

Revoke the Inter Cetera Bull

by Valerie Taliman

Newcomb and Birgil Kills Straight, an Oglala Lakota from Kyle, S.D., represented the Indigenous Law Institute and spoke on a panel called "Voices of the Dispossessed." They were joined by Julio Revolorio, a Mayan from Guatemala, and Tupac Amaro Indi, Quiche from the Amazon, who shared their views on loss of indigenous lands.

Newcomb and Kills Straight's presentation was the first time that many people heard about the relationship between the theft of Native lands and the Catholic Church's ancient doctrines. Those doctrines, called papal bulls, still stand after more than 500 years and are the basis for ongoing patterns of subjugation that have been incorporated into federal Indian laws.

In an open letter, the Indigenous Law Institute is calling to Pope John Paul II to formally revoke these documents in order "to demonstrate solidarity with indigenous nations and to show willingness to honor and respect (Native) inherent lights to liberty, justice, and peace."

The two primary documents Newcomb discussed included a 1452 decree issued by Pope Nicholas V which called upon Portugese King Alfonso "to invade, search out, capture, vanquish and subdue all Saracens and pagans,... and other enemies of Christ." Pope Nicholas also directed that the land and possessions of these people be taken away and that non-Christians be "reduced to perpetual slavery."

Newcomb explained that this document was followed by a second doctrine, the 1493 Inter Cetera papal bull, issued by Pope Alexander VI which decreed the pope's desire that "barbarous nations be overthrown" and those nations "discovered" be subjugated and reduced to the Catholic faith "to propogate the Christian religion." These decrees set the stage for 500 years of advocating warfare, rather than peace, against Native peoples and made it impossible for the Christian world to respect Native Nations of the Western hemisphere, he said.

Newcomb, who has spent 10 years researching the origins of federal Indian law, said these ancient doctrines serve as the foundation of federal Indian policy that denies Indian people their rights to ancestral homelands because they were not Christians when the Europeans first arrived. "These ancient laws of Christendom were incorporated into an 1823 Supreme Court decision, Johnson v. McIntosh, which made a distinction between Christians and heathens," Newcomb said. The term "heathen," he noted, was applied to persons whose religions were neither Christian, Jewish, or Moslem, which, of course, meant virtually all Native peoples.

"Why this is so critically important to Native people in the U.S., and to indigenous peoples (everywhere), is that in Johnson v. McIntosh, the reasoning of the court was based upon a distinction between Christians and heathens, and the Doctrine of Discovery was formally written into the laws of the United States by the Supreme Court," he said.

"It said that the first Christian nation to 'discover' a land of heathens and infidels (beasts of prey) had the ultimate domination over those lands and that heathens only have right of occupancy."

He stressed the importance of the word "dominion," derived from the Latin word "domo," which means "to subjugate, subdue, tame, domesticate, place into subservience and colonize."

Newcomb also noted that according to Christian international law, lands which had no Christian owners were considered to be vacant lands, even though inhabited by non-Christians. "So the lands that Columbus and other conquerors took into possession were considered as belonging to nobody because they were not the property of any Christian nation," Newcomb wrote in a paper called "Pagans in the Promised Land."

In the *Johnson v. McIntosh* decision, Chief Justice John Marshall cited various charters of England to document acceptance of the Doctrines of Discovery and said European nations making such discoveries only had a legal obligation to recognize the "prior title of any Christian people who may have made a previous discovery," according to Newcomb's research.

"In short, Christians had title, heathens only had occupancy," he said. "Few people realize that the U.S. Supreme Court's Christian/heathen distinction is still the Supreme Law of the land today."

"On that basis, the U.S. continues to deny that Indian people have a true right of property in their own ancestral homelands and that they have rights to complete sovereignty as independent nations."

Kills Straight drew the link between the industrialized world's view of the earth and the subsequent destruction that has occurred by manmade laws based on capitalistic economies and domination over nature.

"In 500 years, more than 96 million indigenous peoples have been lost to this destruction," he said, along with much of the traditional knowledge they carried. He said that Native people's understanding of natural laws and Mother Earth as a spiritual entity is critically important to share in these times when many species are being devastated.

"It's good to see spirituality coming back strong in our communities," he said. "Some kind of shift needs to occur or life on this Earth will cease. The rest of the world used to assume that they had nothing to learn from Native people of this land but that's changing."

"By revoking the *Inter Cetera* bull of 1493, the Pope can show support of Native people in his actions, not just words," Newcomb said. "It will symbolically call for an end to this tradition of subjugation that we have lived with for 500 years."

"So this is a spiritual effort we are undertaking and it's not just about the Pope or the Catholic Church - it's about the lack of honor and compassion and caring that is so indicative of this industrial world," he said.

"This is a first step toward the Church and the rest of the Christian world coming to terms with the first indigenous principle: Respect the Earth as our Mother and have a sacred regard for all living things. And that means our women and our children and our future generations."

Author's Note: During the parliament, the 60 Native delegates developed a "[Declaration of Vision](#)" that included a call to the Roman Catholic Hierarchy to revoke the 1493 Inter Cetera Papal Bull. The Declaration of Vision was presented to the World Parliament general assembly by Charlotte Black Elk and was endorsed by resolution in a near unanimous vote. However, Dr. David Ramage, Jr., Chairman of the Council Parliament, later overruled the vote at a post-parliament meeting, saying that all resolutions passed during the general assembly had no standing since the assembly was intended "only to exchange insights, not to take group actions." It is unclear what action will be taken to address the declaration.

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DECLARATION OF VISION: Toward The Next 500 Years

From The Gathering Of The 1003 United Indigenous Peoples At The Parliament Of The World's Religions, Chicago, Illinois

"We are indigenous people and Native Nations, honoring our ancestors and for our future generations, do hereby declare our present and continuing survival within our sacred homelands in the Western Hemisphere.

Since time immemorial, we have lived in a spiritual way in keeping with our sacred laws, principles and values given to us by the Creator. Our ways of life are based on respect for Mother Earth, a sacred regard for all relations and the survival of our languages, cultures and traditions.

In the Year of Indigenous Peoples, while the United Nations Universal Declaration of Human Rights is still being prepared, we ask for solidarity in our cause from the religions of the world.

We call upon the people of conscience in the Roman Catholic hierarchy to persuade Pope John II to formally revoke the Inter Cetera Bull of May 4, 1493, which will restore our fundamental human rights. That Papal document called for our Nations and Peoples to be subjugated so the Christian Empire and its doctrines would be propagated. The U.S. Supreme Court ruling *Johnson v. McIntosh* 8 Wheat 543 (in 1823) adopted the same principle of subjugation expressed in the Inter Cetera Bull. This Papal Bull has been, and continues to be, devastating to our religions, our cultures, and the survival of our populations.

We call upon the people of conscience in the many other organized religions whose historical actions have participated in the dehumanization of our Indigenous Nations to help us put an end to the violation of our people's human rights. We call for an end to the deafening silence of religious denominations and groups regarding the violations of our peoples' human rights, because this silence implies complicity and tolerance of the effects.

One hundred years ago during the 1893 Parliament of World Religions, the profoundly religious original (Native) peoples of the Western hemisphere were not invited. We are still here and still struggling to be heard for the sake of our Mother Earth and our children. As our spiritual and physical survival continues to be threatened all over the hemisphere, we feel compelled to ask you to join us in restoring the balance of humanity and Mother Earth in these ways:

- A. Acknowledgement of the myriad of messengers of the Creator, the Great Mystery, to the peoples of the Western hemisphere.
- B. Support in promoting, preserving and maintaining our Indigenous languages and cultures.
- C. Involvement in the world outcry against the continuing genocide of Indigenous Peoples of the Americas by taking direct action in support of the International Conventions prohibiting genocide in their various countries.
- D. Protection and return of the sacred sites and traditional lands of Indigenous Peoples.
- E. Reversal of environmental degradation that endangers our traditional lifeways and threatens our very existence.
- F. Repatriation of our ancestors and sacred objects from the museums and holdings of the world.

WITH RESPECT FOR ALL LIFE, WE THANK YOU.

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