Title
Pagans in the Promised Land: Decoding the Doctrine of Christian Discovery. By Steven T. Newcomb.

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Author
Miller, Robert J.

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work of our forefathers and mothers" (xiii). He also informs us of the current work Nez Perce people do for the perpetuation of the salmon, steelhead, eels, and sturgeon, and of the tribe's partnership with the Fish and Wildlife Service's successful reestablishment of the wolf. FiveCrows offers several descriptions of Nez Perce efforts to maintain connections to the land and old-time culture through familiarity with the horse, especially the Appaloosa breed. While emphasizing connections to the land and water, FiveCrows also relates the many educational advances Nez Perces are experiencing, which he hopes will enhance the tribal connections.

All in all, *Nez Perce Country* is a well-researched and well-written book. The new version's text, with the exception of the Nez Perce orthography, is identical to Josephy's original, which was a distillation and in many ways is an improvement over his own *Nez Perce Indians and the Opening of the Northwest.* The orthography is great, and there is an index (which includes a nice "introduction" by Jeremy FiveCrows). The books are about the same size, but the National Park version is out of print and the Bison edition is well priced. Josephy was and remains a giant and a legend in all Indian country, but he will never be larger than in the homes of the Nez Perce. If authoritative summary information is something you want or need, there is no competition for Josephy's text.

Steven R. Evans
Author

Pagans in the Promised Land: Decoding the Doctrine of Christian Discovery. By Steven T. Newcomb. Golden, CO: Fulcrum Publishing, 2008. 186 pages. $19.95 paper.

The doctrine of discovery is the international legal principle that Europeans used to claim the lands of Indigenous peoples and nations and to assert sovereign, commercial, and diplomatic rights over Indian nations. The doctrine has been a part of Euro-American law in North America from the beginning of Spanish, French, and English exploration and settlement. Not surprisingly, the English colonies, the American states, and the United States adopted this legal tenet as the guiding principle for their interactions with Native nations. The US Supreme Court expressly accepted discovery in 1823 in *Johnson v. M'Intosh.* As you might imagine, this case and the topic of discovery have been written about and analyzed extensively.

In this interesting new book, Steven Newcomb takes a fresh look at the doctrine through the eyes and methods of cognitive theory and metaphor in which he focuses on the use of Christianity in the Euro-American application of the doctrine against American Indians. Newcomb emphasizes that he does not attack Christianity as a religion, but that he focuses on the actions of Christendom in dominating Native, non-Christian peoples.

Newcomb uses analytical tools that are new to me: cognitive theory and metaphor. After explaining these techniques and going through their

analysis, he ultimately concludes that law comes from human thoughts and ideas and is even a product of imagination (2–11). Consequently, through the doctrine of discovery, Euro-American Christians "imagined" that they had a legitimate authority over non-Christian, Indigenous peoples, and the United States continues to imagine that idea today.

It appears clear to me that Euro-Americans imagined they were superior to Indigenous peoples in religion, civilization, and every other way, because they had to, and because they wanted to. They needed this argument to justify in their own minds how and why they could claim and take Indian lands and assets that were already owned and being used. How convenient that God was on their side. What a great argument! In 1620, King James I made this very argument when he stated that "by God's Visitation raigned a wonderfull Plague . . . amoungst the Savages and brutish People" in New England to make room for His chosen people, the English (W. Keith Kavenagh, ed., *Foundations of Colonial America*, vol. 1, 1973, 23). Massachusetts Bay colonial Governor John Winthrop stated in 1634 that by bringing the smallpox plague to Indians, "God hathe hereby cleered our title to this place" (Malcolm Freiberg, ed., *Winthrop Papers*, vol. 3, 1931, 172 [letter from Winthrop to Simonds D'Ewes, 21 July 1634]).

The US Supreme Court also expressly relied on the elements of civilization and Christianity to justify discovery. According to the Court, the doctrine applied in the New World because of the different cultures, religions, and savageness of Native Americans:

> On the discovery of this immense continent, the great nations of Europe were eager to appropriate to themselves so much of it as they could respectively acquire. . . . [T]he *character and religion* of its inhabitants afforded an apology for considering them as a people over whom *the superior genius of Europe* might claim an ascendency. The potentates of the old world found no difficulty in convincing themselves that they made *ample compensation* to the inhabitants of the new, by bestowing on them *civilization and Christianity*, in exchange for unlimited independence (*Johnson*, 21 U.S. at 573; italics added).

The Court added that "Although we do not mean to engage in the defence of those principles which Europeans have applied to Indian title, they may, we think, find *some excuse, if not justification, in the character and habits* of the people whose rights have been wrested from them" (*Id.* at 589; italics added).

It is interesting that notwithstanding this alleged natural law and God-granted superiority over Indigenous peoples, the principle of discovery had to be ultimately enforced by the sword. Both the author of *Johnson v. M'Intosh*, Chief Justice John Marshall, and his long-time fellow Justice Joseph Story expressly stated that the "rights" of discovery were required to be "maintained and established . . . by the sword" as "the right of the strongest" (*Id.* at 588; William W. Story, ed., *The Miscellaneous Writings of Joseph Story*, 1852, 460, 464–65; repr., 2001).

Newcomb points out that when Chief Justice Marshall used the terms *Christian people* and *heathens* Marshall "was unconsciously using the religious

metaphors of Christianity to reason about the nature of American Indian existence and Indian land rights" (xvi). I think the word *unconsciously* is superfluous because I do not believe there was anything unconscious or unknowing on Marshall's or the Court's part. They were explaining and justifying the power of Euro-Americans and their cultures and religions to dominate non-Christian Native nations. Moreover, Newcomb mentions that the Court used metaphor when it stated that Christians had discovered the New World and thus acquired "dominion" and "absolute title" to the lands of the "heathens" (xvi).

Newcomb next argues that this imagination, this law, this doctrine of discovery, came straight from the Old Testament and a "Chosen People–Promised Land" cognitive model in which it was unconsciously understood (and expressly stated) that God granted America and Indian people to the English colonists and the United States. The author analogizes the Anglo-American takeover of America to the story of Abraham and the Israelites taking over the land of the Canaanites (37–43). He adds that Euro-Americans imagined, conceptualized, and mentally conceived that just by arriving on these shores that European civilizations and religions had conquered Native nations and taken Indian rights (89–93). He concludes that this "is nothing but a delusion" (93).

Delusion or not, federal and state courts have relied on discovery, religion, and civilization to decide cases that have stripped Indians and tribes of rights. In 1835, for example, the Tennessee Supreme Court held that the state could control Indians because of "the law of Christendom that discovery gave title to assume sovereignty over, and to govern the unconverted natives" (*Tennessee v. Forman*, 16 Tenn. 256, 277 [1835]). The Pennsylvania Supreme Court also stated in 1813 that Indians could not own land because "not being Christians, but mere heathens [they are] unworthy of the earth" (*Thompson v. Johnston,* 1813 WL 1243, *2 & 5 [Pa. Sup. Ct. 1813]). In 1808, the New York Supreme Court used cultural arguments to justify taking land from the Mohawk Nation because the tribe's "wandering and unsettled life" was "wholly inconsistent with the idea of a permanent . . . possession" (*Jackson v. Hudson*, 1808 WL 477, at *5, [N.Y. Sup. Ct. 1808]).

The basic message I glean from Newcomb's analysis of cognitive theory and metaphor is that Europeans just made it up, and that discovery was just an excuse for Euro-Americans to do what they already wanted to do: confiscate all the lands and assets of the Indigenous peoples of the New World. I agree 100 percent with that statement. The doctrine of discovery is nothing more than an outright and bald-faced attempt to justify claims of superiority and domination due to differences in religion and culture.

I disagree, however, with Newcomb on one minor point. He states that most federal Indian law commentators have ignored or are unwilling to address the religious aspects of discovery. He spent a decade trying to engage federal Indian law experts in meaningful discussions on the religious dimensions of *Johnson* and found most of them unwilling to focus on religion and the implications of Christianity in *Johnson* (xvi, 139n3). That was obviously his experience. However, in my experience, many Indian law commentators have addressed the relationship of Christianity and discovery at length.

In conclusion, Steven Newcomb adds an interesting new analysis into the religious aspects of American Indian law. Indian people and nations continue to deal with the everyday impact of discovery on their lives and assets. This feudal, ethnocentric, and religiously inspired doctrine of Euro-American superiority and dominance over Indigenous people should not and cannot be allowed to remain the law. Newcomb has made a major contribution toward helping Native peoples to counteract the doctrine of discovery.

Robert J. Miller
Lewis and Clark Law School

Poison Arrows: North American Indian Hunting and Warfare. By David E. Jones. Austin: University of Texas Press, 2007. 113 pages. $29.95 cloth.

In this short book David Jones aims to show that the use of poison arrows in traditional Native American warfare was more frequent and more widespread than has been appreciated by those interested in Native American traditional cultures. The introduction begins with brief remarks on the recent use of biological and chemical weapons in warfare in Western societies and then marshals some examples of treatments of Native American use of chemical weapons that are said to downplay their importance. Chapter 1, "Plant Poisons," is a modestly technical discussion of some of the plants and their poisons that were used on projectile points by Native Americans. Also included is a brief discussion of snake venom. Chapter 2, "Nonmilitary Poisons," surveys Native American uses of plant poisons as suicidal agents and in hunting and fishing. A few of the examples are cited at modest length as illustrations of what was done, but mostly the text is merely a listing of plant poisons and the groups that can be identified as using particular plants from a survey of the available literature.

Chapter 3, "World Survey of Arrow Poisoning," briefly surveys the military and nonmilitary use of arrow poisoning outside of Native North America. As in the preceding chapter the approach is a wide-ranging listing with a few illustrative examples. This chapter is said to "present a world context in which North American Indian practices can be evaluated" (31). Chapter 4, "Arrow Poisons of the North American Indians," organizes the information that Jones has been able to locate in terms of culture area and continues the list format with an occasional more detailed example. Chapter 5, "Other Uses of Poisons in Warfare," notes that in postcontact times bullets were sometimes coated with traditional poisons and describes a few other uses such as poisoned stakes as booby traps.

Chapter 6, "Paleo-Indian Poison Use," argues that the successful hunting of mammoth and other large species by Clovis people may have been due to the use of poisoned projectile points. Jones acknowledges that there is no direct evidence of poison use by Clovis or Folsom people, but he does suggest that the design of their characteristic artifact is highly suitable for poison delivery. The conclusion sums up the book's findings and arguments by asserting that "ethnobotanical and ethnohistorical sources clearly refute claims, proposed