

## e015-domination-chronicles-stolen-land

### INTRO

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Welcome to the Domination Chronicles podcast. I'm your co-host, Peter P. d'Errico.

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And I'm your co-host, Steven Newcomb. Together, Peter and I have 90 years of experience researching,

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discussing, and writing about indigenous people's issues. Here, we explore themes such as the

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original free existence of Native nations and peoples, colonization as a claim of a right of

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domination, and civilization as a process and system of domination. Be sure to like and subscribe to our

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Now let's get into it.

### EPISODE

[Peter] (0:02 - 0:03)

Good morning, Steve.

[Steve] (0:04 - 0:05)

Good morning, Peter.

[Peter] (0:05 - 2:58)

Well, today we have some interesting stuff to talk about that has some intersections between the latest pop culture brouhaha about stolen land and intersects back to the beginning of the whole stealing story, Johnson v. McIntosh, so it'll be kind of interesting. And I think that, as you and I talked just before we started here, that what I'd like to suggest

is that what we're going to be talking about is the dangers of performative speech.

And before we go even further than that, there are two types of performative speech.

One

is where the speech is actually an act, like, I hereby declare you man and wife, or when the

queen hits the ship with the champagne and says, I christen you the HMS Bombast, or

whatever its name is, that's the act, the words themselves are part of the act. And interestingly enough, that's exactly what happened in the so-called discovery moments, as

we've pointed out before, that whether it was Columbus or John Cabot or Chartier or anybody else, they came in, they did performative speech.

They said, I hereby claim this for the king of England, or the king of France, or the king of

Spain, I hereby declare this, and I put my staff down. That's a performative speech, which

was considered to be effecting the thing that was said, like, I declare you man and wife, or

etc. So that's performative speech in one definition.

There's another definition of performative speech, which is more common. And that is speech that's done just to kind of pat yourself on the back, oh, I'm a really good person.

I

have compassion for whoever, and that is followed by no action.

It's just words that resonate in a certain social space. And I think that's what we're seeing in

the pop culture world. And we're, we're also seeing that mixed in with the performative speech of Johnson v.

McIntosh saying this is now US title. That's a performative act in the first definition, because

the Supreme Court, the highest court has hereby said these words, which have the magic

effect of law of having declared something, which is now considered to exist. But there's also performative speech of the second kind in, in judicial opinions, which I'd like to quote a

bit from later.

But why don't we start, you've been following that, the Grammy incident. And just as of today, there's been a response from two law professors in the Washington Post in an op-ed.

Maybe do you want to jump in with that?

[Steve] (2:59 - 5:53)

Yeah, well, pardon me. I think that it is interesting that when Billie Eilish at the Grammys said no one is illegal on stolen land, it created quite a backlash against her. And it is interesting to look at the way the emotional dimension of the performative speech that

you're referencing ends up muting or suppressing or closing off inquiry.

And so it ends up being something where other performative speakers, such as Bill Maher or

whoever it might be, or different podcasters are responding, just shut the F up. So what is

the merit in that? In other words, they want, it seems to me that this is a very touchy subject, because as those law professors from New York University School of Law state in

their article, this really has to do with all property in the United States.

What she's saying has implications for everything that we've been working on all these years. But beyond that, it's the emotional, what is that, third rail, in a sense. You're touching, you're messing with the sacred cow.

You're dealing with things that have such, and understandably to a great extent, have such

emotional weight for people, because their very livelihood, their shelter, the things that they feel are the foundation of the society in terms of quote-unquote property, is what seems to be implicated within her statement. And that goes for the immigration issue. It goes for the idea of property, and land, and water, and everything.

But what I think is interesting is to see how many of these responses are an effort to cut off

inquiry, and to cut off dialogue and discussion, because it's messing with the mythology of

the United States. Some very foundational types of beliefs, but also an existential dimension

of the entire society. We're a democracy.

The Declaration of Independence declared us to be free and independent. Okay, let freedom ring. It's the mythos of the entire political experiment called the United States of

America that gets called into question when a young person makes such a bold statement

on stage.

And so, that's my initial thought.

[Peter] (5:54 - 9:45)

Yeah. Well, and that all makes sense to me. And when I said a minute ago about the dangers

of performative speech, that's exactly what I'm talking about.

I said, it can appear that there's a conversation going on now. You have an op-ed in the Washington Post from law professors on one side, you have a bunch of commentators on

the other side, going back and forth. And anybody that didn't really understand the deep

history, which is what we're talking about, I want to emphasize that, that we expressly stand

aside from all the performative speeches that go on, because they're just empty words

signifying nothing, as some poet said.

So, it seems to me that what you just point out where there's the third rail has been touched, there's a lot of emotion, it seems like something's being argued about, but nobody's really going beneath the surface of the froth of the emotional response to the mythos, third rail having been touched. And that means nobody is really learning anything

out of this. It's just a kind of a mud fight. And who can sling the most mud? And rather than even trying to wade into that to say, well,

let's clarify, there might be a few gems in the midst of the mud. We can, if we find such gems, we should bring them out.

But the point is that those gems would be something much more significant than all the mud that's being thrown. And so, for example, if I can pick out from the op-ed, which we referred to, I'll just give a quick quote to that. One of the gems is that they talk about, this is

the two law professors that are combating the notion that there's stolen land.

And so, they talk about the old law going back to Roman times about prior in time means

higher and right. And then they say, well, the real world of rough and tumble conflicts and

imperfect records, matters of proof, etc., cause a problem for this discussion. Well, I thought

when I read that, well, there's no imperfect record here.

We have a very perfect record, a very clear record of all the Supreme Court cases going back

to Johnson v. McIntosh, and actually even before that to Fletcher v. Peck.

We don't have any problem with imperfect records here. And the records themselves are very clear. The first case, if we just take Johnson as being actually the clear, most significant

piece of this, cause Fletcher was like an offhand remark.

It's a very clear statement made in Johnson v. McIntosh that lays this thing down, the performative act in the first sense of this is U.S. title. And why is it U.S. title, the court said?

Because of the Christian nations before us that have declared this principle. And there's a

very clear sense that that's what we ought to be talking about. And not pretending that we

don't really understand there's imperfect records, it's rough and tumble.

Yes, it's definitely rough and tumble, no question about that. But we have clear evidence,

we have a clear history, we have a clear chain of precedence. And if we wanted to talk about

the legal structure of land ownership, quote unquote, we don't have any difficulty doing that, but we have to do work.

We can't just talk at the surface mudslinging level. That seems to me, I want to just emphasize that over and over again, you and I may refer to some of this performative speech, and we're going to continue to refer to it, but we take it as evidence of something

else to be explored, not something that's worthy of directly doing tit for tat for.

[Steve] (9:48 - 12:20)

Well, exactly right. And there's so many things to discuss here, but the way in which they open their article is very interesting, because they go into all of these examples of domination. Yeah.

And if you want to read those off, well, perhaps I can see it on my phone here, but they acknowledge that settler colonization resulted in land seizure, disease, subjugation, slavery,

relocation, broken promises, genocide, multi-generational trauma. And this is a resolution

that was passed by the Los Angeles County government in 2022. And by the way, that is after the governor of California, Governor Newsom, had acknowledged the factual basis of

the accusation of genocide having been committed against Native peoples in California, and

that was around 2017, as I recall. I hope that's correct. And then they want to flip that around and say, well, the Comanches

engaged in terrible behavior, and you see terrible behavior on both sides. And so there's this

effort to kind of spread the accusations and the blame and that sort of thing.

But what's out of focus, as we've talked about many times, is the issue of domination.

And

every single one of those examples that they've provided is an example of someone claiming a right of domination over others and acting upon that. And so the issue of whether it's stolen land is really a kind of a misframing of the fundamental issue, in my view,

because if we change that and we say, well, is the United States premised upon a claim of a

right of domination, going all the way back to those first ceremonies of possession, as they

like to call them, and those ceremonial ritual acts on a shoreline or on shore, and saying, voila, magically, as Marshall put it, the extravagant pretension that we're enacting here declares all of this to be ours now because we've shown up, we're here now, and we're ordained by God to take this, and here we are.

[Peter] (12:21 - 15:41)

Yeah. I want to say two things in relation to that resolution, the Los Angeles County resolution that you quoted and that the op-ed writers quote. And one is, the first thing is,

that's also, in my view, performative speech.

Los Angeles County didn't do anything except write a few words about, oh, how horrible things were in the past. It did not make any current legal change. And as we pointed out in

our last episode about the boarding schools, issuing an apology without making any legal

changes does not only not do anything, but it actually covers up the problem.

It allows us to forget that the claim of a right of domination is still active. There are still thousands of acres, millions of acres in the United States that are outside the areas that have been urbanized and so-called settled, like much of the state of Nevada, for example,

which is western Shoshone land, is held by the U.S. where they can blow off atomic bombs

and that sort of stuff. So there's lots of land, which if we were to say, well, what in the present day can we talk about, that somehow goes beyond just saying, oh, we're so sorry

we did that.

The other thing, it seems to me, about this is that the performative act of saying we're sorry,

not only is it sort of an empty act, but it attracts other empty acts. That's the danger, it seems to me. And so by empty acts, what I mean is somebody is going to say, oh, yes, it was

stolen.

See, they said it was stolen. And so then there's a debate. Okay, was it really stolen?

Was it not stolen? Et cetera, et cetera. But your phrase claim of a right of domination allows

us to cut through to the fact that the claim of a right of domination is still active.

That's what I meant by the Nevada lands. It's still active. It's not passed.

It's not over. It's not done with. It's still going on.

And that is also different from, let's say, the Comanche. Okay. Pick any native battles you want to pick. The Comanche, it was an actual war. I'm not pretending it wasn't a war. They didn't come in

and have tea.

They came in and there was violence, et cetera. But it was a physical force. It was not carried out in the name of some kind of right of domination, which some god had given to

somebody in the past, which is what the claim of a right of domination is all about.

It may be a domination, but it's not considered to be a right of domination. I can do it.  
It's  
like the bear.  
If the bear is bigger than the other bear, the first big bear dominates it and is the head  
of  
the bear group there. But there's no concepts involved there like the bear saying, I have  
a  
right because God said I had a right to be the leader of this group. It's just physical fact.  
And we're not denying that in human history, humans have fought, just like we are  
animals.  
Animals fight. What we're talking about is a mental construct that allows us to pretend  
that  
there's not really a fight going on, that we're carrying forward some divine plan.  
That's a very different way of thinking about what's going on. And that is still going on.  
[Steve] (15:41 - 19:01)  
And I think that the United States likes to purport to be on a higher moral level. And  
there's  
a way in which there's some people call it American exceptionalism, meaning that we  
are an  
exceptionally righteous country that spreads good in the world and has been the  
purveyor  
of civilization. So there's a lot of rhetoric in terms of the performative statements that  
are  
made by heads of state when they have the bully pulpit available to them.  
But there's this sense, I believe, that they're operating within a kind of a rarefied moral  
framework, and that they can preach to others about that. The thing is that when you  
actually take the time, and that's the difficulty with these types of inflamed situations  
where  
people are very quickly trying to get their point across and trying to win the ground and  
all  
that, win the day in terms of their arguments that they're going to prevail, I don't believe  
that we're really trying to do that. I think that we're in a much more reflective attitude  
about the historical record, which there is no ambiguity about that in terms of how  
we've  
been able to uncover that information over decades, over the course of our lifetimes,  
and  
looking at, well, what does that mean?  
What does that mean for a papal document, a Vatican document issued by a pope, by  
the  
papacy of the Catholic Church, to tell monarchs of the Catholic Church, of the Catholic

world, to go to distant non-Christian lands where domination of their variety does not yet exist, and to establish domination in that place? Now, first of all, most people have no idea that that is even existing in the historical record. It's either correct or it isn't correct. Either that document exists or it doesn't exist. Either those words exist in Latin and English or they don't exist. And if they do exist, then it's incumbent upon us to demonstrate that the interpretation that we're putting forward is indeed accurate, because there's always the possibility of a misinterpretation or erroneous understandings. But once we engage in that kind of very careful, detailed excavation of the historical record in terms of these texts and the types of presumptions that have been made over such a long period of time, then we start getting at some very profound discussions about the nature of human existence, and the difference between a free existence and the right to live that free existence, and thrive, and live with your loved ones, and family, and community, and so forth. And then other people coming in on top of us just because they say they have the right to do that, and it's also the right thing to do.

[Peter] (19:02 - 20:40)

Yes. And what is happening, if we do not do that digging, and follow out, and find what actually is the history, the historical foundation, and the current context, if we don't do that, then essentially it's all just hot air and bother. It fills air time. It sells ads on the platforms, and so on, and so forth. And what I'm sensing, not only is it not accomplishing anything substantive, but it's actually obscuring the possibility of doing that. And so when, and I don't want to have to keep dumping everything on Billy Eilish, so let's dump some more on the Washington Post guys, is that they are lawyers, they have the capacity to look for these documents, but they're not doing that. Now why they're not doing it, I have no idea, but that's not my point. My point is that they're claiming that there's imperfect records. That's not true. And they're claiming they're going to provide a legal background to this whole issue. Well, they don't do that. They go back two steps. They don't go back 100 steps, or back to the beginning. So there's a shallowness that begins

to just infect the entire conversation. The entire society becomes increasingly confused out of these discussions, rather than increasingly enlightened.

And so domination is out of focus, but also so is freedom out of focus. And so what is in focus? I'm not even sure what's in focus anymore.

It's more like people's reputations are in focus now. Who's more, whatever, appealing to whatever demographic, and that is all just such trivial stuff.

[Steve] (20:41 - 22:21)

Well, it's interesting because the credentials of the law professors, I mean, after all, they're

professors of the law. They know the law. So who's going to question the merit of their article, at least on the surface, by any just ordinary appearance?

It would seem that, well, they must know what they're talking about. And so there's a way

in which they kind of get a pass automatically in terms of credibility. But I was thinking earlier, if we were to actually have a debate with those two professors, or a discussion, it might not even necessarily have to be a debate, but a discussion of the actual merit or lack

thereof of the position that they've taken in terms of what is property, and in terms of why

is it that William Blackstone defined property as despotic dominion, and why did he base that on Genesis 128, as he said by his own admission, and what are the implications of that?

And Lance Liebman and Charles Monroe Harr, in their textbook, legal textbook, Property and Law, making the statement based on William Blackstone's definition of despotic dominion, that property is the first establishment of socially approved physical domination

over some part of the natural world.

And then what's the very first case that they use in their textbook as a legal decision?

Johnson versus McIntosh from 1823, as a support for what they're saying, as an illustration

of what they're talking about.

[Peter] (22:21 - 25:10)

Yeah. And so what that is an example of is this, the law professors and anybody reading that

gets the sense that, oh, yes, this is such a long history, and so on and so forth. And yet, Johnson v.

McIntosh, the argument these professors are making is, we can't upset this because everybody's property is involved with this, and everybody's house ownership would be upset, and so on and so forth. That's exactly the argument that Chief Justice Marshall put in

Johnson v. McIntosh.

After he said how extravagant the pretension was, or what the decision was, however extravagant the pretension of what he's just decided, he also says the restriction may be opposed to natural right. Perhaps it's supported by reason, but it certainly cannot be rejected by courts of justice. And why?

Because it's indispensable to the system under which the country has been settled. So already, the professors are talking, if you don't know this history, you say, oh, yeah, those

professors are making a lot of sense. We have 250 years of history here of land transfers,

and everybody's relied on it.

Well, let's go back 200 years. Let's look at the beginning of the system. We find the same argument was being made.

We have all these people whose property is going to be unbalanced. Well, wait a minute, wait a minute. 200 and some years ago, the Supreme Court didn't even know where, there

wasn't anything called Nevada, there wasn't anything called Wisconsin, there wasn't any masses of population whose titles all depended on that.

They were creating the basis for that later argument to be made 200 years later, but they were making it at the beginning, that everything was based on this, and it would all become

unsettled. So you say, well, wait a minute, there's something disingenuous about that argument. If on day one, they can make the same argument they're making on day 200 and

some years later, then there's something is wrong with that argument.

There's something that we need to probe into. And I think that it's understanding that history, these law professors, however talented they are in teaching property law, they haven't gone back into that to say, wait a minute, the argument we're using is the same argument was used way before there was all these tangled property claims and deeds and

mortgages and transfers and so on. It's made way before that. So who were the property owners that Marshall was worried? Oh, I mean, if we dig even

further, we're going to find we're talking about land speculators. We're not talking about homeowners with their poor little half acre lot that they're worried about keeping.

We're talking about land speculators who were trying to become like big English lords. Ah,

now we get a different picture about what the property rule was all about.

[Steve] (25:10 - 26:26)

Well, and especially given that Marshall was right in there as one of those land speculators

and his family and his Virginia militia, what do we call them? The bounty lands and all that.

But his colleagues within the Virginia militia, I guess you could call them colleagues, but there were a lot of interest that he was attempting to protect.

Let's put it that way. And when he's talking about the extravagant pretension, which means

an outlandish, unreasonable, outrageous kind of pretense, meaning something you're pretending to be true when you know it isn't. What is that pretense he's talking about? Converting the discovery of an inhabited country into conquest. Well, conquest is one of the

synonyms for domination. So he's talking about the pretension of converting the discovery

of an inhabited country into domination, or as I prefer to call it, a claim of a right of domination.

We showed up, therefore we have the right to assert our right of domination.

[Peter] (26:27 - 26:29)

Yeah, how about we showed up, therefore we are?

[Steve] (26:30 - 26:44)

Yeah, well, and if you add the requirement, you want to go back to Spanish crown law and

the Spanish record of all this, that's extraordinarily interesting.

[Peter] (26:44 - 26:46)

And detailed and not imperfect.

[Steve] (26:47 - 27:35)

Yeah, there you go. And they're saying that, well, there is an order to the world and God created the papacy and God put the Pope in there, and the Pope follows Jesus as the Vicar

of Christ and all that, and the Pope is the ruler of the world, and you have to demonstrate

that you're obsequious to the Pope and that you're going to bow down and scrape and bow

and all that. And if you don't, then we're going to inflict all manner of harm and suffering

upon you.

In other words, we're going to exert domination against you, and then it's going to be your

fault because you didn't have the good sense to submit to what we're informing you of.

Yeah. I mean, that's in the actual historical record.

That's not even an exaggeration.

[Peter] (27:36 - 27:42)

No, it's actually in the document itself that says if any of you get killed, it's your fault.  
[Steve] (27:43 - 28:13)

Yeah. Yeah. Well, that's like the example of domination during the Inquisition.  
And then the torture that you were subjected to, they could charge your estate to pay  
the  
torturer because he's got to eat and he's got to have a livelihood. My goodness, you  
know?

So therefore, he's going to be able to charge you for your torture because you should  
have  
not been a heretic, you know?

[Peter] (28:14 - 28:40)

Right? Yeah. Yeah.

You had a free chance there. Yeah. So you exercised your free will in the wrong way  
because  
it was free.

You were challenging the claim of a right of domination over what you could believe and  
how you could speak. And because you violated that, you're violating God's rule and  
therefore off with you. In fact, it wasn't just off with your head.

It was much more gruesome. Burn alive at the stake.

[Steve] (28:40 - 28:41)

Yeah. Yeah.

[Peter] (28:42 - 28:42)

Yeah.

[Steve] (28:42 - 29:00)

Well, I think that one of the aspects of this conversation draws attention to the way in  
which

we have to be so precise with language, with the words we're using.

[Peter] (29:00 - 29:00)

Yeah.

[Steve] (29:00 - 29:50)

Because the use of the phrase stolen land, it's very glib. It's very quick. It's a kind of a  
slogan,

sort of like land back.

We discussed that before. You find these formulas that people latch onto and they just  
use

them thinking that they're putting forward some kind of a very powerful argument. And in

fact, they are working on the basis of a number of assumptions that don't get drawn out  
and

examined more carefully and more closely to realize that we're talking about something

much more fundamental in terms of these documents that we're talking about, the Vatican

papal bulls and the Johnson ruling and so forth and so on.

[Peter] (29:51 - 31:14)

Yeah. I want to give an example of performative speech in the second sense, the speech that's designed to make people look good that comes from the US government itself. In 2009, there was an apology. It was called, actually, it wasn't even given the dignity of being a separate act. It was buried

in a huge, long defense appropriations act of 2010. And that in itself was just an indication

of how meaningless it was.

But the words that are in the apology, the United States acting through Congress apologizes

to all native peoples for the many instances of violence, maltreatment, and neglect.

There's

your domination words. Don't use the word domination.

And it expresses its regret for these wrongs. All right. That's wonderful words.

But then at the very end of it, it has an bold capitalized word here, disclaimer. Nothing in this authorizes or supports any claim against the United States. So not only was the apology

empty, not only did it not actually clarify what was that history all about, but to the extent

somebody might say, well, that apologies, I'm going to sue now to get my land.

But say, oh, disclaimer, this doesn't really mean anything legally.

[Steve] (31:14 - 31:28)

Well, can I see, let me try my hand at seeing if I can paraphrase that. Disclaimer, we hereby

disavow everything we just said. Yeah, exactly.

I love it.

[Peter] (31:28 - 35:50)

I love it. Exactly. I love it.

Well, so let me give you another one that we've talked about before, but we've never really

dug into it. And that's the Ruth Bader Ginsburg in 2020, in May 2020, former justice, or maybe I guess she was still justice. She died in office, I think.

She said she regrets her decision in Oneida versus Sherrill. And that's the decision where she

wrote the majority opinion for the Supreme Court. And it said they went out of the court, went out of their way to get to this point, by the way.

This case, this is the third time it had come up to the Supreme Court and all the other times

the Oneida had been told, yes, you have a right to take this action, you have a right to pursue your land rights, etc. Oh, at the very last moment, Ginsburg writes the opinions as,

oh, but after all, you don't have the right, because why does she say you don't have the right? I'm going to quote.

This is her footnote in the decision that she wrote. She says that because they were talking

about fee title to the land, she says fee title to the lands occupied by Indians when the colonists arrived became vested in the sovereign, first the discovering European nation, and

later the original states and the United States. That's verbatim out of her 2005 decision, which goes all the way back to the papal bulls and the rest of that stuff.

She doesn't cite that. But the cases she does cite, which you and I have demonstrated before, each one cites back, cites back, you dig through, there's all the perfect records. They're not imperfect records at all. They've all been maintained by the legal system of the United States and the legal system of

the Vatican and so on and so forth. Those shows that in 2005, she was claiming a right of

domination over the United people. Why am I pointing to that?

Because in 2020, she says, oh, I really regret that more than any other case. Maybe she regrets a lot of her decisions. I don't know.

But she regrets that opinion. Now, why does she regret it? Well, because she was coming

under a certain amount of heat from people who are saying, well, a female justice, we should have a different view.

It's much more gentle when a woman does this. Somehow she felt in a corner. So she had to

try to disavow it.

What does then she say? She says, well, what I think ought to happen is that President Donald Trump should select a Native American jurist to be on the Supreme Court. And I'm

thinking, wait a minute.

So she's saying the decision itself, the US has title. She doesn't want to change that decision.

She doesn't want to say this is a wrong decision and the United really do own their own land.

She wants to let that stay. But what she wants to do, well, if we could just put a Native American on the court, I mean, wouldn't that make everybody feel good? And maybe the

Native American would sign off on the opinion saying, yeah, I still agree the US title.

Who knows what that Native American judge would do? So it's that bizarre. And one more thing about this.

There's an article that was in the, I think it was in the Buffalo newspaper. Maybe she made

this regret statement in Buffalo, New York. I don't know why they were writing about it, but

they totally misunderstood what her decision was about.

They said that she wrote this not based on law and precedent, but she was motivated by a

personal sensibility. I have no idea what the personal sensibility, what that even means. So

the newspaper reporter is not only just reporting this fluff, like whatever Ginsburg is trying

to do to repair her damaged reputation as being an enlightened justice, but they don't even

explain in the article what the decision really was.

They get it completely upside down, inside out. So we're just back in the morass of what happens at the level of day-to-day popular performative speech, like this is a good opinion,

this is a bad opinion, but scratch the surface, no, I don't have time to do that. I'm really busy.

[Steve] (35:51 - 40:10)

I think that's the challenge is that everything remains at a very superficial level. And it's very

difficult to get people to go beyond that. And do they even have the skills necessary?

What is their capability to do that? And you even talked about previously about the confusion that arises with, for example, the Marshall Trilogy. There's not unanimity in terms of our interpretation, the way we're interpreting the Marshall Trilogy is quite different than

a lot of other people that have looked at all that historical record.

And there are different choices. I could say oppression and never say the word domination. I

could make the whole thing about oppression.

Well, you know, it's really about a claim of a right of oppression. So why am I fixated on this

idea of domination? Because that's what the historical record shows in terms of the etymology.

When you take it back to the Latin, and you look at the word dominium, and you look at the

way in which that is accurately translated into English, the most accurately translated, the word is domination. And we see that in one of the Vatican papal documents, where there's the statement, I think it's for the May 4th, 1493, inter cetera or inter cetera, papal bull, and it's talking about the deity that we trust in him, or we have confidence in him, capital H on him. So that's talking about the Catholic deity from whom empires and governments and all good things proceed.

That's the translation by the Carnegie Institution of the original Latin. So as I've said many times, eventually I got to the point where I decided, let me see, because I had both versions, the Latin and the English, let me see what this word for governments is in Latin. And I have to go back to that Latin version, and I have to match it up.

And then there's the imperii and dominaciones. Oh my gosh, dominations. So the word for governments, that they're translating as governments in Latin, it is dominations. Now, how come they didn't just translate it as dominations to dominations? That's a pretty simple translation, but they didn't do that. And so in my mind, I think, is it possible that those translators were nervous about people latching on to this very point that I'm making, that there was a way in which they preferred to use governments because it's a euphemism.

It's something that's very ordinary in terms of the language, and the average everyday person totally understands in their mind what governments means. And they don't think of it as dominations. So I think that by us examining the paradigm, the patterning, the conjugations of all these various Latin expressions for domination, dominor, dominator, dominio, dominorum, there are many different terms and ways in which the Latin verb dominare, to dominate, is conjugated and used in the Latin language.

And people don't even have a context for what that was. You'd have to go back to the Roman society and experience the horrific nature of the Colosseum and the Christians being fed to the lions and this sort of madness, the insanity of that society, to get a real sense of

the horrific nature of the domination system of that time and the way in which the slaves were so horrifically abused, on and on. You could use many different examples, but there's so much to this, and the average person, I think, just has no clue whatsoever.

[Peter] (40:11 - 43:12)

Yeah, and you know, I want to creep up on yet another word, which is civilization, and the extent to which what's at stake here, it's kind of, if I can back up a half step, given all of the turmoil in the entire world right now, the entire world, every government, every dominationsystem is being shaken by various things that are happening, that this may be a moment when it's possible for a person to say, to sort of wake up and say, wait a minute, you mean government actually means domination?

And you'd say, yeah, I can show you that etymology. Oh, if government is that, well, does civilization mean domination? That would, this discussion could be one of the most significant and necessary discussions if there's going to actually be change in the nature of human existence on the planet, because everything you talked about with the Colosseum and the Christians being fed goes all the way up through the history of what we call Europe now.

Every one of those monarchies, Christian monarchies, and we could follow other trails of it, but just this one, there were heretics being burned at the stake in the English period, the same period where they were coming over here and planting the flag and saying, we have a right to bring this system over here. And what was that system? Well, it was maybe even a little more easy for people to understand it in those days because they had words they could say, like Lord, the Lord said this.

Well, they're talking about the Lord God, but they're also talking about the local Lord, the Baron or the Duke or the Earl, or maybe the King himself. So Lordship was a common phenomenon in mental thinking as well as in social economic existence. Supposedly, when the US is formed, when America is discovered, there's an opportunity to change that and to

say, oh, we have a land of freedom here.

What they were talking about, we're free from the King. We're free from that feudal structure of barons and so on. But when we look at the record, and again, these are very perfect records, there's many of them, we find that these people had no concept other than

what they had experienced and learned.

So whether it was John Marshall, Joseph Story, or any of the other of these so-called founders, they were working within the framework they thought they were escaping, but

they didn't know anywhere else to go. And the people who were around them who were offering to show them different ways to go, these were the people that they were trying to

eradicate. These were the people who were sort of the heretics to them.

And those are the roots, that's the rat's nest. I mean, it's a pretty messy situation, but it's all

covered over by this very smooth talking thing about the advance of civilization.

[Steve] (43:13 - 46:15)

Well, I think that English has a very, is it called palliative? What is that word? Yeah, palliative, yeah.

Right? It has this kind of soothing effect. It smooths it over, it soothes the historical record,

it creates a euphemistic gloss, a cover that obscures the horrific nature of what I'm talking about.

So, the other word in Latin is domini, for Lord. So, Lord Fairfax. Where did Marshall spend a

lot of time? In the Lord Fairfax library. As a kid, right? He had access to that.

But he also saw the opulence of the Fairfax estate. I mean, we're talking massive, massive

amounts of land, right? Something like a Bill Gates type of thing.

So, Lord, we see that word Lord. And then there's the lady. So, those sound very, I don't know, very matter of fact, nothing really horrific about it.

But if you go into the Latin etymology of it, what is the Lord in Latin? It's either dominus or

dominus. So, dominus is he who has subdued, he who has dominated.

Dominus is he who subdues, meaning he who dominates. By his very nature, he dominates.

And the lady is the female corollary of that, the female version of that.

So, domina is a word for a female lord, meaning a lady, right? But that's a female version of

a lord. Now, how many people understand all these little details?

And it's really important when you go into that because, as I have said before, I have that book called The History of the Rod, and some of those ladies in the Roman society that had slaves, they would make the women slaves work naked from the waist up so that it would be that much easier to start to wail on them with a horrific lash, a horrific whip. And so, they always had to be nervous about making the lady upset. And on occasion, they would just whip the slave to death.

I mean, this is in the historical record. So, think about a slave economy where the households up and down the block are throughout the whole neighborhood, the whole community, the vast majority have a certain number of slaves, and the horrific nature of the beatings and the abuse and so forth that's going on in all those households. What kind of energy is in that society as a result of all that horrific behavior?

[Peter] (46:16 - 48:32)

Yeah, and beyond slavery into indentured servitude. You know, Hamilton, who was, I mean, the bizarre situation of having a black actor play the chief originating capitalist of the US is just too bizarre. But Hamilton, he didn't like slavery, but he had 25 to 30 indentured servants.

Well, they're basically owned, they're under contract. So, technically, they're not slaves, but under contract, as long as they're under contract, they must follow just like any slave would follow the orders of their what? Boss, I guess.

So, boss is another word for dominant. There's so many words that are as being, well, how else could the world where I can imagine people listening and say, well, what do these guys think? How can you have organization in the world if you don't have bosses?

Well, that's a topic for a good conversation on another day. Leadership is not the same as domination. The structure of any society that has certain, whether they're elders, or they're the best hunters, or whatever, the most prolific of the gardening mothers, or whatever,

name any situation you want, there's going to be some kind of arrangement or organization of some people are leading and others are not. But that does not mean they had any power of domination. This is one of the things that the colonists, so-called, were confused about. They wanted to talk to the chief all the time. And they discovered that the chief didn't have any power to tell his warriors what to do. If they thought that he didn't know what he was talking about, they didn't pay any attention to him. And the colonists were really upset by that because they couldn't figure out what's the organization here, which meant they didn't really understand what a communal society was all about. They had never had that experience. And that's all that they knew was domination systems. And they praised them because, after all, their highest belief was the dominating God, that this is reality. This is the way the cosmos works. Well, we're kind of near the end of an hour. [Steve] (48:32 - 48:36) I think that sounds like a good stopping point. [Peter] (48:36 - 49:13) We're going to revisit some of these themes again in various ways. But just to close where we started is that I hope that people listening to this can feel and understand very clearly that while we're talking about pop culture and news, quote-unquote, and op-eds and all the rest of that, we're looking at all that as a kind of a froth on top of a structure, a deep structure that needs to be examined. And that's what we're examining. We're looking at the deep currents that are underneath the waves that are producing the froth. [Steve] (49:14 - 49:16) At least making that effort. Yeah. [Peter] (49:16 - 49:18) That's what we're trying to do. Yeah. [Steve] (49:18 - 49:18) Yeah. [Peter] (49:18 - 49:22)

Well, thanks again, Steve. Thank you. You really appreciate it.  
Yeah.

## OUTRO

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