



# Environmental Justice with Indigenous Peoples

As people of faith, we have a moral call to pursue environmental justice: the sustainable and equitable sharing of the gifts of God's creation among all people, regardless of race, ethnicity, gender, or class. Yet, inequities abound. To take steps toward healing our relationship with God's creation and each other, we need to understand the roots of the injustice.

A root cause of environmental injustice is the Doctrine of Discovery. The Doctrine of Discovery originated with the Christian church and was based on Christian scripture. For more than five centuries, the Doctrine of Discovery and the laws based upon it have legalized the theft of land, labor and resources from Indigenous Peoples, and systematically denied their human rights.

Outside of Indigenous Peoples and scholars, however, few are aware of the continued impacts of the Doctrine of Discovery. In the U.S. today, Indigenous Peoples continue to experience systemic injustices through broken treaties, land and resource theft, inadequate protection of sacred sites, and pollution of their air and water. As Christians, now is the time to understand our role in the injustice, and seek to rectify it.

Source: "Dismantling the Doctrine of Discovery" exhibit, Dismantling the Doctrine of Discovery Working Group, [dofdmemo.org](http://dofdmemo.org).

## WHAT IS THE “DOCTRINE OF DISCOVERY?”

The “Doctrine of Discovery” is a philosophical and legal framework dating to the 15th century that gave Christian governments moral and legal rights to invade and seize Indigenous lands and dominate Indigenous Peoples. The patterns of oppression that continue to dispossess Indigenous Peoples of their lands today are found in numerous historical documents such as Papal Bulls, Royal Charters and U.S. Supreme Court rulings as recent as 2005. Collectively, these and other concepts form a paradigm of domination that legitimates extractive industries that displace and destroy many Indigenous Peoples and other vulnerable communities, as well as harm the earth.



## PAPAL BULLS

Because the Doctrine of Discovery did not consider Indigenous Peoples to be human if they were not Christian, conquering nations rationalized enslavement of the people they encountered. For example, the 1452 Papal Bull (pronouncement) *Dum Diversas* issued by Pope Nicholas V said that Christian sovereigns were empowered by the Church to “invade, capture, vanquish and subdue... all Saracens (Muslims) and Pagans and all enemies of Christ... to reduce their persons to perpetual slavery... and to take away all of their possessions and property.” The Papal Bull *Romanus Pontifex* issued in 1455 reinforced these principles.

## CONNECTIONS TO CHRISTIANITY

Undergirding the Doctrine of Discovery are Christian theologies of entitlement that cite the Great Commission (Matthew 28:19-20), the divine mandate to rule based on Romans 13, and the narrative of a covenantal people justified in taking possession of land as described in the Exodus story. Another principle “*Terra Nullius*” (empty land) was a theological and legal doctrine that said “discovered” lands were effectively devoid of humans if the original people who lived there, defined as “heathens, pagans and infidels,” were not ruled by a Christian prince. Thus, Christendom legitimized the conquest of both people and land. It empowered European governments to use coercion and violence, including genocide and enslavement.

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## BIBLE STUDY: PSALM 24

### How do you understand God’s relationship to the Earth, and all of creation?

Given the Doctrine of Discovery’s influence on U.S. law and culture, what can you identify as idols and false gods that U.S. Christians may be particularly in danger of following? How might these idols relate to environmental injustice?

With heightened awareness of the Doctrine of Discovery, what practices can we use to turn away from false idols? For example, is there a prayer that reminds us of God’s relationship to creation? Are there values-based questions we can ask ourselves before making purchases, or voting decisions?



**Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.** [Calif. Gov. Code § 65040.12(c)]

## HOW DOES THE DOCTRINE OF DISCOVERY RELATE TO ENVIRONMENTAL JUSTICE TODAY?

The painful truth is that 500+ years of international policies that unfairly took advantage of Indigenous Peoples continue to give advantage to Christians of European descent, and that property ownership primarily went through men. In the U.S. and around the world, the Doctrine of Discovery's legal and institutional legacy has legitimated mining, fracking, logging, water theft, plantation agriculture, and other extractive industries that take resources from Indigenous communities to benefit the wealth of descendants of Europeans and colonial or post-colonial nations.

The harm of the Doctrine of Discovery extends well beyond Indigenous communities. It has normalized attitudes and behaviors of domination toward fellow human beings, other species, and the rest of God's creation.

## ENVIRONMENTAL RACISM

In 1987, the United Church of Christ commissioned a study called "Toxic Wastes and Race." The study found that the strongest determining factor for living near a toxic site was race, and its authors coined the term *environmental racism*.

Environmental Racism is racial discrimination in environmental policy-making and enforcement of regulations and laws, the deliberate targeting of communities of color for toxic waste facilities, the official sanctioning of the pres-



ence of life-threatening poisons and pollutants for communities of color, and the history of excluding people of color from leadership of the environmental movement. (Chavis, Benjamin F., Jr., 1994)

Twenty years later, the United Church of Christ repeated the study and uncovered the same findings.

Source: Toxic Wastes and Race at 20. United Church of Christ. 2007. [http://www.ucc.org/environmental-ministries\\_toxic-waste-20](http://www.ucc.org/environmental-ministries_toxic-waste-20)

*Reflect: In what ways do you think the trauma of the Doctrine of Discovery has harmed the abusers and the abused? Trauma has a tendency to repeat itself over time. Throughout history, how has this pattern of harm repeated itself in the oppression of not only Indigenous Peoples, but also of other racial and ethnic groups, of women, and of God's creation?*



Bears Ears National Monument. Photo by Tim Peterson

### **Manifest Destiny: Whose Promised Land, at Whose Cost?**

European descent settlers justified their behavior through a belief system called Manifest Destiny. This belief system drew on religious understanding that white settlers were being called by God to find a new promised land. Pilgrims and their descendants appropriated parts of the Exodus story. Many pilgrims saw themselves as fleeing Egypt (England) having been delivered from Pharaoh (King James). They crossed the Red Sea (Atlantic Ocean), and they wandered in the wilderness (New England). They entered into the Promised Land, free to worship God (Exodus 3:12, Exodus 4:22-23). In many cases, Indigenous Peoples were portrayed as the new Canaanites, thereby justifying abuse, stealing, and even genocide (Deuteronomy 20:17).

### **THE CONQUEST OF THE AMERICAS**

Contrary to what so many U.S. children learn in school, Columbus did not land in a sparsely settled, nearly pristine wilderness. Recent research has shown that human groups arrived millennia earlier than previously thought and shaped the lands around them in ways that we are only beginning to understand. The astonishing Aztec capital of Tenochtitlán had running water and immaculately clean streets, and was larger than any contemporary European city.

Christopher Columbus's "discovery" of the Americas in 1492 fed a frenzy of 16th century exploration, exploitation and conquest. The first enslaved Africans arrived in Hispaniola in 1501 soon after a Papal Bull of 1493 gave all of the "New World" to Spain. In effect, the Doctrine of Discovery declared war against non-Christians worldwide, sanctioning and promoting the conquest, colonization and exploitation of non-Christian peoples and their territories.

### **BROKEN TREATIES**

Once the U.S. gained independence from Britain, the federal government made treaties with Indigenous nations: as sovereign nation to sovereign nation. While Indigenous nations initially understood these treaties to be sacred

agreements witnessed by the Creator, the U.S. repeatedly broke and violated treaties as the desire to acquire more land increased. Moreover, many treaties were made forcefully, by controlling food sources and through violence. The U.S. made more than 500 treaties with Indigenous tribes, and has changed, nullified, or broken all of them.

### **REPUDIATING THE DOCTRINE OF DISCOVERY**

Because the Doctrine of Discovery is based on principles that originated with the church, the church has a special responsibility to dismantle this unjust paradigm. This is starting to happen. The World Council of Churches and, within the U.S., the United Church of Christ, the Episcopal Church, the Anglican Union, United Methodist Church, the Presbyterian Church (USA), the Evangelical Lutheran Church in America, and various Quaker meetings have all officially repudiated the Doctrine of Discovery. Catholic groups have petitioned the Pope to take similar action.

Sources: "Dismantling the Doctrine of Discovery" exhibit and "Fact sheet: Dismantling the Doctrine of Discovery" by Sarah Augustine and Katerina Friesen, Dismantling the Doctrine of Discovery Working Group, dofdmenno.org

# THE DOCTRINE OF DISCOVERY IN U.S. LAW

*The presumption that Christian men of European descent are entitled to decide the fate of Indigenous People and their land persisted through a multitude of decisions of the executive, legal, and congressional branches of U.S. government. This timeline gives a few key examples.*



**1823** The Johnson v. McIntosh Supreme Court decision inducted the Doctrine of Discovery into U.S. law. Chief Justice John Marshall observed that the United States—upon winning independence in 1776—became a successor nation to the right of land “discovery” and acquired the power of “dominion” from Great Britain.

**1824** President John C. Calhoun established the Office of Indian Affairs (now known as the Bureau of Indian Affairs) as a division of the United States Department of War (now known as the State Department).

**1830** Congress passes The Indian Removal Act, giving power to the federal government to force Native nations to give up their lands in exchange for land west of the Mississippi.

**1830-1850** The “Trail of Tears”: Militias forcibly removed the Chickasaw, Choctaw, Creek, Seminole, and Cherokee people (including African freedmen and slaves who lived among them) from their traditional lands in the Southeastern United States, and made them march westward.



**1848-1855** California Gold Rush European settlers forcibly displaced Indigenous Peoples as they moved west. In response, Congress passed the Indian Appropriations Act of 1851, and the U.S. government began the practice of confining Indigenous Peoples to reservations.



Library of Congress

**1860** The Office of Indian Affairs established the first Indian Boarding School on the Yakima Indian Reservation in Washington. For more than a century after, the U.S. used hundreds of boarding schools as tools to convert American Indian children to Christianity, impart the values of private property ownership, and eradicate their own culture.

**1868-1887** President Ulysses S. Grant’s “Peace Policy” relocated tribes, established more reservations, and called for the replacement of government officials by religious men, nominated by churches, to oversee Indian agencies on reservations and teach Christianity to the tribes.

**1887** The General Allotment Act of 1887 (also known as the Dawes Act) forcibly converted communally held tribal lands into parcels for individual ownership. From that time until 1934, the U.S. took nearly two thirds of reservation lands from tribes and gave them to male settlers of European descent.



*Reflect: How, if at all, were your ancestors connected to the implementation of some of these government decisions? How was your religious community connected to them?*



## LAND OWNERSHIP TODAY

Today, the vast majority of U.S. residents' ancestors migrated as colonists, slaves, refugees, or immigrants. It is a difficult truth that most owners of homes, churches, and business properties have materially benefitted from the theft of Indigenous Peoples' lands. As U.S. taxpayers, we also collectively own federal government property. There are three types of reserved federal lands in the United States: military, public, and Indian.

## MILITARY AND PUBLIC LANDS

Federally held lands are the collective responsibility of all people who live and pay taxes in the United States. If these lands are being used in a way that is morally concerning, we can advocate to the public officials responsible for their stewardship. Military land includes not only military bases, but also land held in trust by the Army Corps of Engineers. Federally held public lands include national forests, wilderness areas, national wildlife refuges, national monuments, and national parks. Places within U.S. military and public lands often hold significance for Indigenous Peoples.



## TRIBAL LANDS

Today, 56 million acres are held as reservation and trust land belonging to various American Indian tribes and individuals. American Indian tribal lands comprise about 2% of the United States. Alaska Native corporations and villages control 44 million acres. If the 100 million acres under American Indian or Alaska Native control were a state, it would be the fourth largest state in the U.S. The largest reservation belongs to the Navajo Nation.

The 567 tribal nations that have a nation-to-nation relationship with the U.S. government are located across 35 states. There are 300+ federal Indian reservations in the United States.

## LEARNING FROM THE HOST PEOPLE OF THE LAND

Today, most people who live in the United States lack the type of deep knowledge of God's creation that some Indigenous Peoples still hold. This knowledge is based on generations of relying on the gifts of creation for sustenance, yet too often, it is not respected. God's creation is under unprecedented stress from climate change and species loss. It is now more important than ever to learn from the original caretakers of native species, land and water.

Source: Tribal Nations and the United States: An Introduction. National Congress of American Indians. <http://ncai.org/about-tribes>

*Reflect: Do you know how the land on which you live, or where your church is located, was originally acquired? What do you know about the land's original caretakers? What about military land near you, or public land areas you enjoy visiting?*

## SACRED SITES

To Christians in the United States, the idea that someone could seize, loot, dig up, or build on top of our sanctuary, cemetery, or sacred artworks without our permission sounds absurd and abhorrent. For too many tribes, it is a frequent reality. Sacred sites are places that hold religious and cultural significance to Indian tribes or Native Hawaiian organizations. While some sacred sites are within tribal lands, many are not. Two laws important to the protection of sacred sites are Section 106 of the National Historic Preservation Act and the National Environmental Policy Act (NEPA).

As Christians, one step we can take toward ally-ship and healing is standing with Indigenous Peoples to properly protect the places they consider sacred. This not only safeguards religious freedom, history and culture. It also frequently results in conservation of God's creation.

### Case Study: The Arctic National Wildlife Refuge

The Arctic National Wildlife Refuge is the ancestral land of the Gwich'in and Inupiat people. The Arctic is warming twice as fast as the rest of the world, causing disruption to ecosystems and subsistence lifestyles. Oil drilling in the Refuge is a constant potential threat. The coastal plain of the Refuge is the birthing ground for Porcupine Caribou. Gwich'in people call the coastal plain "the sacred place where life begins." Caribou provide the Gwich'in with food security, as well as cultural and spiritual wellbeing. For decades, the Gwich'in have led efforts to defend the Refuge from drilling, which puts their lives in jeopardy. Because most Gwich'in people happen to be Episcopalian, protecting the Refuge is a high priority of the Episcopal Church. Inupiat people are not of one mind about oil drilling in the Refuge. Some people worry that without the option of oil drilling, they might have to leave their home due to lack of economic opportunity. Until viable plans exist for transitioning away from fossil fuels, many Indigenous communities face morally difficult, divisive, and unfair choices.



Gwich'in leaders deliver children's art collage to Senator Murkowski of Alaska

### Case study: Bears Ears National Monument

In southern Utah, two massive rock formations that look like a pair of bears' ears define the region's landscape. Numerous tribes claim the region as their ancestral home. Unfortunately, petroglyphs, grave sites, and ancient cliff dwellings in the area have been looted, vandalized, or harmed by careless visitors. In 2015, five tribes issued a joint conservation proposal to President Obama. Religious communities supported their proposal as a step toward healing. In December 2016, by the power of the Antiquities Act of 1906, President Obama declared the Bears Ears National Monument. As of 2017, it is the only National Monument with a primary focus on the contributions of Indigenous Peoples. Some politicians in Utah were unhappy with the Monument and wish to see the land given over to the state. Facing threats of diminished protections, tribes are seeking allies to safeguard their ancestral land.

*Reflection: As a Christian, how would you react to desecration of sacred artworks, religious sanctuaries, or graveyards? What are some of the values and Christian faith principles you believe should apply to showing respect for sacred places?*

## RESPECTING SOVEREIGNTY

Sovereignty refers to the fact that each Indigenous tribe has the inherent right to govern itself. Through their own systems of decision-making, any tribe has the right to choose how and where to share the gifts of God's creation on their own tribal lands. Just as people with corporate interests often struggle to respect tribes' conservation decisions, environmentalists may have difficulty respecting tribes' decisions to extract mineral or fossil fuel resources from their land. As Christians, if we truly seek to counteract the damage done by the Doctrine of Discovery, it is paramount that we respect the decision-making power of tribes.

### Case study: Standing Rock

In 2016, the Standing Rock Sioux Tribe galvanized an unprecedented movement for solidarity to protect their sacred land when Energy Transfer Partners undertook construction of the Dakota Access Pipeline. The Dakota Access Pipeline crosses un-ceded treaty lands, desecrates a Sioux burial ground, and crosses under the Missouri River. In seeking to protect sacred lands and waters, peaceful, prayerful camps with tens of thousands of people formed surrounding pipeline construction sites. Tribal and religious leaders from around the world visited the camp. In November 2016 at Standing Rock, more than 500 religious lead-



Copy of the Doctrine of Discovery being burned during the clergy march on Standing Rock. Photo by Lynette Wilson

ers burned a copy of the Doctrine of Discovery. In 2017, the Trump Administration disregarded the requirements to meaningfully consult tribes and complete a proper Environmental Impact Statement for the Dakota Access Pipeline. Although the Dakota Access Pipeline went forward, the advances made at Standing Rock were historic. Thousands of people awoke to matters of Indigenous sovereignty, environmental justice, and the power of prayer to unite.

## SERMON STARTERS

**Deuteronomy 30:15-20 (Choose Life).** Moses is now at the entrance to the new promised land but he cannot enter, so he is preparing the people to cross over to the new land. However, there are instructions for entering the new land. This could be where the preacher can talk about abiding by God's law to care for creation. In the interconnected web of God's creation, we care for a world that also sustains us. From the earth, we grow our food and reap the benefits. We need the earth to survive and to be strengthened.

**Revelations 22:1-3 (River of Life)** The preacher can talk about the sacred water that flows and brings all kinds of fruit and food plus healing for the nations. We need water to survive and we need it to sustain life. Water is important to all creation not just humans. It is important for us to keep the water purified, so we may live. This is what the native people of Standing Rock Sioux Nation have shown us; they protect the water. Water is Life!

*Sermon Starters by Rev. Tweedy Sombrero Navarrete, Dine, United Methodist pastor*



Creation Justice Ministries educates, equips, and mobilizes its 38 member communions and denominations, congregations, and individuals to do justice for God's planet and God's people. Learn more at [www.creationjustice.org](http://www.creationjustice.org)





## LET GOD'S CREATION SUSTAIN YOU (Liturgy)

*We acknowledge that this land is the traditional territory of Indigenous Peoples. Their presence is imbued in the lands and waters surrounding us. May we nurture our relationship with our Indigenous neighbors, and the shared responsibilities to their homelands where we all reside today.*

### Call To Worship

**Leader:** Thank you, Lord, for the people gathering around us today. Let us take this time to give thanks for these things of the earth that give us the means of life.

**People:** Thank you for the plants, animals, and birds that we use as food and medicine.

**Leader:** Thank you for the natural world in which we find the means to be clothed and housed.

**People:** Thank you, Lord, for the ability to use these gifts of the natural world.

**Leader:** Help us to see our place among these gifts not to squander them or think of them as means for selfish gain.

**People:** May we respect the life of all you have made.

**All:** May our Spirit be strengthened by using only what we need and may we use our strength to help those who need us.

### Confession

**Leader:** Giver of Life, in the midst of a plundered earth we groan with creation:

**People:** Have mercy on us.

**Leader:** Giver of Life, in the midst of poisoned waters we groan with creation:

**People:** Have mercy on us.

**Leader:** Giver of Life, in the midst of polluted air we groan with creation:

**People:** Have mercy on us.

**Leader:** Giver of Life, in the midst of mountains of waste we groan with creation:

**People:** Have mercy on us.

**Leader:** Giver of Life, in the midst of the world at war, and because of the Church's sinful participation in the Doctrine of Discovery and Manifest Destiny, we groan with creation;

**People:** Have mercy on us.

**Leader:** Giver of Life, we who are made in the image of God have gone astray. Attitudes of conquest and greed harm us all. Creation groans with us.

**People:** Have mercy on us.

### SILENCE

### The Assurance

**Leader:** Thank you, Lord, for all that you have given us.

Thank you for the beauty of the universe that you created: the trees, the sky, the mountains, the rain.

All things hold beauty in themselves and all are related and touch each universe of the earth. You created the rhythm and pattern of the universe in a harmony of movement, sight, and sound.

Help us to appreciate your creation and to live with our eyes, ears, and hearts open to your message. **Amen.**

### Benediction

**Leader:** God is before us.

**People:** God is behind us.

**Leader:** God is above us.

**People:** God is below us.

**Leader:** Gods words shall come from our mouths.

**People:** For we are all God's essence, a sign of God's love.

**Leader:** All is finished in beauty.

**All:** All is finished in beauty.

*Liturgy by Rev. Tweedy Sombrero Navarrete, Dine, United Methodist pastor*

# INVITATIONS TO ACT

## LEARN ABOUT INDIGENOUS PEOPLES NEAR YOU

*The Tribal Directory Assessment Tool of the Department of Housing and Urban Development and the National Conference of State Legislatures list federally and state recognized tribes across the United States. <https://legis.hud.gov/tadat/Tribal.aspx>*

### Acknowledge the Indigenous Peoples of the Places Where You Work, Play, and Pray

Consider regularly using a simple written or spoken public message to acknowledge the Indigenous People where you live. For example: “We acknowledge that this land is the traditional territory of the \_\_\_\_\_ people. Their presence is imbued in the lands and waters surrounding us. May we nurture our relationship with our Indigenous neighbors, and the shared responsibilities to their homelands where we all reside today.”

### Learn and Practice the Jemez Principles

The Jemez Principles can help groups forming new partnerships for justice. In 1996, 40 environmental justice leaders met in Jemez, New Mexico, and designed six principles for respectful partnership:

1. Be inclusive.
2. Emphasize bottom-up organizing.
3. Let people speak for themselves.
4. Work together in solidarity and mutuality.
5. Build just relationships among ourselves.
6. Commit to self-transformation.

Download the Jemez Principles, with their explanations, at [www.creationjustice.org/indigenous](http://www.creationjustice.org/indigenous)

### Ask Questions About How The Doctrine of Discovery’s Legacy Connects to Our Daily Consumption

Around the world, Indigenous People face threats to their food, air, water and land that they have lived on for generations.

- Can you trace the gems or precious metal in jewelry you wear? Or the rare metals in your smart phone, iPad, or laptop?
- Where does the water bottled in the drinks you buy come from?
- Petroleum extraction continues to displace Indigenous Peoples in many parts of the world. Do you think about alternatives to driving or use mass transit if it’s available?
- Do you know if the energy you use for your home was procured through treaty violations with Indigenous Peoples?
- How can we engage in acts of repentance and justice to Indigenous communities?

### Stand with Indigenous People in Struggles for Environmental Justice

In the United States, many religious communities are asking how we can respectfully and effectively stand with Indigenous Peoples. From the Arctic National Wildlife Refuge to the Bears Ears National Monument, there are a multitude of opportunities to get involved. Find action opportunities at [www.creationjustice.org/indigenous](http://www.creationjustice.org/indigenous)



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