

Episode Two: The Doctrine Of Christian Discovery As An Ideological And Legal Framework With Steven T. Newcomb

Jordan Loewen-Colón ([00:08](#)):

Hello, and welcome to the Mapping the Doctrine of Discovery Podcast. The producers of this podcast would like to acknowledge with respect the Onondaga Nation, the fire keepers of the Haudenosaunee, the Indigenous peoples on whose ancestral lands Syracuse University now stands. Now, introducing your hosts, Philip Arnold and Sandra Bigtree.

Philip P. Arnold ([00:29](#)):

Hello and welcome to our Mapping the Doctrine of Discovery Podcast. I'm Phil Arnold, Associate Professor and Chair of the Department of Religion at Syracuse University and core faculty member in native American and Indigenous studies. Also, the founding director of the Skä•noñh- Great Law Peace Center at Onondaga Lake.

Sandy Bigtree ([00:50](#)):

And I'm Sandy Bigtree, a citizen of the Mohawk Nation at Akwesasne. I grew up in the city of Syracuse, a couple miles north of the Onondaga Nation. Phil and I are founding members of the Indigenous Values Initiative, which fosters collaborative educational work between the academic community and the Haudenosaunee to promote the message of peace that was brought to Onondaga Lake thousands of years ago. Today, we're going to be speaking to Steve Newcomb.

Philip P. Arnold ([01:24](#)):

Steve is in many ways, so many ways, the reason why we're here. Steve, I don't know, decades ago brought the whole issue of these papal bulls, and we're going to ask him about this, how this came about. The origins of this, and then wrote this tremendous book, now, I guess about 10 years old, which is called Pagans in the Promised Land. It's really the essential book for understanding and appreciating the doctrine of Christian discovery and domination. Domination is the keyword here as we talk to Steve Newcomb. But Steve, I want to introduce you and let you introduce yourselves to our audience.

Steven T. Newcomb ([02:18](#)):

Well, thanks, Phil and Sandy. I appreciate it. Good to be with you. I wanted to begin by acknowledging my friend and mentor Birgil Kills Straight, with whom I worked for more than 25 years on these issues. Birgil was a traditional headman of the Oglala Lakota Nation, a ceremonial man. He was a tremendous influence in my life.

Steven T. Newcomb ([02:45](#)):

I'm Shawnee and Lenape or Delaware. My grandparents, native grandparents left Oklahoma in the 1930s during the dust bowl time and moved out to the Pacific Northwest. That's where I was born, in Portland, Oregon. I've been working on these issues with regard to the doctrine of discovery, and as I call it, domination, as Phil mentioned since, I guess, well, when I was in college, but in the mid-1970s and into the early '80s when I began to really intensify my research and so forth.

Steven T. Newcomb ([03:29](#)):

We founded the Indigenous Law Institute back in 1992 and began a campaign at that time to call upon Pope John Paul II to formally revoke the Inter Caetera papal bull of May 4th, 1493. We'll get into some of that discussion as we continue on here in this interview.

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Philip P. Arnold ([03:54](#)):

That's fantastic. Thanks very much, Steve. I wonder if we could just start with, can you describe the doctrine of Christian discovery and domination. Pretend like we're high schoolers here. In really down to earth terms, you're so good at this and we just wanted to get a good sense of what we're talking about and why it's important.

Steven T. Newcomb ([04:22](#)):

Yeah, definitely. Before I answer that question, or respond to that question, I want to begin by setting the context. I think that's very important for people, especially young people to understand what is the setting or the context within which we're having this conversation? What is it we want to acknowledge? I begin by acknowledging our original free existence, extending back to the beginning of time. Think of all the original nations and peoples of this continent now called North America and of this entire hemisphere now called North, Central and South America.

Steven T. Newcomb ([05:03](#)):

All of the nations and peoples, all of the languages, cultures, spiritual traditions, and ceremonies, sacred places, all of the foods and everything, the entire way of life of each and every one of those nations and peoples prior to colonization, prior to invasion. Then think of the contrast between that original free and dependent way of life and the system of domination or the system of colonization that was brought across the ocean by ship, many thousands of ships over the course of centuries. It's that contrast between those two types of existence that are the starting point for this conversation.

Steven T. Newcomb ([05:46](#)):

Then, when you have that starting point, then you can think about what were the things that they were bringing across the ocean? Among other things, they were bringing their ideas. They were bringing their attitudes, their values and their beliefs, and they were bringing what we call religion. But that's deceptive, and we'll get into why that's deceptive to simply talk about the religion, because that puts everything into a more or less positive light because of the way in which people think of religion as a positive influence in the world.

Steven T. Newcomb ([06:21](#)):

But to respond to your basic question there, how would I describe this doctrine that we're talking about? Well, first of all, I would emphasize that when we're talking about a doctrine, we're talking about a kind of teaching, or a set of teachings, and a number of principles or basic concepts that go with those teachings. The idea was, when you look at history, they will say that there was a belief by the people in Western Europe, which was then called Western Christendom, there was a belief that they had the right to sail across the ocean and identify as the Christian world any and all lands that were inhabited by non-Christians, which were at that time called heathens, pagans, infidels, savages, that sort of thing. Very negative terminology.

Steven T. Newcomb ([07:17](#)):

Once identifying those types of lands where non-Christians were living, they were assuming unto themselves the right to claim those lands. But the way I state that is they were claiming a right of domination. In other words, there was the assumption that they had the right to claim the right of

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domination wherever they went. This is revealed in the historical record of various documents from popes and Rome or at the Vatican and monarchs and various kingdoms throughout Europe and the sea faring nations of Europe as they might call them today.

Steven T. Newcomb ([08:00](#)):

That's the idea that they had the right to sail across the ocean and locate non-Christian lands. Once they arrived there, to say that they had a right to claim those lands and to establish a system of their own making wherever they landed. As we to get into this, we'll see why that is actually a system of domination, and we have the documentary evidence for that.

Sandy Bigtree ([08:31](#)):

Steve, who were the main characters in the early days, spreading this message out? I know you're involved with work at the United Nations eventually, but who was working with you to deliver the message-

Steven T. Newcomb ([08:49](#)):

I see, you're talking... Well, that's an interesting story. I had been attending the University of Oregon from 1975 until 1981 with some time taken off in there. But my idea in going to college was to become an attorney and to go into federal Indian law as a profession to advocate for native nations. I majored in rhetoric and communication. I had some tremendous professors there at the U of O.

Steven T. Newcomb ([09:26](#)):

I ended up taking a federal Indian law course from Charles Wilkinson at the U of O School of Law back in 1981 or '82. It was while taking that course, but looking at the *Johnson v. M'Intosh* ruling from 1823, that I noticed that when Chief Justice Marshall wrote that decision, in talking about the evidence for the right of discovery, as he called it, the right of discovery, he put italics on the words, Christian people. He said, "Notwithstanding the occupancy of the natives who were heathens."

Steven T. Newcomb ([10:11](#)):

When I saw that and saw the italics, I thought, that's very important. I didn't know why it was important, but I knew that, that was the key. What it reminded me of is the book *God is Red* by Vine Deloria Jr, which I had read some years prior to that when I was still a teenager. Toward the end of that book, Vine Deloria has a quote from the papal bull of May 4th, 1493. He talks about the significance of the Vatican papal bull, at least one of them. Turns out there are four that year, but that's a bigger part of the story.

Steven T. Newcomb ([10:51](#)):

But in any case, I connected in my mind that italics on Christian people and notwithstanding the occupancy of the natives who were heathens, to that document from the Pope that I had read about years earlier. Eventually, what I ended up doing is stepping away from university life for a number of reasons, a number of personal reasons, but I maintained my research over the next 10 years.

Steven T. Newcomb ([11:24](#)):

I researched, not only the doctrine, but the *Johnson v. M'Intosh* ruling. I broke it apart. I researched the terms. I went into old dictionaries. I did a tremendous amount of self teaching in terms of history and

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many other kinds of disciplines, the etymology of words, and Latin and English and the sociology of knowledge and theology and law and philosophy and so forth, and so on. Even cognitive theory, eventually the theory of the human mind.

Steven T. Newcomb ([12:01](#)):

I began to piece together my own theoretical framework and my own approach to this information. Eventually in 1992, my friend Birgil Kills Straight attended a conference, the Peace and the Planet Conference in Eugene, Oregon, where I was living. We ended up meeting at that conference and I told him about my idea. I noticed that he was kind of nodding his head when I was explaining various things to him. This is a little bit longer story actually, but I thought, wow, this guy's actually listening to me.

Steven T. Newcomb ([12:41](#)):

That surprised me because most people just said, "Yeah, whatever." But in any case, at the end of that meeting, he said, "We're going to Italy in the fall, and I'd like you to go along. I'd like to see if I can arrange to have you come with us to Italy and begin this effort to deal with the papal bulls." That was really something. Then in August of 1992, that was in March when I met Virgil, then later that year in August, I was in Seattle, Washington, in that area, and I noticed a newspaper article about the traditional council of elders and youth that was going to be happening in Yale, Washington, and I thought, I got to get over there.

Steven T. Newcomb ([13:30](#)):

My wife, Paige and I went there and we were very fortunate to meet Oren Lyons, a faith keeper of the Onondaga Nation and Tadodaho, At that time, Leon Shenandoah, Audrey Shenandoah, clan mother at Onondaga Nation and others, Janet McCloud and so forth. I was able to introduce my findings to the elders, and we sat up all night long, working on a document to basically appeal to, I think it was Senator Inouye to look at this information about the connection between the Vatican papal bulls, and I think at that time we were still using dominion. But I think we called it the Christian nation's theory.

Steven T. Newcomb ([14:31](#)):

Anyway, it's a very extensive document and it felt very good about that. At that point, we began to network and reach out to a number of different people over the course of time. People like Maria Yellow Horse Brave Heart Jordan, and her work on intergenerational trauma, and a number of others, Seven Generation Fund and so forth. It became something that over time we eventually got more and more publicity for it, eventually started working with Tonya Gonnella Frichner, American Indian Law Alliance and so forth. It's been Tupac Enrique Acosta, certainly he's done tremendous work on this.

Steven T. Newcomb ([15:22](#)):

There are probably many names that I'm not thinking of right at this moment, but certainly it's been something that has gathered momentum over the decades. Then, of course, we took the information to the United Nations starting in 1996, when I went as a political advisor to Milo Yellow Hair who was then Vice President of the Oglala Sioux tribe and ended up going to the first intercessional working group on the draft UN declaration on the rights of Indigenous peoples and made our contribution there, in terms of our interaction with state governments and also with the United States delegation at that time.

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Steven T. Newcomb ([16:03](#)):

That's an important part of the information, because at one point, I remember asking the US delegation, assuming that one day the draft declaration on the rights of Indigenous peoples is fully adopted by the UN and perhaps even becomes a full fledged convention of the United Nations, of what actual practical significance will that be to Indigenous nations and peoples throughout the world?

Steven T. Newcomb ([16:34](#)):

This one man who never said anything, he always just sat in the back and was silent, watching everyone, suddenly he spoke up and he said, "Well, to the extent that words have meaning, and to the extent that meanings configure reality, the draft declaration has importance." Now, I studied the sociology of knowledge, as I mentioned, and what that is, it's the understanding of the way that thoughts and ideas and words and behavior are put together by human beings in interaction with one another to create reality. Not just their per of reality, but their experience of reality.

Steven T. Newcomb ([17:17](#)):

What I heard him saying was, well, we know that words shape and create reality, and we know there's a potential in this document for you to fundamentally alter the reality that's currently existing, and we're not going to let you get away with that. That was the real significance. I was surprised that he disclosed that because he didn't really have to. He could have said nothing, but he let us know. That's the level at which people should understand this.

Steven T. Newcomb ([17:49](#)):

As soon as you've taken a particular word and focused on it, you're doing something with reality. Whether you're reinforcing it, maintaining it, questioning it, whatever. That's why the word domination is so crucial. It's so important, because I could use another word. I could use another word like oppression or something like that. But there's a way in which the word domination is naming the entire system that has been used against our nations and peoples for centuries, I should say, plural, for centuries. There is a way in which once we name it correctly, we have a better means of dealing with it and coming to terms with it and challenging it and then proposing an alternative form of reality.

Sandy Bigtree ([18:44](#)):

Steve, back in the early '80s, you had mentioned Charles Wilkinson and right around that same time, I audited a class of his at the University of Colorado. He's explaining the three systems of law; federal law, state law, and federal Indian law. Then he stipulated that, that represents the position that native nations are in, and they're under the guardianship of the United States.

Sandy Bigtree ([19:12](#)):

It was like a dagger going into my heart, because like I said, I grew up a couple miles north of Onondaga Nation and that's not how I understood nationhood among Indigenous nations. That was also a pivotal point for me, and I can understand why you didn't further your degree in law because you would then have to take the oath to the United States to become a lawyer. But that word in itself, under guardianship, that was a very weighted word as well. Maybe, I don't know, you could speak something about the oppression of the BIA-

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Philip P. Arnold ([19:48](#)):

Or the federal Indian law.

Sandy Bigtree ([19:51](#)):

Or federal Indian law in the establishment of the Bureau of Indian Affairs.

Steven T. Newcomb ([19:58](#)):

Well, in light of what I just said about words and their importance in shaping reality, both the perception of reality, but also the experience of it. If a government or a system and the practitioners within that system understand that there is a framework or foundational starting point of domination that they're using against other nations and peoples that were originally free and independent as already stated with regard to the context of this conversation today, are you going to call it domination or are you going to call it guardianship?

Steven T. Newcomb ([20:40](#)):

You're going to put the euphemistic nice sounding word on there and label something that's truly horrific in a positive way. It's unfortunate that many of the people that teach and practice within the realm of "federal Indian law", which my friend Peter d'Errico and I prefer to call anti-Indian law. In fact, Peter d'Errico is writing a book about federal anti-Indian law, and it's about to be published.

Steven T. Newcomb ([21:09](#)):

But in any case, the idea of guardianship is a guise, a way of cloaking and disguising the true nature of the system. Part of that true nature of that system is their claim of what they call plenary power. Justice Joseph Story, who was on the Supreme Court at the time of the *Johnson v. M'Intosh* ruling used a phrase one time, he said [foreign language 00:21:37] That has to do with plenary power. *Plenum* means full, or plena is full, and [foreign language 00:21:49] is the full and use of dominium and dominium is a word for domination in Latin.

Steven T. Newcomb ([22:01](#)):

The framework of domination is what's being referred to there. But if you translate that to plenary power, that doesn't sound like anything to do with domination, nor does guardianship. The idea that the Indians are the wards of their guardian, well, it's like the difference between a warden and the wards within an asylum or institution or a prison, the warden of the prison.

Steven T. Newcomb ([22:30](#)):

I think this is a very critical question, crucial question that you're asking, Sandy. Because are those courses on federal Indian law and policy being taught from an Indigenous nations or original nations and people's perspective or from the perspective of the dominating society and taught in a manner that is actually most beneficial to the dominating society, continuing to have access to native lands and territories and resources as they prefer to call them?

Jordan Loewen-Colón ([23:06](#)):

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Sandy Bigtree ([23:24](#)):

I have to add, again, I'm mentioning the Onondaga Nation, being the central fire of the Confederacy. They have never embraced the BIA or allowed the BIA system of governance to come on their territory. They've always held their treaty agreement. They've never accepted any monies from the federal government and they're unique in the country historically for maintaining that original relationship with the US. That was a footnote, but that's where I was trying to address that.

Philip P. Arnold ([23:59](#)):

That was the reason for your reaction to Wilkins all those years ago.

Sandy Bigtree ([24:03](#)):

To be clear. I wasn't buying it, but thank you. Thank you. Very thorough explanation.

Philip P. Arnold ([24:12](#)):

So many ways, Steve, you've traversed, as you mentioned, all these different fields and disciplines of academia, and also you're known around the world as an activists to a great degree, really helping us to understand the doctrine of Christian discovery and domination. Now, you also insist on the word Christian being in that label as well. I count you among my colleagues in the academic study of religion as well, and of course, I'm interested in the need for the inclusion of Christianity or Christendom in that kind of rubric that we're talking about. I wonder if you could talk more about the explicitly theological issues that come to the fore, when we're dealing with the doctrine of Christian discovery and domination?

Steven T. Newcomb ([25:18](#)):

That's such an important point. The question that you started out with, how would I describe the Doctrine of Christian Discovery, or it would typically be stated as how would you describe the Doctrine of Discovery? The way in which a lot of scholars have explained the doctrine is to say that it's the idea that the first Europeans to locate non-European lands have the right to claim a dominion or right of possession over those lands.

Steven T. Newcomb ([25:58](#)):

The word Christian doesn't appear at all in their explanation. If you go through their writings in great detail and try to look for the word Christian, you're not likely to see it. It's all about the secular notion of Europe, which is a location, and the Europeans are the people connected with that geographical location. Whereas Christians or Christian has to do with the religion of Christianity in the Bible.

Steven T. Newcomb ([26:27](#)):

These are two different kinds of frameworks. I think that one of the interesting differences that I have now from the way that Vine Deloria Jr. understood this area of scholarship, and by the way, that's really terrible that I didn't mention his name much before this, but I have to say, because I didn't mention it

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earlier, if it weren't for his work and his amazing scholarship, I wouldn't be doing what I'm doing today. He deserves tremendous praise.

Steven T. Newcomb ([27:02](#)):

At the same time, it seemed to me, in going back over his work, that he was of the view that once the Doctrine of Christian Discovery or, I think he, one time referred to it as the Christian Doctrine of Discovery, but once that began to be used by state governments or by secular governments, that it became a secular doctrine.

Steven T. Newcomb ([27:30](#)):

Then they would say, well, it's a secular doctrine because it's being used by a secular institution of government. I say that's not actually correct. It continues to be a religious doctrine with a religious by foundation and basis, but it's being used by a secular institution. I think that's a very crucial distinction because he's not the only one that said that. Robert Williams makes this mention of it being a secular doctrine at the end of his wonderful book of American Indian and Western Legal Thought that came out in 1990.

Steven T. Newcomb ([28:08](#)):

After quoting Joseph Story as saying, "As infidels, heathens and savages, they were not allowed to possess the prerogatives belonging to absolute sovereign and independent nations." That's very clearly a theological religious statement there, because they're infidels, heathens and savages, or because they're regarded as being those things. Therefore, we're not going to allow them to claim the prerogative belonging to absolute sovereign and independent nations, because if they have that, then it's a permanent bar against the invading colonizing powers. They don't want to concede that conceptual ground to the original free and independent nations.

Steven T. Newcomb ([28:53](#)):

But after that, then Williams is referring to this is a secular doctrine. That's strange to me, and I think it's something that ought to be cleared up. In any case, the reason why it's religious is because it's premised upon the idea that there are a chosen people in the Bible and there is a promised land in the Bible, and those chosen people have been chosen by their deity to go to that land and to overtake it and seize it from the nations and peoples that are already existing there, and that's the story of Abraham who became Abraham and the deity told him, "Come leave your father's house and come with me to a land I will show you." Which means the deity already knows about that land, and he's going to show Abraham or Abraham through a naming ceremony, he becomes Abraham.

Steven T. Newcomb ([29:55](#)):

So, he does, he shows him that land, and then he says, this is the land I'm giving to you an everlasting possession, as an everlasting inheritance. The Christians that came across the ocean had this idea, this story in their minds, and they placed themselves into the position or the role of the chosen people being given permission by their deity to look and find the promised land, which were the non-Christian lands and to have the permission from their deity, based upon the analogy, based upon the comparison between that Old Testament story and North America, to be able to overtake that.

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Steven T. Newcomb ([30:39](#)):

That is the reason why this is grounded and very much rooted in Christianity. Lastly, I will say that the word heathen, is a word of Christian origin, according to the Oxford English dictionary, a word of Christian origin. When chief Justice John Marshall placed italics on the words, Christian people, he did it one time, even though he used that phrase several times based on other charters. You have the John Cabot charter, Sir Walter Raleigh, Sir Humphrey Gilbert, and so forth. But he placed italics on that and distinguished between Christian people and heathens.

Steven T. Newcomb ([31:20](#)):

Well, that's based on the Bible and Christianity. If heathens is a word of Christian origin and Christian is obviously connected to the Bible, then this is a religiously, biblically based concept and principle that they are using under the guise of guardianship, plenary power, all this terminology, their responsibility to civilize the heathens and so forth, it's all claiming a right of domination on the basis of other terminology.

Philip P. Arnold ([31:55](#)):

That's fantastic. To nerd out here a little bit, what's fascinating to me from the point of view of the academic study of religion, not necessarily theology, but just in terms of looking at the history of the development of religion is that Marshall and Store and other people on that Supreme Court that you mentioned during the *Johnson V. M'Intosh* decision, they're utilizing these Christian ideas and Christian language and the papal bulls from the Catholic church.

Philip P. Arnold ([32:32](#)):

The Catholic church in the early 19th century America was anathema to the founding fathers and all that. There was a deep suspicion of Catholicism. They didn't trust the popes, they didn't trust the French or anyone who was run by the church essentially. Yet, this one thing they borrow from the Catholic Church to define what is property and how to essentially take native lands.

Philip P. Arnold ([33:07](#)):

Here, you have these Protestant nation builders borrowing this Catholic idea, what was Catholic at the time. Protestants and Catholics were warring with each other for generations, for hundreds of years. Yet, they saw eye-to-eye when it came to these domination ideas, these ideas of conquest. That becomes very interesting to me, and it's not something I think that has been taken up in religious studies, frankly.

Philip P. Arnold ([33:47](#)):

Also, something else that Sandy just whispered in my ear and confirmed what I was thinking is that, I introduced this podcast series as being 11th generation American. Five of my ancestors crossed on the Mayflower and they're celebrating the 400th anniversary of that. I think Deb Haaland however, mentions that she's 35th generation American, something like that. But it's not a question of how long you've been here, it's more a question of how you're framing your relationships to the land in very particular ways.

Philip P. Arnold ([34:41](#)):

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There'd be no way that I could be considered Indigenous, even though I've been here a long time. This is, in some ways, a matter of worldview of some kind of perspective that you are also trying to get at here. I would also be reminded that the starving pilgrims coming here, escaping their religious persecution in England under the state are starving, and when they arrive at what's Cape Cod, a place called Corn Hill, they uncover this cache of corn.

Philip P. Arnold ([35:27](#)):

What do they do? They thank God. My ancestors discover this cache, they thank God for this bountiful corn that saved their lives. But this is the first theft, essentially, the first theft from those Narragansett people and other people, Wampanoag people that are there because they didn't thank them. They didn't thank those native people that made their lives possible. Instead, thanked this transcendent being, whoever that is.

Philip P. Arnold ([36:13](#)):

This has always been a kind of dilemma and a story that I tell in my classes. Anyway, you can comment on that if you wish, but it's just another context, I think, to think about the different theological or world views that we're dealing with.

Steven T. Newcomb ([36:36](#)):

I think it's important. I often mentioned that the perspective that I have on the historical record is from the shore, looking out toward the colonizing ship sailing toward the shore and not on the ship coming toward the shore toward our ancestors. I think that's an important distinction. The other thing that the pilgrims did that your ancestors I guess, did, was dig up a grave and also take water. The people were very hospitable back then, the original peoples, as you mentioned them, the Narragansett, Wampanoag and others.

Steven T. Newcomb ([37:22](#)):

The idea of hospitality and generosity was not lacking in the people whatsoever. But I think your point is well taken in terms of, they just assumed that God had given them that corn, as an example, they didn't feel like they had to ask anybody or thank anybody or the actual people who grew the corn.

Steven T. Newcomb ([37:48](#)):

There's so many aspects to this, obviously. The thing that I guess I wanted to return to is that if there is the premise of a claim, of a right of domination on the part of the United States government, what does that say about the concept of democracy and the concept that the system itself is something other than a domination system? When you look at the planters, the land speculators, the slave owners, the lawyers, the bankers, the merchants, and so forth, the 55 guys in a room in Philly who put together the constitutional framework, when they said, "We, the people." There was a great extent to which they met we, the 55 white guys in this room in Philly.

Steven T. Newcomb ([38:45](#)):

It's interesting to look at the way in which the historical record has been framed. I think that it's bizarre, like you said, how bizarre that instead of going with their constitutional framework, they're going outside of that to a Vatican papal bull, or the tradition of those papal bulls, and those English charters

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and other charters to look for principles that they're going to apply to the nations and peoples that were already existing here. That, to me, is really peculiar.

Steven T. Newcomb ([39:27](#)):

When people talk about reconciliation, what they're doing is they're jumping to something that doesn't have a conceptual foundation. In other words, if we have a great friendship and then we have a falling out, or if we have a marriage and we have a falling out and we separate, then they would talk about, they reconcile. They had a means of getting back together. There was no getting back to a beneficial relationship that was existing here that oh, fell apart, and that's terrible. Thank goodness, they were able to patch things up.

Steven T. Newcomb ([40:06](#)):

The real evidence of the lack of that relationship are the human remains of children being found in the residential schools or the former residential schools in Canada. I was just recently at the Sherman Indian School cemetery a few weeks ago. All of those graves, the 70 graves of 70 children in that cemetery, not one of them has a headstone, not one of them has a headstone of any child, of any of those 70 children. They have a large headstone with all of the names on them, but that's just so extraordinary to me.

Steven T. Newcomb ([40:46](#)):

I was watching a movie the other day about this man who became a spy in the Soviet system during the Cuban missile crisis era of the early 1960s, and started leaking information to the West, specifically to Great Britain and the United States. He was eventually found out and he was tried for treason and found guilty and executed. Then his body was disposed of in an unmarked grave, which means the greatest possible rejection that a society could... I guess, the greatest way that they could reject someone is to put them in an unmarked grave, so no one would know where the remains are, nobody could honor them and so forth.

Steven T. Newcomb ([41:44](#)):

There is a cemetery, but unfortunately there's no name for any child. To me, that's just indicative of the dehumanization of native nations and peoples or Indigenous or original nations and peoples. However, you want to describe that, use that terminology. That's extraordinary. The whole system is premised upon this basic idea that these are not really human beings that they're encountering. They are, in some weird sense, but then in another, in terms of the way they're using language, they're not.

Steven T. Newcomb ([42:18](#)):

That becomes complicated too. I know we want to keep this somewhat simple and I'm somewhat not simplistic, but basic because of, we want to have this information be understood by people that are just being introduced to the information, and we're probably going a bit beyond that in the way we're talking about this today. But, I'll go ahead and mention one thing here. There's a state of California Supreme Court decision called City of San Diego v. Cuyamaca Water Co.

Steven T. Newcomb ([42:57](#)):

In the midst of this decision, the Supreme Court of California says that the only thing existing in California before the Spaniards arrived was a state of barbarism. Now, a state of barbarism, what they're

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basically meaning is, a non-human existence. If you start with that premise that it's a non-human existence, then the question becomes, by what means would or could they be made human? That would be a process by which they would be baptized in the Christian religion and then forced as the mission system was built, being forced to build their own prison system called the mission system. Then forced to labor and toil and die under the hardship of that system, the system of oppression.

Steven T. Newcomb ([43:58](#)):

Once all of that happened, once they had been deprived of their original free existence and made to submit themselves to the domination of those priests and the Spanish soldiers, then they were well on their way to becoming human. Now, if that holds up to scrutiny, what that calls into question is the entire basis of the term, human, in the way that people have ordinarily understood that term.

Steven T. Newcomb ([44:27](#)):

Then you look at why were human rights created? They're created because of all the abuse and oppression that people experience in the world. They say, "Yeah, but you have these fundamental human rights." But then they tell you, "But they're only aspirational. They're something that you can aspire to have one day, someday, possibly, maybe." The same with the UN declaration on the rights of Indigenous peoples, what did they keep telling us? Well, this is only aspirational. You have to understand that. Yeah, these are rights. We're stating that they're rights, but there's something you can aspire to have one day.

Steven T. Newcomb ([45:06](#)):

In my mind, that's like the carrot in front of the horse, the horse can walk itself to death and never get that carrot. Something always out there, you can see it maybe someday, and yet it never happens. I say this because what I want to encourage for the young people and for students that are starting out with this information is going to seem like just a tremendous blizzard of information. But if you take your time and you have patience and you look up terms and you really spend the time necessary to go through the historical record, look at the things that those of us that have been doing this a long time, what we have put together, there's a lot of source material there.

Steven T. Newcomb ([45:56](#)):

Then as you begin to look at it more and more, eventually you will have your own kind of insight and understanding with regard to the information and you'll be able to take it to that next level. I think that's a crucial thing for those people that feel that they'd like to contribute to these efforts, I totally encourage that. But I want to caution people that it involves a lot of work and a lot of patience.

Steven T. Newcomb ([46:22](#)):

Some people say, "Well, I get tired of all the talk and talk, talk, talk." Okay, yeah, I get that. I really do. There's a time for action. At the same time, there's a real need for accurate analysis and for the right kind of framework of understanding that will give us additional insight that we would not otherwise have. Then when we're looking at a course of action or planning a course of action, then we can say, here's what we're proposing as an alternative to this domination system.

Steven T. Newcomb ([46:57](#)):

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I think that's the next big challenge for those of us that have been working on this, where are the models existing in the world or existing in Indian country that are not based upon this system of domination that we've been talking about for the duration of this conversation? Where are those models? Where can people point to examples of wow, this is amazing. What these people have managed to accomplish is just extraordinary.

Steven T. Newcomb ([47:26](#)):

We're dealing with so much dysfunction as a result of the boarding schools of domination, because they were schools of domination. We say schools as if that's something positive. But the effort of the United States and Canada and other countries to take all of our nations and people apart at the seams by destroying our languages, cultures, our spiritual traditions, anything that held us together as a distinct people in an effort to assimilate us into the body politic of the United States, as Americans and get everybody to identify as Americans or we're natives, but we're Americans. We're native Americans instead of as members or citizens of our own nations, and understanding what that really means with our own land base, our own language, culture, everything I already mentioned, that's a huge challenge at this point.

Steven T. Newcomb ([48:27](#)):

Because the process of assimilation is so great, the weight of the momentum and the direction of assimilation is so great that it becomes very challenging. We're old school. I'm mid 60s now, and Peter d'Errico is in his late 70s, there are a number of us that still have retained that sense that the Haudenosaunee or the six nations has of being your own people, your own nation, your own Confederacy, and you don't want to be swallowed up by the United States because you know that you have a right of a free existence. That's why you keep pushing back against the United States, and thank goodness for it and for any nations and peoples that are still trying to do that.

Steven T. Newcomb ([49:17](#)):

But we cannot underestimate the extent to which our languages and our political consciousness that is a national consciousness of our own nationhood was pretty much rubbed out to a great extent by the boarding school process. That's exactly what it was designed to do.

Philip P. Arnold ([49:43](#)):

That's terrific. I think that what you're describing in many ways is my ideas around the future of the university, as a place that can and be a place for reflection on the best practices, the best traditions that we can still aspire to. We're in a real fix now. All of us are in a real fix. You're in California where it's in 115 degrees or wherever. We're burning up, the oceans are cooking. We need different models, different orientations, and that's one of the reasons we've created the Indigenous Values Initiative.

Philip P. Arnold ([50:42](#)):

As we wrap up here, Steve, you started this conversation, but are there areas that you think are hopeful? Are there initiatives that you look around and see happening where we should empower certain people, certain ideas, certain ways of doing this work? There are a number of things happening right now in Indian country, and we've got Indigenous peoples are being invoked after the Black Lives

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Matter Movement and other things. I wonder if you could reflect a little further on, what would be next steps or what are your recommendations for work that students and others could get into?

Steven T. Newcomb ([51:38](#)):

Well, rather than deal with that question that you've just posed to me, I'm going to go in a little bit different direction. I hope you don't mind. But I know that if I don't use this opportunity to mention Oak Flat, the Apache sacred area, which is going to be destroyed, carved out of the earth, if the resolution copper mine goes through and is approved through a federal land swap. It will be destroyed on the basis of everything we've been talking about with regard to the doctrine of Christian discovery and domination, okay?

Steven T. Newcomb ([52:20](#)):

As an example of something positive that people can do, they can actually point out and publicize the fact that a place that is most significant to the Apache people, as much as Mecca to the Islamic world or Jerusalem to the Jewish world, that, that will be completely destroyed and obliterated on the basis of the idea that Christians have the right to go and locate non-Christian lands and help themselves to those lands, and then assert their right of domination over that place.

Steven T. Newcomb ([53:08](#)):

That the Supreme Court of the United States, which is, by the way, comprised of six people that were born and raised Catholic. One of whom, I think practices as an Episcopal person now, but nonetheless, was raised Catholic, and three of whom are Jewish. It's a Judeo-Christian institution, very much in those terms, has promoted and perpetuated this very doctrine that we're talking about. That has created the framework for this devastation to occur to the Apache people.

Steven T. Newcomb ([53:47](#)):

I would encourage the Catholic world, the Christian world to imagine that St Peter's Cathedral were mined and excavated out of the earth and leaving a crater, a 800 to 1000 feet deep, and two miles across, just as they say, is going to happen at Oak Flat. Then say to them, but this is not anything against your religion, because religion is a matter of belief, and you'll still be able to believe whatever you want, and you'll still be able to think fondly of that beautiful architecture that was there at one time. Or imagine the same thing being done to Jerusalem. All of Jerusalem is carved out of the planet, leaving a hole that same size that I already described and telling the people that have a sacred regard for Jerusalem, the same kind of nonsense.

Steven T. Newcomb ([54:46](#)):

Why is it that it's nonsense if it's aimed at the Catholic church or the people that hold Jerusalem or the same thing with Mecca? Imagine something like that happening there, and the people being told that. It's unbelievable. You can't even conceive of something so outlandish and so abhorrent. Yet, for the Apache people it's just, 'Hey, it's nothing against your religion or your spirituality,' as they would prefer probably to have that stated. It's just our economic interest and we need this copper.

Steven T. Newcomb ([55:24](#)):

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But, hey, you'll still be able to believe whatever you want. So, no big deal. No crime, no foul. I say that maybe that's the conclusion of the podcast, only in the sense that we need to figure out ways in which this kind of information can be brought forward, because so far, none of the attorneys in that case have ever mentioned a word about what I'm saying on the Christian basis, on the biblical basis of the rationale being used against the Apache people, and then take that and apply that to every other sacred area and every other territory of every other nation, and it's the same thing.

Steven T. Newcomb ([56:06](#)):

Our website is originalfreenations.com. I know that'll probably be put in the notes and all that, and there'll be all kinds of things. There can be links and so forth that will be provided by the producers of this show. But I thank you very much for the opportunity and look forward to having another conversation again in the future.

Sandy Bigtree ([56:33](#)):

Thank you so much, Steve Newcomb. Wonderful. Wonderful. Okay. Now, we're looking forward to our next discussion. Please check our website for more detailed information and collecting the notes from today's discussion with Steve Newcomb. Until then, we'll see you soon. Be well.

Jordan Loewen-Colón ([57:01](#)):

Special thanks to our guest, Steve Newcomb, and our host, Philip Arnold and Sandra Bigtree. The producers of this podcast were Adam DJ Brett and Jordan Brady Loewen-Colon. Our intro and outro is social dancing music by Orris Edwards and Regis Cook. This podcast is produced in collaboration with Syracuse University Engaged Humanities and the department of religion, along with Indigenous Values Initiative and the American Indian Law Alliance.