

## KEY TERMS

**settler colonialism:** “Settler colonialism is different from other forms of colonialism in that settlers come with the intention of making a new home on the land, a homemaking that insists on settler sovereignty over all things in their new domain. ... Land is what is most valuable, contested, required. This is both because the settlers make Indigenous land their new home and source of capital, and also because the disruption of Indigenous relationships to land represents a profound epistemic, ontological, cosmological violence.”<sup>1</sup>

Settler colonialism is a structure, not an event.<sup>2</sup>

**Doctrine of Discovery:** “The Doctrine of Discovery is an international law principle developed primarily by Spain, Portugal, England, and the Church in the fifteenth and early sixteenth centuries. These entities developed the Doctrine at that particular time to control and maximize European exploration and colonization in the New World and in other lands of non-European, non-Christian people. The Doctrine had its genesis in medieval, feudal, ethnocentric, religious, and even racial theories.”<sup>3</sup>

“In a nutshell, the Doctrine of Discovery, as applied by England and the United States to the American tribes, came to mean that when European, Christian nations first discovered new lands the discovering country automatically gained sovereign and property rights in the lands of the non-Christian, non-European nation even though, obviously, the natives already owned, occupied, and used these lands.”<sup>4</sup>

“In 1823, the Christian Doctrine of Discovery was quietly adopted into U.S. law by the Supreme Court in the celebrated case, *Johnson v. McIntosh* (8 Wheat., 543). Writing for a unanimous court, Chief Justice John Marshall observed that Christian European nations had assumed ‘ultimate dominion’ over the lands of America during the Age of Discovery, and that - upon ‘discovery’—the Indians had lost ‘their rights to complete sovereignty, as independent nations’, and only retained a right of ‘occupancy’ in their lands. In other words, Indian nations were subject to the ultimate authority of the first nation of Christendom to claim possession of a given region of Indian lands.”<sup>5</sup>

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<sup>1</sup> Eve Tuck and K. Wayne Yang, “Decolonization is Not a Metaphor,” *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012): 5.

<sup>2</sup> Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (2006): 387-409; doi: 10.1080/14623520601056240.

<sup>3</sup> Robert J. Miller, “The Doctrine of Discovery in American Indian Law,” *Idaho Law Review* 42 (2005): 2.

<sup>4</sup> *Ibid.*, 4.

<sup>5</sup> Steve Newcomb, “Five Hundred Years of Injustice,” *Shaman's Drum* (1992): para. 8; [http://ili.nativeweb.org/sdrm\\_art.html](http://ili.nativeweb.org/sdrm_art.html).

**Manifest Destiny:** “In settler colonial societies, terms such as ‘frontier’, ‘Manifest Destiny’, and ‘homeland’ assumed powerful symbolic meaning, creating emotional attachments.”<sup>6</sup>

Journalist John O’Sullivan in 1839: “We must onward to the fulfillment of our mission—to the entire development of the principle of our organization—freedom of conscience, freedom of person, freedom of trade and business pursuits, universality of freedom and equality. This is our high destiny, and in nature’s eternal, inevitable decree of cause and effect we must accomplish it. All this will be our future history, to establish on earth the moral dignity and salvation of man—the immutable truth and beneficence of God.”<sup>7</sup>

O’Sullivan wrote in 1845 about the US claim to Oregon: “And that claim is by the right of our manifest destiny to overspread and to possess the whole of the continent which Providence has given us for the development of the great experiment of liberty and federated self-government entrusted to us.”<sup>8</sup>

**Terra nullius:** Latin for “land belonging to no one.” A belief and laws supporting the belief that “Indigenous people were not (and are still not) recognized as having full ownership or title to their territories.”<sup>9</sup>

“The first wave of invading white British immigrants landed on [Australia’s] shores in 1788. They claimed the land under the legal fiction of *terra nullius*—land belonging to no one... They saw themselves as the first to take control and manage the land... ”<sup>10</sup>

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<sup>6</sup> Walter L. Hixson, *American Settler Colonialism: A History* (New York: Palgrave, 2013), 6.

<sup>7</sup> John O’Sullivan, “The Great Nation of Futurity,” *The United States Democratic Review* 6 (1839): 430.

<sup>8</sup> Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge, MA: Harvard University Press, 1981), 220.

<sup>9</sup> Eva Mackey, “Unsettling Expectations: (Un)Certainty, Settler States of Feeling, Law, and Decolonization,” *Canadian Journal of Law and Society / Revue Canadienne Droit Et Société* 29, no. 2 (2014): 241; doi:10.1017/cls.2014.10.

<sup>10</sup> Aileen Moreton-Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (Minneapolis: University of Minnesota Press, 2015), 4-5.