselves living in a “free” country that was founded on conquest. Can you relate at all to Cole, who finds himself in possession of stolen property? What are some of the inherited privileges of being a Settler? How did the play’s somewhat unresolved conclusion make you feel?
- Sylvia McAdam addresses several beliefs that can prevent Settlers from standing in solidarity with Indigenous peoples. Do you identify with any of these beliefs (or did you in the past)? If so, do you find Sylvia’s responses helpful or do they leave you with more questions? If you’re convinced by her answers, how might you convey these ideas to a friend or family member who still isn’t convinced?
- Derrick Jensen writes about the *Doctrine of Discovery* as it relates to water, animals, plants, and minerals. Why do you think environmentalism and decolonization are so intimately connected? How does Jensen’s rejection of “human supremacy” relate to the biblical notion of stewardship?
- Discussing the ongoing impacts of the *Doctrine* might be discouraging or overwhelming. How can you avoid the traps of despair and inaction while also recognizing the need to process and lament?

SECTION 3: How do we see each other?

Our task now is to unlearn the impulses and assumptions behind the *Doctrine*. How do we start thinking differently about land, history, spirituality, and identity to move toward renewed relations? Iris de León-Hartshorn writes that “it will be through a collective discovery of a spirituality of harmony that we defeat the merciless powers of our day, including the principles underlying the *Doctrine of Discovery*.”

Recommended Reading

A Long, Sad History of “Discovery” 84
WALTER BRUEGGEMANN

Mapping the Great Divide 95
STEVEN CHARLESTON

Living in the Shadows of *Doctrine* 108
STAN MCKAY

Questions for discussion:

- Stan McKay writes that “the activity of proselytization should cease until the people of the Church (both Settler and Indigenous) comprehend how the *Doctrine of Discovery* presently influences them.” Do you see missions as central to your faith? How can we reconcile McKay’s call with the evangelical impulse that is central to much of Christian tradition? What are some ways in which your church could build relationships with Indigenous communities without proselytizing?
- Walter Brueggemann shows how the tradition of “God-legitimated” conquest goes back as far as the Old Testament and still has a place in some of our beliefs and practices today. How does reading the Canaan narrative in light of colonization affect your understanding of Scripture? How do you respond to God-sanctioned violence in the Bible? Where in your church’s worship do you see undertones of colonialism or unchecked Christian supremacy? What can you as a church do about hymns or practices that contain these themes?
- Steven Charleston retells the “iconic” tale of Lewis and Clark in terms of how Native American beliefs and values were overlooked, while Denise Nadeau writes of learning to see the land and her heritage in new ways. In a sense, both are “unmapping,” or reframing the ways in which they read places and histories. What are the “iconic” stories of your family history of cultural heritage? What might it look like to “unmap” these stories, or read them in a way that resists a Eurocentric lens? What Indigenous experiences or perspectives might get left out of the formative stories you tell?

SECTION 4:

Return, Repair, Rebuild

It's only after we learn about, discuss, and reflect upon the legacy of the *Doctrine* that the difficult work truly begins. Randy Woodley writes that "repudiating the *Doctrine of Discovery* cannot merely be a theological position or a statement of belief." We must build relationships, recognize and confess wrongs, offer restitution, and demonstrate solidarity with those impacted by colonization.

Recommended Reading

On Repudiation: 119

A Cherokee Perspective

RANDY S. WOODLEY

Making Words Real: 125

A Conversation on Repudiation

SARA ANDERSON & JOE HEIKMAN

Found Wanting: The Australian Church 139

and Moral Leadership

SARAH MADDISON

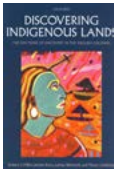
Questions for discussion:

- Randy Woodley has strong words for well-meaning Settler Christians. He writes that "whiteness is 'a power and principality' that is killing the Church Christ loves," and "a great gap exists in Settler Christianity between word and deed." Did you find yourself feeling defensive as you read these words? What do you think he means? If you identify as a Settler Christian, what do you think is the appropriate response to such claims?
- Justice Murray Sinclair has said that, in order to work towards reconciliation, churches must recognize "Aboriginal spirituality as valid and as an equal means of worship" alongside Christianity. Do you agree? How does this imperative fit within your theology?
- Do you think monetary reparations from churches to Indigenous peoples are an appropriate step towards reconciliation? What might it look like, either individually or as a group, to give money to the Indigenous community in your area?
- The Truth and Reconciliation Commission has called on denominations and faith groups to repudiate concepts like the *Doctrine of Discovery*. Has your church or denomination done so already? Several contributors have noted that repudiation is a largely symbolic act – it may be important, but only a place to start. What tangible next steps will you take as a small group or congregation to work against the ongoing legacy of the *Doctrine*?

EDITORS'S PICKS for further reading

To borrow or purchase these books and other resources on the *Doctrine*, visit www.commonword.ca/go/703

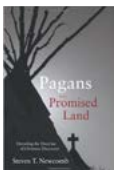
HISTORY AND PRESENT IMPACTS OF THE *DOCTRINE*



Discovering Indigenous Lands: The Doctrine of Discovery in the English Colonies (2012)

MILLER, RURU, BEHRENDT, AND LINDBERG, EDS.

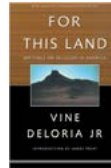
Canada, Australia, New Zealand, and the United States have a lot in common. They're all former British colonies. They all voted against the *United Nations Declaration on the Rights of Indigenous Peoples*. And they were all colonized under the *Doctrine of Discovery*. Weaving story with law, *Discovering Indigenous Lands* is a detailed text that shows how the *Doctrine* has been wielded in these four contexts. Though differences exist and practices have shifted over the years, it's clear that the "CANZUS states" still assert control over Indigenous lands and lives through the legal principle of *Discovery*.



Pagans in the Promised Land (2008)

STEVEN T. NEWCOMB

Biblical notions of "chosen people" and "promised land" have been liberating for some, but not for all. Newcomb argues that U.S. policy towards Indigenous nations, both at home and abroad, is premised on ancient Hebrew narratives that position America as God's Israel over-against Native Canaanites. The pivotal legal case, *Johnson v. McIntosh*, is a key instance of this logic; the erasure of Indigenous land rights is fundamentally based on the supposedly God-given division between civilized, chosen, Christians and uncivilized, non-elect, pagans. A dense and important read.



For this Land: Writings on Religion in America (1999)

VINE DELORIA, JR.

One of the most influential Indigenous thinkers in North America, Deloria (1933–2005) brings history, law, theology, and Indigenous worldviews together to challenge dominant Settler Christian understandings of religion, church, politics, and land. It's a wide-ranging set of essays written between the 1960s and the '90s that's passionate and brimming with bold assertions. You won't always agree with Deloria – we don't – but he will provoke questions you haven't previously imagined as he privileges the power of place and Indigenous knowledges – the kinds of questions our churches need to ask in order to put a dent into the *Doctrine*.



Native Women and Land: Narratives of Dispossession and Resurgence (2015)

STEPHANIE J. FITZGERALD

To comprehend the impacts of the *Doctrine of Discovery*, it's vital that we hear from those most impacted by its violence. Indigenous lands have been violated for generations, and so have Indigenous women. And yet, remarkably, it is precisely these women who are on the frontlines of resistance, summoning change through creative writing, social media, and on-the-ground activism. Fitzgerald offers us a critical look into the work of various Indigenous women and female-led movements, helping us appreciate their relationships to land and the complex ways in which they seek to communicate their stories. Their resilience is inspiring.



Constitutionalism (2016)

JOHN BORROWS

He's a law professor, and the title of his book doesn't sound all that fun, but John Borrows is a wonderful story teller who will make you want to know more about Indigenous legal traditions.

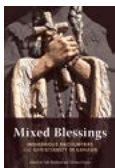
A devastating consequence of the *Doctrine of Discovery* has been the domination of European legal systems and the suppression of Indigenous legal systems. Borrows argues that we must find ways for the Canadian constitutional tradition to recognize Indigenous jurisprudence in order to address matters of injustice. This will be good news for all. Living Indigenous traditions have real potential to be liberating forces that can strengthen both Indigenous self-determination and the Canadian state.



Red Skin, White Masks: Rejecting the Colonial Politics of Recognition (2014)

GLEN COULTHARD

How should we repair the damage wrought by the *Doctrine of Discovery*? Reflecting on Fanon, Marx, Leanne Simpson, and others, Coulthard warns us against the politics of recognition; that is, the practice of framing reconciliation as the accommodation of Indigenous "cultural" rights within the legal and political framework of the Canadian state. Settler colonialism is primarily about "access to territory." Therefore, it's critical that Indigenous nations and Settler allies pursue a politics of resistance and reparations, rooted in particular Indigenous traditions, that seeks tangible returns in power, authority, and land. It's a theoretically rich manifesto.



Mixed Blessings: Indigenous Encounters with Christianity in Canada (2016)

**TOLLY BRADFORD AND
CHELSEA HORTON, EDS.**

Given the tremendous harm that colonial Christianity has wrought, a widespread assumption is that most Indigenous people reject the Christian religion. Surprisingly, that's not the case. Why is that? In this nuanced and courageous collection, contributors explore the multiple ways in which Indigenous peoples have engaged Christianity, asking how and why some aligned themselves with it, while others did not. But there's a lot more here than historical reflection. There's a vulnerable search for honest and personal engagement that will push us away from paths of assimilation towards a mutual decolonization.

THEOLOGICAL RESOURCES



Following Jesus in Invaded Space: Doing Theology on Aboriginal Land (2009)

CHRIS BUDDEN

"Do theologians sit on the margins or at the heart of empire? Whose interests do we protect, and what is named as normal?" Reflecting within the Australian context, Uniting Church minister Chris Budden contemplates what it means for the Church to faithfully follow Christ when it has participated in the invasion of Aboriginal space, and refuses to remedy that injustice. Budden's conclusions are carefully worked out and costly: "To be church in Australia is... to disconnect ourselves from those with power, and to locate ourselves in the edges of the world." In fact, the Church can only justify its existence as it finds its centre in shared life with the Indigenous and *actually* acts to right wrongs.



Coming Full Circle: Constructing Native Christian Theology (2015)

**STEVEN CHARLESTON AND
ELAINE A. ROBINSON, EDS.**

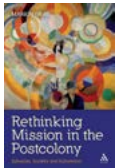
A lot of Indigenous writings on Christianity are "deconstructive," articulating the many problems of the religion and its checkered history. Many of these writings contrast Indigenous lifeways over-against Christianity. The contributors to this volume affirm that approach as "an expression of Native American historical truth-telling and self-determination," but they set out in a different direction, offering up "a text that expresses the unique theological perspective of Native Americans who embrace Christianity." Classic categories are addressed – sin, salvation, church, and mission – in dynamic conversation with the varied Indigenous traditions of each author.



A Postcolonial Commentary on the New Testament Writings (2007)

FERNANDO SEGOVIA AND R.S. SUGIRTHARAJAH, EDS.

Some Christians wrestling with the *Doctrine of Discovery* may be so disheartened by the death-dealing actions of the Church that they'll be tempted to step back from their faith. We have friends who have taken that path. And we understand. Yet for those who are able, we'd like to encourage a closer, critical walk with the tradition through the eyes of those grappling with issues of Empire and post-colonial theory. This text could be a solid help. Crack open your Bible with this near 500-page commentary by your side and discover, yes, those necessary questions that query our Scriptural inheritance. Discover that you're not alone in having such thoughts. But also discover genuine trajectories that can lead to life, liberation, and joy.

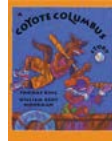


Rethinking Mission in the Postcolony: Salvation, Society, and Subversion (2011)

MARION GRAU

It could be the biggest question facing the Church today: What is the role of mission, if any? Some equate mission with colonialism. Others think the church's very existence is dependent on mission. Grau enters these disputed territories with critical care, grappling seriously with the concerns of "the colonies," conservative Christians (both Settler and Indigenous), and post-colonial practitioners. She'll leave you with a lot of questions, an admission that Christian mission is terribly ambiguous, yet also some real possibilities towards discovering a mission that relinquishes certainty and celebrates, with confidence, life beyond the Church (i.e., "whoever is not against us is for us" - Mark 9:40).

FOR CHILDREN & OLDER ONES



A Coyote Columbus Story (1992)

THOMAS KING

The myths around the supposed discovery of the Americas need to be shattered. Who better to do it than Coyote? Written on the 500th anniversary of Columbus' non-discovery, Thomas King (Cherokee) helps us unravel the stories of first contact through the weapons of laughter and sarcasm. It's a great read for children 9 years and up. The antics of trickster coyote show us how crazy and inhumane the dominant story of discovery really is. One caution, however, for the kids. Watch out for Christopher. He looks scary... like Elvis turned into an angry clown.



The Harmony Tree (2016)

RANDY WOODLEY

There is no shortage of resources for adults who want to learn about settler colonialism. But how about our children? As a result of the Truth and Reconciliation Commission, significant strides have been made to share with little ones the story of residential schools. Yet that's only a piece of the larger settler-colonial story. We need to talk about the theft of Indigenous lands. *The Harmony Tree* fills a gap, and does it with much sensitivity and compassion. Through the experience of Grandmother Oak, we learn about the impact of dispossession and the first step towards



and do not call this land America
 if you listen hard she will tell you her true name
 as the nighthawks dive at twilight
 as the wolves howl at moonlight
 as the waterfalls rage cascading
 when the avalanches fracture breaking
 she WILL tell us her true name with earthquakes
 that split states and break fences to
 remind us she does not
 belong to us.
 but that we belong to her.

LYLA JUNE JOHNSTON
 NAVAJO-CHEYENNE

"Browning of America II"
 JAUNE QUICK-TO-SEE-SMITH
 SALISH-KOOTENAI

"Despite the realities of stolen land, despite the robber barons and the European tribes, most of whom were ruthless and who run our country today... legends from various Indigenous Peoples state that the Americas will become brown again."

YOURS, MINE, OURS

UNRAVELLING THE DOCTRINE OF DISCOVERY