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A worldwide fellowship of churches seeking unity, a common witness and Christian service

Statement on the doctrine of discovery and its enduring impact on Indigenous Peoples

Indigenous Peoples have the oldest living cultures in the world. Three hundred to five hundred million Indigenous Peoples today live in over 72 countries around the world, and they comprise at least 5,000 distinct peoples. The ways of life, identities, well-being and very existence of Indigenous People are threatened by the continuing effects of colonization and national policies, regulations and laws that attempt to force them to assimilate into the cultures of majoritarian societies. A fundamental historical basis and legal precedent for these policies and laws is the "Doctrine of Discovery", the idea that Christians enjoy a moral and legal right based solely on their religious identity to invade and seize indigenous lands and to dominate Indigenous Peoples.

17 February 2012

WCC Executive Committee
14-17 February 2012
Bossey, Switzerland

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2. Around the world, Indigenous Peoples are over-represented in all categories of disadvantage. In most indigenous communities people live in poverty without clean water and necessary infrastructure, lacking adequate health care, education, employment and housing. Many indigenous communities still suffer the effects of dispossession, forced removals from homelands and families, inter-generational trauma and racism, the effects of which are manifested in social welfare issues such as alcohol and drug problems, violence and social breakdown. Basic health outcomes dramatize the disparity in well-being between Indigenous Peoples and European descendants.

3. The patterns of domination and oppression that continue to afflict Indigenous Peoples today throughout the world are found in numerous historical documents such as Papal Bulls, Royal Charters and court rulings. For example, the church documents *Dum Diversas* (1452) and *Romanus Pontifex* (1455) called for non-Christian peoples to be invaded, captured, vanquished, subdued, reduced to perpetual slavery and to have their possessions and property seized by Christian monarchs. Collectively, these and other concepts form a paradigm or pattern of domination that is still being used against Indigenous Peoples.

4. Following the above patterns of thought and behaviour, Christopher Columbus was instructed, for example, to "discover and conquer," "subdue" and "acquire" distant lands, and in 1493 Pope Alexander VI called for non-Christian "barbarous nations" to be subjugated and proselytized for the "propagation of the Christian empire." Three years later, England's King Henry VII followed the pattern of domination by instructing John Cabot and his sons to locate, subdue and take possession of the "islands, countries, regions, of the heathens and infidels . . . unknown to Christian people." Thereafter, for example, English, Portuguese and Spanish colonization in Australia, the Americas and New Zealand proceeded under the Doctrine of Discovery as Europeans attempted to conquer and convert Indigenous Peoples. In 1513, Spain drafted a legal document that was required to be read to Indigenous Peoples before "just war" could commence. The *Requerimiento* informed Indigenous Peoples that their lands had been donated to Spain and that they had to submit to the Crown and Christianity or they would be attacked and enslaved.

5. In 1823, the U.S. Supreme Court used the same pattern and paradigm of domination to claim in the ruling *Johnson & Graham's Lessee v. M'Intosh* that the United States as the successor to various "potentates" had the "ultimate dominion" or "ultimate title" (right of territorial domination) over all lands within the claimed boundaries of the United States. The Court said that as a result of the documents mentioned above, authorizing "Christian people" to "discover" and possess the lands of "heathens," the Indians were left with a mere "right of occupancy;" an occupancy that, according to the Court was subject to the "ultimate title" or "absolute title" of the United States. The *Johnson* case has been cited repeatedly by Australian, Canadian, New Zealand and United States courts, and the Doctrine of Discovery has been held by all these countries to have granted European settler societies plenary power (domination) over Indigenous Peoples, legal title to their lands, and has resulted in diminished sovereign, commercial and international rights for Indigenous Peoples and governments. Europeans believed this was proper based on their ethnocentric, racial and religious attitudes that they and their cultures, religions and governments were superior to non-Christian European peoples.

6. Consequently, the current situation of Indigenous Peoples around the world is the result of a linear programme of "legal" precedent, originating with the Doctrine of Discovery and codified in contemporary national laws and policies. The Doctrine mandated Christian European countries to attack, enslave and kill the Indigenous Peoples they encountered and to acquire all of their assets. The Doctrine remains the law in various ways in almost all settler societies around the world today. The enormity of the application of this law and the theft of the rights and assets of Indigenous Peoples have led indigenous activists to work to educate the world about this situation and to galvanize opposition to the Doctrine. Many Christian churches that have studied the pernicious

Doctrine have repudiated it, and are working to ameliorate the legal, economic and social effects of this international framework. Starting in 2007, for example, with the Episcopal Diocese of Maine, followed by the Episcopal Diocese of Central New York in 2008, and in 2010 by Philadelphia Yearly Meeting of the Religious Society of Friends, individual churches began adopting resolutions and minutes repudiating the Doctrine. In 2009, at its 76th General Convention, the Episcopal Church adopted resolution D035 – "Repudiate the Doctrine of Discovery." In 2010, the General Synod of the Anglican Church of Canada adopted resolution A086 – "Repudiate the Doctrine of Discovery." In 2011, various Unitarian Universalist churches and Quaker organizations are adopting and considering adopting resolutions and minutes repudiating the Doctrine. This issue of the Doctrine of Discovery has also been brought to the forefront of world attention by Indigenous Peoples working with international bodies.

7. Considering the fact that the Doctrine of Discovery will be the theme for the 11th session of the United Nations Permanent Forum on Indigenous Issues (UNPFII) in 2012, churches and the international community need to be sensitized on this issue. The Doctrine of Discovery: its enduring impact on Indigenous Peoples and the right to redress for past conquests (articles 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples) will be discussed at the UNPFII from 7 to 18 May 2012; this event will bring together representatives of Indigenous People's organizations and networks around the world. Churches and ecumenical networks of the WCC will be mobilized to be part of the 11th session of the UNPFII in 2012.

In this context, the executive committee of the World Council of Churches, meeting at Bossey, Switzerland, 14-17 February 2012,

- A. Expresses solidarity with the Indigenous Peoples of the world and supports the rights of Indigenous Peoples to live in and retain their traditional lands and territories, to maintain and enrich their cultures and to ensure that their traditions are strengthened and passed on for generations to come;
- A. Denounces the Doctrine of Discovery as fundamentally opposed to the gospel of Jesus Christ and as a violation of the inherent human rights that all individuals and peoples have received from God;
- B. Urges various governments in the world to dismantle the legal structures and policies based on the Doctrine of Discovery and dominance, so as better to empower and enable Indigenous Peoples to identify their own aspirations and issues of concern;
- C. Affirms its conviction and commitment that Indigenous Peoples be assisted in their struggle to involve themselves fully in creating and implementing solutions that recognize and respect the collective rights of Indigenous Peoples and to exercise their right to self-determination and self-governance;
- D. Requests the governments and states of the world to ensure that their policies, regulations and laws that affect Indigenous Peoples comply with international conventions and, in particular, conform to the United Nations Declaration on the Rights of Indigenous Peoples and the International Labour Organization's Convention 169;
- E. Calls on each WCC member church to reflect upon its own national and church history and to encourage all member parishes and congregations to seek a greater understanding of the issues facing Indigenous Peoples, to support Indigenous Peoples in their ongoing efforts to exercise their inherent sovereignty and fundamental human rights, to continue to raise awareness about the issues facing Indigenous Peoples and to develop advocacy campaigns to support the rights, aspirations and needs of Indigenous Peoples;
- F. Encourages WCC member churches to support the continued development of theological reflections by Indigenous Peoples which promote indigenous visions of full, good and abundant life and which strengthen their own spiritual and theological reflections.

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