



COALITION OF LARGE TRIBES

Blackfeet Nation • Cheyenne River Sioux Tribe • Crow Nation • Eastern Shoshone Tribe
Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation • Navajo Nation • Northern Arapaho Tribe
Oglala Sioux Tribe • Rosebud Sioux Tribe • Sisseton Wahpeton Sioux Tribe
Shoshone Bannock Tribes • Spokane Tribe • Ute Indian Tribe • Walker River Paiute Tribe

**Press Statement from the Vatican Repudiates the “Doctrine of Discovery;”
COLT Calls on the United States to Follow Suit and Take Steps to Support the
Healing of American Indians, Alaska Natives, and Native Hawaiians**

March 30, 2023

Browning, Montana - The Coalition of Large Tribes, an inter-tribal organization representing the interests of the more than 50 Indian Tribes having reservations of 100,000 acres or more and 95% of the U.S. tribal land base, was heartened to see the [Joint Statement of the Dicasteries for Culture and Education and for Promoting Integral Human Development on the “Doctrine of Discovery” \(vatican.va\)](#) released by the Vatican today.

The Joint Statement, while conveniently and mistakenly self-exculpatory with respect to the Catholic Church’s central role in Native peoples’ dispossession of our lands, children, culture and even our lives, clearly repudiates the Doctrine of Discovery, recognizes it as the failure of Catholic values that it is, and urges it to be cast out of colonial legal structures. The Joint Statement also looks toward healing. COLT welcomes these messages and urges the United States to heed them.

“The Doctrine of Discovery, born from Papal Bulls, shows the bad medicine of Pope Nicholas V and others, laying the foundation for war, slaughter, imprisonment, and assimilation of Native peoples. The Doctrine of Discovery, like spider’s silk, wove a legal web that trapped and tainted the minds, spirits and dignity of tribes and deprived us of the most basic human rights at the hands of colonial powers,” said COLT Vice Chairman Tracy Ching King, the Assiniboine at Large Representative on the Fort Belknap Indian Community Council. **“But today’s Joint Statement starts to lift the shackles that we still feel. It is very good to see this day,”** he continued.

COLT Chairman Marvin Weatherwax, a member of the Blackfeet Nation Tribal Business Council, agreed and urged the United States to act accordingly, “The United States should acknowledge the harm done to Natives by the Doctrine in their hands, especially land dispossession and assimilation in federal Indian boarding schools, which were so often led by the Catholic Church, as detailed in the Department of the Interior’s May 2022 *Federal Indian Boarding School Initiative Investigative Report*. And the United States should take remedial actions.”



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As COLT explained in our [Resolution: 08-16-2022-Resolution # 04-2022 \(NN-Twin Arrows\), Resolution in Support of the United States Department of the Interior's Restoration of Tribal Homelands by Adopting a Policy to Cancel or Rescind Any Fee Patent or Permit to Authorize or Support Indian Boarding Schools](#), the gains of the Catholic Church, other religious organizations, and third parties in acquiring Indian lands in connection with Indian Boarding Schools were ill-gotten and most of those facilities are no longer in operation, serving their original purpose or mission, or serving Indian people in any way. The lands wrongfully taken from Tribes in support of Indian Boarding Schools are valuable and should be returned to Tribes to help us address the many intergenerational social ills from which we still suffer caused by the Indian Boarding Schools.

The National Congress of American Indians has also called for this same action. [Resolution #SAC-22-019, Calling upon the Department of the Interior to Cancel or Rescind Any Fee Patent or Permit to Authorize or Support Indian Boarding Schools; and to instead Promote Health, Wellness and Trauma Healing by Supporting the Revitalization of Tribal Languages and Culture.](#)

The return of Indian Boarding Schools lands, especially those no longer in use for any educational purpose, is consistent with federal law mandating reversion of such lands to tribes. *See* the Indian appropriation act of September 21, 1922, 42 Stat., 994, 995 (“1922 Act”). The 1922 Act placed restrictions of fee patents associated with Indian Boarding Schools in direct response to abuses by churches whereby they were acquiring fee patents to many thousands of acres of reservation lands far in excess of any education needs and they were likewise using the Indian Boarding Schools as otherwise illegal child / slave labor under abhorrent conditions. These practices also violated the First Amendment’s protection against government religious coercion.

These atrocities are summarized in the *Federal Indian Boarding School Initiative Investigative Report* and warrant that the Department deem any fee patent issued in connection with any Indian Boarding School prior to the 1922 Act qualified by the same restrictions Congress imposed in the 1922 Act, including but not limited to any fee patent issued pursuant to the Indian appropriation act of March 3, 1909, 35 Stat., 781, 814 (“1909 Act”). Both the 1909 and 1922 Acts were tools of Indian and dispossession and assimilation policies that the United States has disavowed and must remediate.

“In today’s Joint Statement, the Vatican acknowledged that the Doctrine of Discovery and the widespread, and continuing, land dispossession for which it was the catalyst, are ‘immoral.’ Therefore, the having the Interior Department revert land to tribes that was wrongfully given to churches would be an appropriate first remedial step,” said COLT Executive Director OJ Semans, a Rosebud Sioux Tribe citizen.



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Additionally, Congress should repudiate the Doctrine of Discovery following today’s Joint Statement, as that Doctrine is likewise the central reason for the lack of public safety in Indian Country. In *Oliphant v. Suquamish Indian Tribe*,¹ the U.S. Supreme Court eliminated tribal criminal prosecutorial authority over non-Indians. The decision was entirely predicated on the Doctrine of Discovery as incorporated into U.S. law by the Court two centuries earlier,² creating a well-known “maze of injustice” and “indefensible morass.” Resultantly, at least “[Seventy] percent of violent crimes generally committed against AI/ANs involve an offender of a different race. This statistic includes crimes against children twelve years and older. . . [I]n domestic violence cases, 75 percent of the intimate victimizations and 25 percent of the family victimizations involve an offender of a different race. Furthermore, national studies show that men who batter their companion also abuse their children in 49 to 70 percent of the cases.”³

“Non-Indian-on-Indian crime on Indian reservations is a crisis and it too flows directly from the Doctrine of Discovery,” Chairman Weatherwax said. **“The Vatican has acknowledged it is wrong and the United States should too. Indian Country would be much safer if Congress would restore tribal territorial criminal jurisdiction, as called for by [COLT](#) and [NCAI](#). Why would the United States continue to hide behind a doctrine the Vatican has labeled immoral and wrong?”**

Additionally, COLT supports the creation of a Truth and Healing Commission on Indian Boarding School Policies, and any other federal act or policy that would provide trauma healing resources, including a formal public apology by the United States to American Indian, Alaska Native and Native Hawaiian people specific to Boarding Schools and other failed federal Indian policies--such as that memorialized in Section 8113 of H.R. 3326, Defense Appropriations Act of 2010, and any additional resources that would assist tribes in understanding the facts of Indian Boarding Schools on our Reservations and healing in culturally-appropriate ways.

¹ 435 U.S. 191 (1978).

² *Johnson v. M’Intosh*, 21 U.S. (8 Wheat.), 543, 572 (1823) (“the character and religion of ... [America’s] inhabitants afforded an apology for considering them as a people over whom the superior genius of Europe might claim an ascendancy”).

³ U.S. Attorney General’s Advisory Committee on American Indian/Alaska Native Children Exposed to Violence, *Ending Violence So Children Can Thrive*, November 2014. Available: [Ending Violence So Children can Thrive \(justice.gov\)](http://www.justice.gov/ending-violence-so-children-can-thrive).



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Vice-Chairman King said, “COLT calls for the devotion of federal resources to revitalize tribal languages and cultural practices as foundational to tribal members’ health, wellness and trauma healing. And we call on the United States to look to the [Native American Boarding Schools Healing Coalition](#) for leadership in guiding that conversation. NABS has been working for more than decade to help bring healing to our people. Today’s admission by the Vatican is an important step to healing and COLT strongly encourages the United States to follow suit and empower Native people to heal ourselves with our traditional ways, our good medicine.”

“COLT calls on both the Vatican and the United States to do much more to address the evils of the Doctrine of Discovery. We stand ready to work with both institutions to make sure Native voices are heard and we can restore the land, culture, language and healing practices that will begin to make our people whole again.”

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