

**Presbytery of Hudson River
12 April 2016, Stony Point Center**

The Faith and Order Committee recommends that the Presbytery of Hudson River concur with the National Capital Presbytery to overture the 222nd General Assembly (2016) of the Presbyterian Church (U.S.A.) to:

- 1. Instruct the appropriate PMA entity or entities (e.g., Office of Racial Ethnic and Women's Concerns, Advocacy Committee on Racial Ethnic Concerns [ACREC], Advisory Committee on Social Witness Policy [ACSWP]) to do the following:**
 - a. Initiate a process of review of the Doctrine of Discovery that would commence at the end of the 222nd General Assembly (2016) and that would:**
 - i. Include a comprehensive review of the history of the Doctrine of Discovery;**
 - ii. Include a review of actions taken by other denominations and religious groups to repudiate the Doctrine of Discovery, including the explanatory and educational materials created and recommendations developed by these groups related to the Doctrine of Discovery; and**
 - iii. Include contacting Native American tribes and individuals in order to understand how this doctrine impacts them; and**
 - b. Prepare a report that does the following:**
 - i. Describes the Doctrine of Discovery and explains its history;**
 - ii. Makes recommendations of how congregations in the Presbyterian Church (PCUSA) can support Native Americans in their ongoing efforts for sovereignty and fundamental human rights;**
 - iii. Describes how relationships with specific Native American individuals and tribes can be developed;**
 - iv. Suggests specific ways in which congregations may recognize, support and cooperate with Native American individuals, tribes and nations who reside within their communities; and**
 - v. Recommends whether the 223rd General Assembly (2018) should or should not repudiate the Doctrine of Discovery.**

Rationale Section:

The motivation of the congregations and presbyteries that initiated and concur with this overture is the desire to repudiate the Doctrine of Discovery. It is the intention of these groups that this repudiation would result in changes in the attitudes and actions of individuals and organizations toward Native Americans. When this suggestion was presented to various groups and individuals the first questions asked were "What is the Doctrine of Discovery and why have we not heard of this before?"

It became clear at the outset that a process of education was needed to help people understand the history of the Doctrine of Discovery, its role in the creation and development of our country and its continued impact on our people and institutions. It was felt that asking the General Assembly to repudiate the Doctrine of Discovery before understanding it would be “putting the cart before the horse.”

For this reason we decided to recommend that the General Assembly commit to study the Doctrine of Discovery, develop an understanding of what it is and does, and to share these understandings with the entire denomination. Our belief is that we should understand what the Doctrine of Discovery is about before we act to repudiate it.

This study and ultimate report should include the following information, which we believe will be helpful to everyone in understanding the Doctrine of Discovery:

The Doctrine of Discovery was first articulated in 1452 by Pope Nicholas V as the Papal Bull “Dum Diversas” and in 1496 by King Henry VII of England as a patent granted to John Cabot, which authorized and justified the destruction, killing and appropriating of the lands of indigenous peoples and nations.

During Colonial times in the United States our leaders used the Doctrine of Discovery, which they claimed was inherited from England by the United States, to rationalize their actions against Native American tribes whose land they wished to appropriate.

The Doctrine of Discovery was incorporated into US law in the 19th century when the U.S. Supreme Court ruled in the case Johnson vs McIntosh – 1823, stating that European nations had assumed dominion over the lands of America upon discovery and as a result Native Americans had lost their rights to complete sovereignty as independent nations and retained a mere right of occupancy in their lands.

In the mid-19th century the term “Manifest Destiny” was coined to affirm the concept of the Doctrine of Discovery as the right to dominate the continent of the United States for the free development of America’s inevitable growth.

During all these periods of American history Christian churches, of which we are one denomination, have accepted and supported the various forms of the Doctrine of Discovery, sometimes called the Christian Doctrine of Discovery. We have participated both actively and passively throughout our history in discriminatory behavior directed against Native Americans. We have stood by while Native Americans were killed and their lands taken while the story of their participation in the history of our country was distorted and suppressed.

The Doctrine of Discovery has never been repudiated in the courts of the United States and court decisions against Native Americans continue to be made on the basis of the Doctrine of Discovery as interpreted by the Supreme Court in 1823.

In 2007 the United Nations (UN) passed a resolution, which is called the UN Declaration on the Rights of Indigenous Peoples. This declaration was passed overwhelmingly by the member nations and has been signed by the United States of America. The declaration condemns “all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences.” Without specifying it by name, the primary “doctrine” about which the resolution was drafted and passed was the “Doctrine of Discovery”.

The UN Declaration is concerned that “indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests.”

The United Nations Declaration on the Rights of Indigenous Peoples is a comprehensive document that addresses the rights of indigenous peoples throughout the world and can be used as a guide to develop actions within our denomination with respect to the human rights of the Native Americans who live within our communities.

Other faith communities who repudiated the Doctrine of Discovery are the Episcopal Church (2009), the Anglican Church of Canada (2010), the Unitarian Universalist Church (2011), the Religious Society of Friends (Quakers) (2012), the United Methodist Church (2012), the World Council of Churches (2012), the Disciples of Christ U.S. and Canada (2013) and the United Church of Christ (2013). Many of these denominations have developed study materials related to the Doctrine of Discovery and we recommend that our denomination review these materials in order to recommend materials to our member congregations for study and action.

As committed Christians and members of the Presbyterian Church (PCUSA), we can no longer remain silent about the plight of Native Americans or the impact of the Doctrine of Discovery.

We recommend that after a period of study and consideration the Doctrine of Discovery be repudiated and that member congregations of our denomination be made aware of what the Doctrine of Discovery is and how it has been used to dispossess Native Americans of their lands, territories and resources and thereby of preventing them from exercising their right to development in accordance with their own needs and interests.