

e016-colonists-settlers-invaders-expansionists-immigrants

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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.

[Peter] (0:03 - 0:04)

Good morning, Steve.

[Steve] (0:05 - 0:06)

Good morning, Peter.

[Peter] (0:06 - 0:13)

Good to see you again. We talked during the week, but when we have these special sessions recorded, it's always a pleasure.

[Steve] (0:14 - 0:15)

Yeah, it's great.

[Peter] (0:16 - 3:53)

So today, we agreed we'd talk about a recent article in The Economist, which is an English magazine slash newspaper, which is a really egregious example of the misuse of history, particularly the misuse of Native history. Last time we talked, we focused on that meme that had been running around about no one is illegal on stolen land. And we unpacked that a little bit and showed how there's a kind of a conglomeration there of two separate stories, one about Native peoples and land, and one about immigrants.

And today, The Economist article that we're going to focus on tries to make the same kind of linkage, but in a way that I think is really dishonest, because this is written by a professor at the State University of Pennsylvania, and somebody who professionally is a historian, knows how or at least should know how to read documents and use them honestly. And instead, does the opposite, misreads the document, uses it dishonestly. So just to give a quick overview of it, and you can take it from there.

The article is entitled, The Indian Removal Act, Unchecked Expansionism, and Disregard for the Rule of Law. That's The Indian Removal Act, Unchecked Expansionism, and Disregard for the Rule of Law. So if somebody just saw that

headline, they'd say, yeah, I think The Indian Removal Act has something to do with law.

It has something to do with treaties, and it has something to do with the U.S. Supreme Court claiming U.S. owns native lands. But that's not what this article is about. The article is a thinly veiled attack on Trump policies, President Donald Trump.

And when I say thinly veiled, the author never mentions Trump, but the author refers to King Andrew as an epithet for Andrew Jackson. So we have that little kind of reference to no kings. So that's why I call it, it's a misuse, but it's also the kind of misuse that you and I have decried before, which is a shallow, superficial, actually obfuscating view of historical periods and historical information, historical documents.

And the centerpiece of this article is a reference to the 1832 memorial of the Muskogee Creek Nation protesting the efforts that were being made then, which were eventually successful, to remove, quote unquote, the native inhabitants from their land. So you're going to dive more deeply into the article next. But just to say, once we know that little bit about the article, we've got to wonder about that headline, because it says unchecked expansionism.

It could have said and should have said unchecked immigration, unchecked colonial invasion, unchecked settler invasion. But as soon as it did that, it would have destroyed the purpose of writing the article, which is that it would have said immigration is a serious problem

historically for Native peoples, and that immigration, uncontrolled immigration of white settlers, quote unquote, was what led to Indian removal, quote unquote. You want to dive into more detail with that?

[Steve] (3:54 - 4:32)

Yeah, sure. It is interesting to look at the title, because what is it that's expanding in terms of unchecked expansionism? The author, the professor at Pennsylvania University, is referring obliquely, not explicitly about the American empire.

There are many uses of terms that reference that kind of a framework of empire.

[Peter] (4:32 - 4:37)

Steve, can you increase the volume of your sound a little bit? Sure. Sorry about that.

[Steve] (4:37 - 7:27)

Can you hear me better now? Yeah. Yeah.

Sorry about that. But in any case, what I see is that the unchecked expansionism is referring to the American empire. That's what's expanding.

And I wish that had been made more explicit within the article. But disregard for the rule of law, I find to be strange in the sense that the Removal Act was part of the rule of law once Congress passed that on May 28th of 1830. So really, it's the quote unquote rule of law as a type of weapon

system used against Native nations and peoples for the purpose of what I prefer to call domination.

And so that's where some of these word usages or choice of words become obfuscating. And then with regard to the Muskogee Creek Memorial, meaning a message to Congress, to the United States government, the way in which she uses that document, it's a very powerful document that references their original free existence. And they say that, for example, we have never been slaves.

We were born free. That's a powerful statement right there. And she does not focus on that.

And they talk about how they provided food. When the Europeans arrived, they were few in number, feeble in strength. And the Creek people, the Creek nation gave them land on which to live, food to supply their hunger, pointed out our springs of water to refresh them when they were thirsty.

Well, she references a couple of those. But then the part that she focuses on is referring to what part of what we gave to you. I'm paraphrasing here, but well, let me be more specific to quote it directly.

For which of our services to you are we condemned to slavery is how they put the question initially. And then they say, for which of those services are they being subjected to penalties of forfeiture? So she only focuses on the forfeiture reference and not to the being condemned to slavery.

And I think that's very interesting that the decision on her part as to what part of the wording that they're putting forward that's so powerful, is she ignoring and what part is she highlighting and making clear in her article?

[Peter] (7:28 - 10:59)

Yeah. And I think that those are the choices that I say are disingenuous because any serious look at any document, in this case, the memorial, has to look at the whole document, get a sense of what it's really all about. And the little lines that she picks out about how we helped these poor white people when they first arrived and fed them and gave them some place to live.

She's wanting to riff on that about there's some way in which thinking that uncontrolled immigration is a problem. Oh, nasty Americans, we shouldn't think that. Look, the Muscogee Creek are telling us that's not a problem.

Actually, the Muscogee Creek is saying that's the whole problem, is that we gave you some land, we helped you out, and you have yet to really just say, okay, enough is enough. You still want more. In fact, now you want everything.

And many times throughout the document, you quoted some of it, but let me quote a little bit more. They're protesting in their memorial that the U.S. wants them, quote, to surrender the last remnants of the territories which were bestowed upon us by our God, to relinquish them to those who are desirous of becoming proprietors of our possessions. And then they say that we have a treaty

with the United States and that our authority to manage our own concerns was left unimpaired by the treaty.

And our rights, as we had ever before been accustomed to exercise them, were untouched. And then it talks about the very fact that the U.S. is coming to them with a treaty proposal, says that the application to us as the owners of the land was an unequivocal recognition of our title. And then it talks about the people, the settlers, invaders, immigrants, colonists, whatever you want to call them, including you could use the word expansionist once you've clarified what that really means.

It says they have spread over the territory where our fathers formerly walked without restraint. Our lands are overrun, our possessions damaged, and our persons outraged by white men. We are the rightful proprietors and we are injured.

So that is the basic thrust of the memorial. It's against removal and it's calling out the history of how much has been already demanded of them. And then now they're drawing the line.

That's essentially what that's all about. And when she tries to twist that and say, oh, the Muscogee Creek were advising Americans to follow the rule of law, that's just trivial crap. And I think, as you pointed out, I'm sorry to use technical academic jargon there, but as you pointed out, the rule of law was the Removal Act.

And the rule of law, as we pointed out many times, was Johnson v. McIntosh. So the efforts against the original peoples here were undertaken in the name of law, not against the law.

And I think that over and over again, we have not only pointed that out, but we pointed about that law, that legal structure still exists. Johnson v. McIntosh as a legal principle of a claim of a right of ownership still exists.

And it is still used in cases around the country for the U.S. to say, here's what we're going to do with this land. And that is, if we're going to talk about the rule of law in relation, we ought to be talking about it not only historically, but as it exists presently.

[Steve] (11:01 - 13:21)

Well, and also the professor states that the Creek leaders, quote, called on American citizens to remember their own past and to consider the future, keeping in mind the precarious nature of political power. It's unclear to me if that's a direct quote. Perhaps it is from the document.

I don't recall. It's not. It's not.

So if it isn't, then it's very interesting that what they're facing is just outright domination in terms of being driven from their homeland forever, basically. And how is that a precarious, demonstrating the precarious nature of political power? It seems strange as a framing for that, right?

But then the Creek leaders do say very clearly, and this is a direct quote, we are unable to comprehend how Alabama is just one example between Alabama and Georgia, how Alabama has ever derived or obtained any right to legislate with regard to us. That's an assertion of their original free existence. We have never yielded any such right to the United States.

We have never recognized her authority and we have never made sessions to her. So I'm not sure what they meant by that part. But from us, no such power by which they mean to legislate with regard to them has emanated.

In other words, they have the right to decide for themselves where they shall remain and where they shall not be driven from. So, and then once again, reiterating that prior thing that I quoted, we never have been slaves, we were born free. That's such powerful acknowledgement of the original free existence of native nations such as the Creek Nation.

And yet that did not remain in the article. It never, she didn't include any of that in her article is what I meant to say.

[Peter] (13:21 - 15:40)

And just to loop back to my criticism of her, that's precisely the point, Steve, is that if she had acknowledged what the memorial was really all about, she would have acknowledged what they were complaining about, which is the invasion of their country by so-called settlers. She would have to say that, and not only the Muskogee Creek, but the Cherokee as well, all targets of so-called removal, they were

protesting against the invasion of so-called settlers. And that invasion of settlers was coordinated, organized, and supported by both the state and federal armed forces.

So we're talking about a coerced influx of immigrants, colonists, settlers, invaders, expansionists, whatever word you want to use, these are all synonyms for the same thing of an invasion of their territories. And if she had admitted that, there would have been no purpose in writing this article, because the article would have been turned inside out into a condemnation of uncontrolled immigration as a danger when it occurs. And we can point to the Cherokee, the Creek, and in later years, also in farther west to the western Shoshone, where the Indian Claims Commission said that even though the treaty with the western Shoshone and the U.S. never said anything about cessions of land, that the western Shoshone had lost, quote-unquote, had lost their land because of, quote, gradual encroachment of outsiders. So that means gradual immigration. It wasn't all of a sudden, as in the Cherokee and Creek cases were gradual. So we would see a picture across the continent of the same phenomenon of physical invasion by outsiders of original nations' territories.

That's the real story. And that's the story that the economists could not tell because it framed it inside out, as if there is some other issue here that the U.S. is acting in some nasty way and the Muskogee Creek were taking time out of their busy lives to give a political science lesson to the U.S. about the precariousness of power in the way the U.S. was acting. That's just all foolishness.

[Steve] (15:41 - 16:57)

Well, I think that the problematic nature of an article like this is that it takes these types of specific examples that we're giving and does not really flesh those out, but it uses this history as a way to enter into the fray in terms of pro or con, either in favor of or against the Trump policies. And I'm not speaking to that in this podcast. That's something that I don't prefer to get into specifically.

But in terms of the way in which this information is being used, it's weird that the way in which we are specifically focusing on the right to a free existence of native nations and peoples and up against a system of domination invading them and encroaching on them and subjecting them to horrible abuses and so forth, being driven from their homelands, that that doesn't really even enter into the article in a very clear way, even though all those materials were available to the professor to be able to provide that for her readership.

[Peter] (16:57 - 17:55)

Yeah. And what it also would have done, provide a framework in which to see the ongoing aspect. So when we talk about the Sacker Pass or Oak Flat current controversies, we talk about the so-called San Francisco Peaks where the Navajos tried to stop so-called development.

We're seeing that we would see rather. We're not able to see it from the way she presents this article, but we would be able to see that if the article had been presented in an honest way, if they had really wanted to say, well, what was

happening with the Muskogee Creek Memorial in 1832? What was that really all about?

If that was the purpose of writing the article and they had done it honestly, they would be going where we're going right now. And so it's a misuse. And as you both, I guess both of you said, it's an obfuscation.

It actually blocks off comprehension of what the actual history is and what the actual current situation is.

[Steve] (17:56 - 18:51)

It's striking that, I'm probably going to sound like I'm repeating myself here, but this is one of the very powerful ways to highlight the nexus, if that's the right word, the connection between that original free existence and the assertion of a system of domination in opposition to that free existence, which we've said a number of times on this podcast is one of the most critical and crucial aspects of human existence, right? The people that want to assert that they have a right of domination over others and are going to exercise that right against them to deprive them of their free existence.

And all of those elements are here available to have that conversation. I don't think anyone would read this article and see that kind of a dynamic within the way in which it's been framed.

[Peter] (18:51 - 20:15)

No. And we've just said a moment ago that the rule of law was actually being enforced by the Removal Act because it had been passed by Congress. That's not dealt with at all.

In fact, it's turned inside out. And if that had been explored, then somebody would have had the opportunity to ask, well, on what basis did Congress think it had authority to pass the Removal Act? Oh, well, I think we better take another step back to 1823 to Johnson v.

McIntosh, where the Supreme Court said the U.S. had title to this land. And this would have also led to the second case, Cherokee Nation v. Georgia, which was specifically Georgia.

I'm sorry, the Cherokee Nation said, we have a treaty with the United States and the treaty is designed to help us maintain our territory. And instead, the Georgia forces are coming in, invading our territory, and we're fighting back and we expect our treaty partner to help us. And what did John Marshall, the Supreme Court say?

We're not even going to hear that case because you're not even a nation. And why aren't you a nation? Because you don't own your own land, because the U.S. already has claimed that land. All of that history is just imminent in the situation that this article supposedly is looking at. And yet it's all completely the threads that would lead to that discussion have been obliterated.

[Steve] (20:16 - 20:18)

Well, they've been excluded from the article.

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

Excluded, yeah.

[Steve] (20:20 - 21:08)

And so the disregard for the rule of law, it really would make more sense. The misuse of the rule of law, if you want to just be kind of not very— If you want to be accurate, I would say. Well, if you want to be accurate, but also that's even a bit of an understatement.

If you're driving an entire nation of people from their homeland hundreds of miles away and forcing them to walk across the land and so forth, and the way that violence and military force were used against them in such a horrific manner to drive them out of their homeland, that's a disregard for the rule of law. When they're using the rule of law to make all that happen, that's bizarre. It's just a strange way of framing the whole history.

[Peter] (21:08 - 22:19)

Yeah. There's another thread here. We often talk about the history of Christendom involved in all of this, and that was also involved here because the Cherokee were being subjected to missionizing the American foreign ministry, and these missionaries were arguing against removal because they said these people can be Christianized.

It kind of goes all the way back to Las Casas with the Spanish, where Las Casas said the people because they can be saved for Christ. They can be Christianized. So the debate that was happening in the U.S. side of this was not

saying that there's something like the original free existence, which includes their religion, their way of life, their land, all of that. No, it's like these poor people that need to be Christianized, they should be left alone, and the other side of the debate was, well, they're in our way. We want their farmland. So if we were to look at the actual discussion, we would unpack even more of the truth and the strangeness of American history here.

[Steve] (22:20 - 22:44)

Well, and isn't it interesting that the Removal Act was passed only seven years after the 1830, excuse me, the Removal Act was passed seven years after Johnson versus McIntosh in 1823. And I think it's really interesting that the chronology there. Yeah.

[Peter] (22:44 - 24:12)

And then 1831, a year after the Removal Act was in the Supreme Court, refused to even let the Cherokee present their treaty demands against Georgia. So then one year later, and then another year after that, 1832, the Worcester v. Georgia case, which so many people think Marshall was just such a wonderful guy because he said that Georgia didn't have a right to go into Cherokee territory, but it wasn't really a question about Georgia going, it was a question about the U.S. going in at that point. And the U.S. had, even in the Worcester decision, Marshall says that nobody can go into Cherokee territory without the Cherokee permission or by an act of Congress. So he, without dwelling on it, because that would have been whatever, contrary to what his interests were in trying to create a little narrative there, he was already giving the

rubber stamp saying Congress has the power to enter into this territory. And the only act, he doesn't even refer to the Removal Act that had been passed two years before the Worcester decision, which is really interesting that he can't, he doesn't even touch it.

What does he touch? He touches the 1819 Civilization Act, which was an assertion that the Congress could send missionaries in and that the kind of assimilation process would begin. He says that's a wonderful thing.

[Steve] (24:12 - 25:21)

Yeah, there's another aspect of this where I said that she's not being explicit about the American empire, but there is a point at which she, referring to Andrew Jackson and his horrific behavior, some claim that Jackson was simply extending the policies of previous administrations. James Monroe had warned European empires to stay out of America's backyard, while Thomas Jefferson, an eager expansionist, facilitated the Louisiana Purchase so that the empire of liberty might eventually rule the continent. What I find really interesting in that is the way in which the use of the word liberty by inserting that in there and framing it in that manner, it really, in the connotation, it makes it seem like a positive thing, even though it's kind of a critique, but at the same time, it really isn't, because she's creating this positive gloss by using the word liberty in association with the word empire.

[Peter] (25:21 - 26:03)

Yes. She also has a line in here. She says, Americans largely agreed their nation should expand, but they disagreed over

the scope of the imperial project and how it might be achieved.

All right, so expand and imperial, and again, kind of completely ignoring, glossing over, not using, it's like people not using the word domination. She's not using the word immigration here. That would be something that would blow her whole argument out of the water, is that Americans wanted to immigrate into native territory that would, quote, expand the empire, and she says most of them wanted to do this, but they disagreed how, or the scope, or the speed, or whatever.

[Steve] (26:04 - 26:58)

Well, she references Senator John Calhoun as well, and says that Calhoun had referenced Rome, ancient Rome, and Augustus Caesar, who had, quote, seized power from the Senate, and while the emperor did not change the forms of the Roman Republic, he exercised a most despotic power over the laws, the liberty, and prosperity of the citizens. Well, isn't the use of a removal act as the rule of law, they're not disregarding the rule of law. They're using that rule of law to engage in despotic power over the Greek nation, which is the thing that we're focused on with the use of the title Domination Chronicles, yet somehow that word never appears in her article as well.

[Peter] (26:59 - 27:32)

Yeah, and nor does she look at the subsequent history of Rome that we've talked about before under the Emperor Constantine, which was an establishment of a effort at a global imperial system, never mind just converting the

Roman Republic into something different, but turning the Roman Empire into a global scheme of things. Again, amazing, interesting, useful areas of inquiry that are available if we actually talk about them, but if we don't talk about them, they're unavailable.

[Steve] (27:33 - 28:59)

Well, I'll quote a tiny bit more here. Our own historical moment, she writes, has many parallels to the age of Jackson. Then as now, some championed the assertion of raw power while others worried about the rule of law.

Opponents of King Andrew, as they called Jackson, warned about the concentration of power in the executive branch. Their understanding of history suggested that unchecked power would lead to tyranny or the downfall of society.

Well, I mean, to me, when you can look at pieces of legislation such as the Patriot Act, the way in which they went ahead and passed a law that allows propaganda to be used against the American public, so many examples of the kind of despotism that is across the board, whether it's Republican or Democrat, whichever side of the aisle, they're talking about.

It's the way in which evidence of domination is becoming much more explicit and blatant within the society as a whole, and I think that's something that would be very important to illustrate by the use of the Removal Act and how the rule of law, quote unquote, worrying about it being used as a weapon system against the people is a pretty important focus that we ought to maintain.

[Peter] (29:00 - 31:09)

Yes, to take it into a little more arcane territory even, and I'm glad you brought up those examples. This is because it shows that the domination system that we're talking about is not simply oriented around the original peoples here. It's an imperial system, a domination system that operates by means of domination wherever it operates by any means.

So if there's a bureaucrat that can tell any of us which light bulb we can use and force us to use light bulbs that have an intense blue light spectrum, which is bad for our eyes in the name of fill in the blank. Of course, at that time it was saving electricity. Now it's something else.

Those are just minuscule examples of domination. The largest one that we lived through with the lockdown was a massive example of domination. So the domination system is domination to court, through and through.

That's what it is. It's a system of domination designed to dominate. As we pointed out before, it's an internal and external domination.

Christendom was a system of domination. Since our recent conversations about Constantine, my mind just on a daily basis sometimes, I'm just shocked by thinking about how many centuries of violence have been done in the name of Jesus. How many centuries of really graft and corruption and domination have been done by members of a so-called church?

People have been burned at the stake. You say, well, that's old history. But it's not old history when you think about the consequences, the intergenerational consequences of people having been subjected to that kind of domination so literally.

And then you say, well, how did that affect Western civilization? And then you begin to say, as you've suggested, maybe the concept of civilization itself needs to be unpacked and examined. And so all of this, this discussion we're having right now, all of this flows out of a careful, critical reading of a pretty bad piece of historical journalism.

[Steve] (31:10 - 32:37)

By a historian. By a historian. So if you apply my domination translator to this article, it just occurred to me that going back to the prior reference to the Empire of Liberty, you would put domination after empire, because that's an example of domination.

So the domination of liberty might rule the continent, but rule is dominate the continent, right? And then up above there, the Florida raids were committed without approval from Congress, even though military affairs and relations with Native nations fell under federal jurisdiction and a congressional investigation was launched. Some claim that Jackson was simply extending the policy of previous administrations, as I referenced before.

Now, what's interesting about the reference to military affairs and relations with Native nations, it makes it sound as if those are two separate categories, when in fact, the

Indian affairs of the United States were under the War Department at that point, under the Department of War, right? So the Native nations were under the category of military affairs of the United States at that point in history. And that's not made clear here at all.

[Peter] (32:38 - 33:47)

Yeah, yes. All of this, the actual claims of power that were being made, and still are being made by the US government, by the federal government, always in the name of liberty. Of course, whenever I hear things like that, people talk about, you know, freedom, liberty, doing good, helping.

As a graduate student of mine many years ago, when he did a dissertation on the Puritans, he said that help was a four letter word. We're going to come over and help you. And it's an insightful remark is that the words that are used, so you say the empire of liberty, how can there be an empire of liberty?

Let's think about that. What does that mean? And then trying to unpack that, we'd get into some very tricky conversations about what do we mean by any of these words?

And so how can liberty, so you said empire is put in brackets, domination, but then empire of liberty, if it's an empire of any kind, an empire of Wonder Bread, that's still an empire.

[Steve] (33:48 - 34:00)

Yeah. Well, the domination of liberty, that's what I'm getting at. If that were made explicit, it would seem incoherent, right?

[Peter] (34:01 - 34:14)

Exactly. That's what I'm trying to get at. Once you start picking at these things, their incoherence becomes obvious.

And so you say, so the domination of liberty, somebody might hear that, oh, yes, liberty can be dominated. But no, she's not using it that way.

[Steve] (34:14 - 34:14)

Yeah.

[Peter] (34:14 - 34:20)

She's using it as an empire that is in the name of liberty.

[Steve] (34:21 - 35:51)

So the unchecked expansionism, what is it that's expanding? My view is the system of domination, the American empire, as it was explicitly named by a number of people, such as John Marshall, George Washington, Jedediah Morrison, Benjamin Franklin, and many important figures of that era of that time, it was made clear that they were breaking away from the British empire to create the American empire, and that's what expansionism is referring to. It's the expansion of that empire, that imperial system, across the entire continent.

And you also see that referenced in the Society of the Cincinnati, the institutes of that organization, which was

kind of an aristocratic organization formed by George Washington and his brigadier generals. But in any case, it's referring to the future dignity of the American empire, and American empire is all in capital letters. So it was very clear in their minds what they were founding, what they were creating.

And I find it really contradictory to think of it in terms of a, quote unquote, democracy. So what is it, a democratic empire, a democratic system of domination? Is that what's really being referenced?

[Peter] (35:52 - 37:37)

Reminds me of Philip Deere, Muskogee Creek, saying we don't believe in majority, majority. So it's not an electoral system, what the Muskogee were dealing with. That's another conversation.

But looking at the earliest claims of ownership, the Cabot Charter and so on, Columbus, Isabella and Ferdinand, and then the great land purchases that gave rise to the Johnson v. McIntosh case, actually, we're looking at the Fairfax Grants. We talked about that, that Marshall and his family actually acquired land under these grants.

These land grants, quote unquote, were intended by the grantees and the grantor would be, for example, James I or Henry VII or whoever. They were intending to duplicate the feudal system. They were going to be great land owners, land lords, carrying a lordship system.

And the only way that could actually work for them is if there were so-called settlers coming in to either buy pieces of the land, as the Marshall family did, or to farm the land and pay rent for it. So the whole thing from the beginning, the, quote, ownership of land, the claim of ownership of land, rested on the understanding that we're going to be bringing some immigrants in here to do some work and or to buy some pieces of this. Otherwise, the whole system made no sense.

Why would a land speculator buy thousands of acres of land if that was the end of the story? I mean, no point. It's because they were trying to create a fiefdom and make themselves the lords of that fiefdom.

[Steve] (37:37 - 39:14)

Well, the expansion of all that population, in other words, the number of people, you have to have them swarm the land in order to overrun it. And in order to make that system operate as an imperial system, you need human bodies acting in a certain way to make all of that happen. So they have to bring the flood of immigrants in and have them flood the land or swarm the land and then make the property law system operational as a result of that.

And at the same time, the territorial system of the United States, operational, meaning the imperial system of territorial claims, the claim of a right of domination across an entire continental mass. And so it's interesting to just think about all those elements that are needed and the way in which that's symbolized. For example, the state of Utah has their beehive to symbolize colonization.

The swarm of bees leaving the hive and swarming to some other location with the queen and setting up their residence elsewhere. That's the symbology, at least part of it. And you see that symbolism of the bee in the Vatican when you go and look in St. Peter's Cathedral and wander around in there. It's extraordinary to see the number of times that bees are depicted in there.

[Peter] (39:15 - 39:26)

I don't remember that. I was not there as often as you. So there's an ancient notion that bees have something to do with what?

Maybe with missionizing as well, a swarming?

[Steve] (39:26 - 39:55)

Well, it's just the idea of there's a queen and the bees swarm and go and congregate. You know, they gather in this mass in a particular area. So it's the idea that the immigration, or they might call it emigration, the movement to another land area to swarm across that area and end up in possession of that place.

I guess that's the way the symbolism could be interpreted.

[Peter] (39:56 - 41:07)

So we see that throughout the entire process that we think of often as the exercise of law, quote unquote, as a means of domination was intricately, it was actually necessarily intricately engaged with movement of populations, movement of peoples, of overrunning, physically

overrunning territory. In fact, this is where it goes beyond some people get confused. Oh, they came over in a boat and they saw that and they say, we own it.

No, they had to take the steps that you have talked about, the ceremonies of possession. There had to be physical presence there of their people, whoever they were, French, English, Spanish, whatever, had to maintain themselves physically there. So already the legal claim and the physical invasion of people were integrated right at the start.

And the Europeans, this is when the European Christian monarchs argued with each other about what is our doctrine. The doctrine was not just an abstract claim. God gave us the right to claim that.

God gave us the right to claim that. And we exercise that claim by putting our people there.

[Steve] (41:07 - 42:50)

Yeah, exactly. And the way in which they're physically taking over the land. I mean, I forget the date, but I recently saw a figure of 17 million people, I think it was by the mid 18, roughly 1850s, that some 17 million people had come from Europe onto the North American continent.

At the same time, Native numbers were diminishing dramatically because of the incursion into Native territories. And that's the other thing that's important, is to acknowledge that these are the territories and lands of distinct Native nations and peoples. And the way in which

the mass consciousness has been conditioned to think about it, it's just all open land.

And they don't have to think about anything but that. Oh yeah, it was wide open for the taking. Well, only by disregarding the Native nations and peoples and declaring them to be null and void, basically.

There's that theme in the Johnson v. McIntosh ruling that Marshall references the term vacant lands, which Benjamin Moon Ziegler in his book, *The International Law of John Marshall*, says the term vacant lands refers, of course, to lands in America which when discovered were occupied by Indians but unoccupied by Christians. So he's making very explicit that distinction between the Christian people that Marshall references in the Johnson ruling and Natives who were heathens, quote unquote, which is defined as a word of Christian origin in the Oxford English Dictionary.

[Peter] (42:50 - 45:19)

Yeah, yes. You know, subject for another conversation, I think, is that, but you're referencing it, the difference between territory and property and the whole concept of property as real estate, which was what was being imposed here, as distinct from the notion of territory, which any animals, including bees for that matter, but ants and bees, muskrats, bears, wolves, foxes, et cetera. There's a way in which all animal life is related to lands, and there are even territories that are occupied by plants.

Some plants invade other areas, so to speak, if they're brought in as outside, like invader species brought in,

quote unquote, from other continents where they exist in coexistence with plants, but when they're moved into a different context, they take over. So we can begin talking about the notion of property relationship to land, all the rest of that, and get some clarity about what the lines of argument are that people sometimes use saying, oh, well, if you look back in some of this material, you're referencing historical documents. Oh, the Native people don't really have a concept of property.

Well, the Native people didn't have a concept of real estate. They didn't have a concept of title, eminent domain, that sort of thing that developed out of the English common law. They didn't have those, but that didn't mean they didn't know where they belonged and what belonged to them and which areas that they hunted and fished in.

They weren't literally wandering. You see that kind of Joseph's story when he talks about that from the point of view of the Christian doctrines that the Native peoples were just like wild beasts, that they weren't really human. They didn't count.

You can say, well, okay, so let's say that they're like wild beasts, even quote wild beasts have territories and know where they are and will defend them, and they have a relationship to it. They say we live on this land. They don't say we own this land, we can charge rent for it, and we can pass title deeds to it.

They simply say we coexist with this particular place, and that's a very different concept. It needs more than what I'm

doing right now to flesh it out, but you touched on it, it seems to me.

[Steve] (45:19 - 46:56)

Well, they knew it to be their home. Whatever they called that in their language, that was their home abode. That was where they lived and had their way of life and all of the ideas within their own language system.

They didn't have an idea, a European idea of property, but there were people that were willing to actually die in battle in an effort to defend their home and to defend the graves of their ancestors, which are also referenced in the Creek Memorial, what they have to do in terms of safeguarding the bones of their ancestors and the graves and so forth. All of those things are of tremendous importance as a spiritual way of life, and I think that's what gets lost in a lot of these kinds of conversations, because what is it that they're experiencing within their mental world, within their traditional language, with their original free way of life, is something completely different than an English-speaking mental world or whatever language you want to choose from Western Christendom or Western Europe.

There's a completely different orientation than we approach it in this English language, and there are hindrances and ways in which we're limited to even speak about a lot of these things, because English doesn't necessarily lend itself to a different way of framing the ideas that we really are trying to grapple with. Yes.

[Peter] (46:57 - 49:24)

In fact, as we approach the end of this hour, we're opening up so many possible things we're talking about, but one of the distinctions that could be made is between polarity and duality. You think about polarity as complementary relations of what you might call opposites, like yin and yang, and as a symbol of yin and yang shows in the Taoist understanding, these are interconnected with each other, whereas dualism puts things on one side or the other side. It's like you recently were writing about your father's physics textbook.

There's a duality. There's life on one side and dead matter on the other side. So when you say the English, it's like that whole Western civilization mode of understanding life is what needs to be unpacked, re-examined if we're going to actually figure out what happened in the past, but also what's happening now, and to see what humanity grappling with in terms of what does it mean to be alive as a being on planet Earth.

And for the most part, that gets completely—I shouldn't say for the most part—it gets totally lost in superficial politics. People are arguing this political party, that political party, this president, that president, this prime minister, that prime minister. None of that is actually even getting near the deep questions of what does it mean to be a human being on the planet.

And so when we, last time, I think we quoted Steve Forbes talking about he was responding to the no one is illegal on stolen land, pointing out— Billy Eilish's quote, yeah, during the Grammys, yeah. Steve Forbes is one of the people

responding at, well, get used to it. You know, there's been displacements all over.

And he gives various, like the Turks and the Armenians and World War I, and he's talking about that kind of stuff. His mode of thinking about it, where he wants to condense all thinking about conflict, about land into conflicts between and within the system of domination of Western civilization. And that is simply not going to ever produce results that are useful for living.

They may produce results that are useful for upholding some political party or another, but they're not going to produce results for thinking about what does it mean to be a free existing human being in a free existing human community.

[Steve] (49:25 - 50:09)

Or if there's even a right to live a free existence. You know, I think that's a fundamental question. But referencing the article that I wrote about my dad's physics textbook, which was really interesting to find that antiquated way, what I consider antiquated way, of thinking about nature as inanimate, the world of nature to be inanimate, meaning without life, without spirit, basically a synonym for that is dead.

So the life of nature or the world of nature being dead matter. What a premise. What an insane way to deal with life.

Let's declare life to be dead.

[Peter] (50:10 - 50:10)

Yeah.

[Steve] (50:11 - 50:17)

And what's the evidence for that? Well, we're not really sure, but we know it's true.

[Peter] (50:17 - 51:10)

Well, we've dug up things and we've mined them and all that. And the world still, I guess it doesn't really feel anything. It must be dead.

It's just for us to use. Yeah. Anyway, maybe we should, we've tangled with that.

I guess what we have not tangled with, and I have no interest in trying to do it, is thinking about the immigration controversy in the U.S. that inspired all of that, Billie Eilish's comment, as well as Steve Forbes and the two lawyers and the history professor and the economist, is we could ask ourselves exactly whose interests were served by the mass uncontrolled immigration into the U.S. That would be a whole separate question that would go down some avenues that we don't need to go down now to understand that immigration, uncontrolled immigration, was itself part of the plan for eradicating Native nations.

[Steve] (51:10 - 53:37)

Yeah. Yeah. Well, it was essential and like Marshall says, their right to complete sovereignty as independent nations were necessarily diminished.

Well, why necessarily? Because it was necessary to the success of their imperial enterprise to establish their system. And the same thing with the flooding of all the masses of people over here from Western Europe.

It's the same type of thing. And then the different political parties use these issues as, quote unquote, political footballs, as all kinds of ways in which they can create machinations and intrigue and all those types of things that I don't necessarily feel that equipped to discuss in detail. But it's pretty clear that there's a lot of contentiousness about it.

And I think that it's that divisiveness within the society that is really extremely problematic. And there are forces at play, powerful political economic forces that use all of those divisive issues as a means of keeping people apart and keeping people at odds. So how can we bring people together?

And my sense of it is that we ought to maybe try to think about, can we agree that we have a right to a free existence and to be free from a system of domination? And what does that look like? How do you even get there if you're living under the presumption that you're subject to the claim of a right of domination by others?

How do you extricate yourself from that? Is that even possible to ask these very fundamental questions about an empire, meaning a domination of liberty? Oh, that's the only liberty that you have is the right to live free under a

system of domination, which is a complete contradiction in terms.

And those are the type of questions that will never be raised so long as people just continue at odds with the left and the right and the red and the blue and all these kinds of divisive team dynamics, so to speak.

[Peter] (53:38 - 53:58)

Yep, exactly. All of which goes nowhere fundamental and does not allow us to even suggest that there might be some fundamental issues here. What is it about?

Steve, maybe we just draw it. Let's leave it there. This has been good and we'll be back again.

[Steve]

Thank you very much. Appreciate it.

00:00 --> 00:06

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