

Eroding Sovereignty and Culture: The Impact of The Doctrine of Discovery on Onondaga Sovereignty and Cultural Integrity

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The Doctrine of Discovery is a set of legal principles used among European nations that created an attitude of entitlement to Indigenous lands. The doctrine employed disparaging language that questioned Indigenous peoples' sovereignty and eroded their cultural identity across North America. The doctrine rooted in early medieval European thought to take over heathen lands led to the creation of decrees that granted incoming Christian explorers the right to claim land uninhabited by Christians.¹ Grounded in medieval European ideology of civilizing new lands, the Doctrine rendered Indigenous lands "discoverable" and disregarded their existence. The idea of "empty land" was false, as Indigenous peoples had established rich cultures and complex governance structures long before the arrival of Europeans. Language within the doctrine rendered Indigenous peoples invisible, creating a loss of land rights and bargaining power for native peoples.² Over time, the doctrine would become woven into colonial attitudes and later codified into American law. In *Buying America from the Indians*, historian Blake Watson makes clear how the legal doctrine created a tool for US expansionism, thus institutionalizing the dispossession of native lands by legalizing territorial claims.³ Watson argues that although treaties were made between nations and the US federal government, they were often unequal. The framework within these treaties was never to recognize native ownership but to benefit American access and control of native lands.⁴ By examining the histories of sovereignty, treaties, displacement, and identity, we can gain insight into the impact of the Doctrine of Discovery on Indigenous people. The legacy of

¹ Joshua J. Jeffers, "Of Laws and Land: The Doctrine of Discovery in History and Historiography" *Maryland Historical Magazine* 108, no. 1, 2013, 92.

² Ann M. Carlos, Donna L. Feir, and Angela Redish, "Indigenous Nations and the Development of the U.S. Economy: Land, Resources, and Dispossession" *The Journal of Economic History* 82, no. 2 (2022): 516–55, 528.

³ Blake A. Watson, *Buying America from the Indians: Johnson v. McIntosh and the History of Native Land Rights*, Norman: University of Oklahoma Press, 2012, xv.

⁴ Watson, *Buying America from the Indians*, 356.

the doctrine has fostered a legal environment that has perpetuated many challenges for Native nations. The Onondaga Nation is a prime example of a Native nation that has had irreparable damage done because of the doctrine. By examining the Onondaga Nation's struggle to maintain sovereignty, this essay demonstrates how the Doctrine of Discovery eroded their sovereignty and catalyzed a legacy of cultural and territorial losses. Furthermore, it highlights how the doctrine has pushed the Onondaga to fight for recognition with a nation built on their ancestral lands.

Language is a key component to understanding the connection between the injustices faced by Indigenous people and the Doctrine of Discovery. The doctrine consists of a series of claims made through 15th and 16th-century European ideology to open Indigenous lands for European possession. Although the doctrine does not have a formal document, it stems from a series of interconnected claims that have created long-lasting effects on natives like the Onondaga Nation. Several countries like Portugal, Spain, and England would inspire each other to create various decrees with disparaging language. The language within these documents fostered a rhetoric that asserted European entitlement and superiority over Indigenous peoples. For the Onondaga Nation, this rhetoric not only justified land seizures but also allowed for policies to be created that would limit their sovereignty and erode their culture. Moreover, the language promoted a societal attitude that dismissed Indigenous ownership, dehumanized Indigenous peoples, and established a legacy of loss.

Three papal bulls have led to the foundation of the Doctrine of Discovery. Out of the three, *Inter Caetera* would directly affect North America. The papal bull, written by Pope Alexander VI, gave Christian European explorers rights to the New World in the West. This would mark a pivotal moment in the future application of the Doctrine of Discovery in the early United States. Throughout the document, the language dehumanizes Indigenous people while questioning their

sovereignty. Consistently throughout the papal bull, words like “barbarous,” “discover,” “inhabitants,” and “found” appear. These terms reflect the colonial mindset behind the acquisition of Indigenous lands, as the lands became objects to claim rather than areas containing flourishing societies of Indigenous people. By emphasizing these words, we can understand the narrative Europeans wished to create about the natives. The idea is to dehumanize Indigenous people and create a history that always questions Indigenous sovereignty. Throughout the document, we can see the phrase, “found and to be found, discovered and to be discovered,” which completely disregards any native presence on the land.⁵ Yet it holds a contradiction in the sense that it stated, “that hitherto had not been discovered by others; wherein dwell very many peoples living in peace.”⁶ The Spanish are completely aware of native existence, yet use terminology that renders their existence obsolete. Completely disregarding the existence of natives within the papal bull left an openness for interpretation in the future, which has negatively impacted Indigenous peoples during political and legal interactions with the federal government. Additionally, the document insists that anyone who intervenes in the directives within the papal bull would face the “wrath of almighty god.”⁷ The insertion of language that involves religion added to the existing harmful rhetoric, which portrayed European exploration as a divine endeavor. Rooting the papal bull in religion further pushed the narrative that incoming explorers held authority over the Indigenous on the land, reinforcing a hierarchical view of themselves. Europeans began to feel that they were becoming the guardians of their new counterpart, the Indigenous. If we understand this frame of mind, it can be inferred that European colonists felt that a formation of a subordinate relationship was necessary when they “discovered” new lands, which directly sanctioned the dispossession of

⁵ *Inter Caetera*, The Gilder Lehrman Institute of American History.

⁶ *Inter Caetera*, The Gilder Lehrman Institute of American History.

⁷ *Inter Caetera*, The Gilder Lehrman Institute of American History.

Indigenous peoples in the Americas and profoundly impacted Indigenous sovereignty for nations like the Onondaga.

One of the earliest documents inspiring the doctrine is *Dum Diversas*, written by Pope Nicholas V in 1452, which authorized Christians to invade non-Christian lands. The language within the document uses the phrase, “invade, search out, capture, vanquish, and subdue,” reflecting the imperialistic mindset that European Christian nations may appropriate any lands if it is in the name of being Christian.⁸ In addition, we see the term “pagan” used, which means someone not of Christian faith. This can lead to the formation of a moral obligation for these Christian explorers to spread their religion. With incoming colonists feeling morally obligated to Christianize Indigenous people, it would lead to the eventual forced assimilation of natives once explorers made their presence known. Additionally, within the papal bull, Pope Nicholas V uses the phrases “apply and appropriate” any lands that are discovered, while further saying lands “justly and lawfully” acquired by any Christian rightfully belong to the king and his successors.⁹ Consequently, rhetoric like this renders Indigenous rights irrelevant and completely erases their identity. The language is based on the harmful ideology that Indigenous people were another object in combination with the land being discovered, which in turn made them prisoners of incoming colonists. The lands were not discoverable but taken unjustly and unlawfully, along with the forceful assimilation of Indigenous people. *Romanus Pontifex*, also written by Pope Nicholas V in 1455, holds the same rhetoric found in *Dum Diversas*. Similar phrases can be found throughout both papal bulls. Both documents are important in understanding the foundation on which the Doctrine of Discovery lays its legal principles.

⁸ *Dum Diversas*, Doctrine of Discovery Project.

⁹ *Dum Diversas*, Doctrine of Discovery Project.

Taking inspiration from the papal bull, *Inter Caetera*, English patents reinforced the language found within the Doctrine of Discovery. The royal patent granted by King Henry VII, specifically to John Cabot and his sons, in March 1496, contained language similar to all the previous varying documents. Within the patent, we see the phrase, “to find, discover and investigate whatsoever islands, countries, regions or provinces of heathens and infidels.”¹⁰ The shared language and terminology mirrored the colonial rhetoric found within the previous papal bulls, offering similar phrasing with words like “discover” and “find.” We can infer that a sphere of influence has been formed as each of these documents follows a similar style and language, and they all highlight an important commonality: Christians hold dominion over any lands they discover, whether the lands are “empty” or flourishing with Indigenous people. It continued the same narrative of the European hierarchical point of view and the notion that Indigenous people would become wards of any colonial state that “discovered” them. Phrases found in the English patent stating “conquer, occupy and possess whatsoever” reiterate the same rhetoric found within the papal bulls.¹¹ The patent is an English document to legitimize English claims to the Americas, removing the possession of the land from the Indigenous who inhabited before the discovery. From this patent, we can infer that in the minds of incoming colonists, Indigenous peoples’ lack of Christianity rendered them susceptible to conquest. With political documents such as the papal bulls and patents, it can be understood how these interconnected claims allowed for a future foundation for the Doctrine of Discovery. It would further cement a legacy used in future expansionism within the Americas that continuously questioned native sovereignty. All these

¹⁰*Patent Granted by King Henry VII to John Cabot and his Sons, March 1496*, Reproduced from H.P. Biggar, ed., *The Precursors of Jacques Cartier 1497-1534: A Collection of Documents relating to the Early History of the Dominion of Canada* (Ottawa: Government Printing Bureau 1911) 7-10, Original document housed in the Public Record Office, London.

¹¹ *Patent Granted by King Henry VII.*

documents hold the same issue: they place European powers as the dominating authority. Further pushing a narrative that undermined Indigenous peoples and placed them in a role that would lead to a subordinate relationship to be formed.

The Doctrine of Discovery laid the foundation for policies that systematically undermined Onondaga sovereignty and their right to self-governance. Firstly, to understand how the Onondaga sovereignty has been undermined, we have to follow the narrative in which the United States recognizes the sovereignty of Native Americans from a certain point. It has become evident that in pre-revolutionary and early American interactions, it benefited the United States to recognize Onondaga's sovereignty. At what point does the language shift to establish the groundwork for legal codification of the Doctrine of Discovery that eventually systematically undermines and dispossesses the Onondaga? When it no longer benefits the United States but hinders their ability to expand the nation. Secondly, we must understand how such a narrative of undermining Onondaga sovereignty has eroded the culture and traditions of the Onondaga nation. The narrative, along with the repercussions of the doctrine, has established a disruptive legacy of erosion of the identity of the Onondaga Nation.

The *Treaty of Lancaster* in 1744 was one of the earliest interactions that established Onondaga's sovereignty. Forty years before the establishment of the United States, colonial America participated in treaty-making with various Indigenous nations. Treaty-making meant both parties recognized the other as a sovereign nation or a self-governing body. This is important to note when understanding that the Onondaga have been recognized on numerous occasions to be a sovereign nation yet consistently have their sovereignty dismissed. Moreover, the *Treaty of Lancaster* sought to discuss territorial disputes between the British colonies, Virginia, and territories belonging to the Six Nations. The treaty very blatantly states that the claim to the land

solely belonged to the Iroquois Confederacy, as they had every right to it from their conquests.¹² Within the beginning of the treaty, the Iroquois, which, by extension, the Onondaga, are recognized as the proprietors of the land. Although the treaty pertains to lands in Virginia, it addresses and acknowledges the Onondaga. Yet new colonialists settled on the land without any consent from the Iroquois and never made purchases from the confederacy to buy the land they inhabited.¹³ From this, we can infer that Onondaga and Iroquois' ownership of the lands was not being respected quite possible due to the attitude formed by the rhetoric within the doctrine of discovery. Incoming colonists felt they discovered such lands, so they felt no need to get consent from the true proprietors of the land, the Iroquois. Throughout the treaty, the Iroquois tried to be strategically diplomatic in balancing new colonial powers encroaching onto their lands while minimizing tensions. The *Treaty of Lancaster* further displays that the Iroquois tried to protect their sovereignty within early colonial interactions. The Iroquois acknowledge that disputes are occurring due to a lack of respect for their righteous lands; they understand the importance of coming to a middle ground once their differences are recognized.¹⁴ The Iroquois were not savages but rather displayed an established form of governance within the colonial interaction. The creation of the *Treaty of Lancaster* is imperative to understand as it sets a precedent of conditional recognition. It treated Onondaga sovereignty, along with the Iroquois Confederacy, as negotiable. Pre-revolutionary treaties played a role in redefining sovereignty and inherently displayed the entitled attitude of European worldviews. This attitude is put in place by the language within the Doctrine of Discovery.

¹² *Treaty of Lancaster*, 1744, Tribal Treaties Database.

¹³ *Treaty of Lancaster*, 1744, Tribal Treaties Database.

¹⁴ *Treaty of Lancaster*, 1744, Tribal Treaties Database.

A recurring theme in early colonial interactions appears to be an attitude of entitlement, likely stemming from the language within the Doctrine of Discovery. The interactions that occurred offer great insight into how the rhetoric had created a narrative of dehumanizing Indigenous people. Letters among future presidents and generals of what would eventually become the United States show the volatile language used regarding natives. In a letter written by George Washington to John Sullivan, a general at the time, he offered a disturbing narrative of early colonial interactions. At the beginning of this letter, George Washington uses the word hostile when describing the Six Nations, quickly dehumanizing the group.¹⁵ Allowing for all events, he asks Sullivan to carry out after seeming warranted in the eyes of those reading the letter. Indigenous peoples being considered savages is the language found within the papal bulls and patents that directly supply the foundation of the doctrine. Washington goes on to explain that it is imperative that the destruction of their settlements and crops while taking in as many captures as possible, was the goal.¹⁶ A senseless act of destruction and decimation of the six nations is being asked by one of the most influential men of the period. George Washington saw the Iroquois as a threat when no threat was there. Furthermore, he encourages Sullivan to make sure his troops are as rambunctious and loose as possible to scare the natives.¹⁷ We can infer from this letter that, to early English colonists, Native Americans were presumed to be a threat. As colonists began to encroach on Native lands, officials like George Washington used dehumanizing language to paint a threatening image of Native people as heathen savages. The doctrine makes clear that Christians were allowed to conquer and possess lands where “heathens” resided. The letter is the continued

¹⁵ George Washington, “From George Washington to Major General John Sullivan, 31 May 1779,” Founders Online, National Archives.

¹⁶ George Washington, “From George Washington to Major General John Sullivan, 31 May 1779,” Founders Online, National Archives.

¹⁷ George Washington, “From George Washington to Major General John Sullivan, 31 May 1779,” Founders Online, National Archives.

rhetoric found within the Doctrine of the Discovery and perpetrates the same narrative found within the doctrine that dehumanizes natives. Specifically, looking at George Washington's words, we can recognize an attitude in which he feels he has the right to suggest such acts in the name of obtaining lands. By grasping the idea that a set of principles is capable of creating such a sphere of influence that damages the image of Indigenous peoples to the point of stripping them of their humanity, allows us to see the devastation the Doctrine of Discovery has caused for Indigenous peoples.

To understand why the rhetoric of the doctrine is important, we must examine how treaties reaffirmed native sovereignty. Treaties are made between the United States federal government and other sovereign nations. Meaning every treaty formed between Indigenous people and the US would assert the notion that Indigenous people were sovereign. Unknowingly participating in these agreements, the United States agreed with the sovereignty and self-determination of Indigenous people. Onondaga has long been recognized within various treaties, which confirms their sovereignty. In 1784, the *Treaty of Fort Stanwix* was a treaty and land transaction written in the years following the Revolutionary War. The Revolutionary War was not a war that involved the Onondaga, yet they attempted to remain neutral throughout the war; they eventually sided with Great Britain.¹⁸ A critical issue within the treaty lies in its admonishment of the Onondaga, as the language yet again paints them to be "wild." In the treaty's writing, they were considered savages and belligerent to some of their counterparts within the Six Nations.¹⁹ A pattern is woven into each treaty and interaction amongst Indigenous and colonists: Continue the narrative that natives are savages to justify treating them like objects. By removing their humanity, colonists then objectify

¹⁸ National Park Service, "The Treaties of Fort Stanwix: Treaty and Land Transaction of 1784," National Park Service, Department of Interior.

¹⁹ National Park Service, "The Treaties of Fort Stanwix."

Indigenous people and their land for their gain. Looking at the beginning of the treaty, it states the following: “The United States of America give peace to the Senecas, Mohawks, Onondagas, and Cayugas, and receive them into their protection upon the following conditions...”.²⁰ Although offering peace and protection during the creation of the treaty, federal negotiators then dictated the terms of the treaty to the Six Nations, treating the Onondaga and other Six Nations tribes as defeated enemies of Great Britain, which they were not.²¹ Seemingly using rhetoric that painted the United States as an ally, they were far from allies to any native nation during this time. The Treaty of Fort Stanwix established boundaries for the Six Nations.²² Specifically stating, “...the said line from the mouth of the Oyonwayea to the Ohio, shall be the western boundary of the lands of the Six Nations...”.²³ By establishing a boundary line, the United States that the Six Nations could live peacefully in possession of these lands as long as the Six Nations yielded to the United States.²⁴ Some positive outcomes of the agreement are that it reaffirms for another time Onondaga as a sovereign nation, the United States promised to protect said land, and a clear boundary was set on the land belonging to the Onondaga. Ultimately, the United States would fail at upholding any part of the agreement with the Onondaga. By recognizing that the United States is unable to uphold its end of the treaty, we can infer it is either a weak confederacy or one that does not care about Indigenous people. Another topic of discussion regarding the treaty is the fact that land was ceded by tribes like the Onondaga, and the cessions would lead to major land loss for the tribe. Although the language found within the Doctrine of Discovery cannot be seen within the treaty, remnants of the rhetoric can be seen. By believing that the Onondaga were belligerent in choosing

²⁰ *Treaty of Fort Stanwix, 1784*, National Archives.

²¹ National Park Service, “The Treaties of Fort Stanwix.”

²² National Park Service, “The Treaties of Fort Stanwix.”

²³ *Treaty of Fort Stanwix, 1784*, National Archives.

²⁴ National Park Service, “The Treaties of Fort Stanwix.”

the side of the British and denoting the terms of the treaty, we can understand that the United States is acting in an attitude of entitlement and righteousness. Furthermore, the United States sees the Onondaga as lesser than as they do not uphold their promise to protect the lands. We must establish that although the language cannot be found in every single document, the effects of the doctrine can be felt.

Treaties were not the only legal documents that established sovereignty for Indigenous tribes and nations. In the 1790s, a series of acts would establish that the United States government was the only governing body capable of creating treaties and interacting with natives. Once again, solidifying in legal and political framework that interactions between the United States federal government and Indigenous tribes and nations would reaffirm their sovereignty. It does so by establishing the precedent that Native American tribes are considered dependent nations with ownership of their lands. More specifically the *Trade and Intercourse Act of 1790* would state, “That no sale of lands made by any Indians, or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or any state, whether having the right of pre-emption to such lands or not...”.²⁵ If no private transactions could occur between natives and persons or states it meant that native sovereignty was subject to the authority of the United States federal government. The 1790 *Trade and Intercourse Act* marked a turning point in the relationship between the U.S. governments and natives through codification of federal government control over Native land transactions. This, in turn, would effectively invalidate any agreements made between tribes and individual states or persons unless they had federal approval. Moreover, reinforced the hierarchical relationship between the United States and Indigenous peoples. The framework stemming from these acts limits native agency, thus eroding their sovereignty and solidifying the

²⁵ United States Congress, *Trade and Intercourse Act of 1790*, U.S. Statutes at Large 1 (1790): 137-138, 138.

government's power over them. Implications of the Act intertwined with the Doctrine of Discovery, as it continues the idea that Native land rights existed only if the federal government recognized them. For tribes like the Onondaga, this policy undermined their traditional governance structures and diminished their ability to independently negotiate their territorial claims, leading to their systemic dispossession.

The *Treaty of Canandaigua* of 1794 was between the United States and the Iroquois Confederacy, which reaffirmed Indigenous land rights and sovereignty. The treaty was created to establish a firm and permanent friendship between the six nations and the United States.²⁶ Article II of the treaty acknowledges that Onondaga, along with other Iroquois nations, land would remain under their control so long as they never chose to sell them to the United States.²⁷ In addition, it is stated that the United States will never claim the land or disturb it.²⁸ This explicitly recognizes the land rights of the Onondaga, yet the United States fails to keep its promise to the Iroquois nation. Additionally, Article IV acknowledges the Onondagas' land while explaining how the United States will never claim any of their lands as long as they do not disturb the people of the United States and claim any lands within the boundaries of the United States.²⁹ Twice within this treaty, the Onondaga are explicitly acknowledged, and their proprietorship over the land is recognized by the United States. Their sovereignty is solid within this treaty. Although recognizing the land rights of the Onondaga, the United States never fails to implement their belief that they are above Indigenous. For example, within Article V, they expect the Six Nations to grant the United States the ability to build a road and access harbors and rivers on the Six Nations land.³⁰ While the treaty

²⁶ *Treaty of Canandaigua, 1794*, National Archives.

²⁷ *Treaty of Canandaigua, 1794*, National Archives.

²⁸ *Treaty of Canandaigua, 1794*, National Archives.

²⁹ *Treaty of Canandaigua, 1794*, National Archives.

³⁰ *Treaty of Canandaigua, 1794*, National Archives.

promises peace and respect, the imbalance of power can be seen as the federal government creating the terms of this treaty. This legal framework has continuously undermined the sovereignty that it boldly claims to uphold. The treaty reflects the ongoing issue of the promises the United States was to uphold about Indigenous self-determination. We can understand that the reality is that although these treaties recognize native sovereignty, if English settlers continued to uphold the frame of mind that the land they discovered belonged to them, native sovereignty would never truly be recognized.

In 1802, Thomas Jefferson addressed the Onondaga with various other Iroquois Confederacy tribes. The Onondaga are mentioned specifically in the purchases of their land by the state of New York. Jefferson's words highlight his plan to assist Governor Clinton in negotiating land purchases from the Onondaga and various other tribes.³¹ Within this statement, we can recognize the subtle pressure applied to the Onondaga to agree to the terms that would frame their land tenure as contingent on their response and cooperation.³² Consequently, this interaction continued the rhetoric in which colonists assumed Indigenous land could be managed. Similar to other colonial interactions, Indigenous people are framed as inhabitants of their land. To summarize the issue in the address, people like Thomas Jefferson treated the Onondaga like a sovereign nation by creating agreements and offering payments yet use language that they address the Indigenous as less than. Offering the continued persistent attitude of entitlement that stems from believing they have the power to manage Indigenous lands. Which is rooted in the language within the Doctrine of Discovery.

³¹ Thomas Jefferson, "From Thomas Jefferson to Seneca, Onondaga, Cayuga, and Munsee Indians, with Henry Dearborn, 24 February 1802," National Archives.

³² Thomas Jefferson, "From Thomas Jefferson to Seneca, Onondaga, Cayuga, and Munsee Indians, with Henry Dearborn, 24 February 1802," National Archives.

The United States government consistently applied the Doctrine of Discovery through treaties and legal cases to dispossess the Onondaga and other Iroquois nations of their lands. *Johnson v. McIntosh* was monumental in securing the Doctrine of Discovery into a legal framework that would completely diminish native sovereignty. It is argued that “discovery gave an exclusive right to extinguish the Indian title of occupancy, either by purchase or by conquest...”³³. This framed the idea that European claims to native land were inevitable, reducing native sovereignty to mere “occupancy.” The court claims that natives were “the rightful occupants of the soil,” yet in the same breath offer the phrases, “rights to complete sovereignty” “necessarily diminished.”³⁴ Portraying Native peoples’ sovereignty as something that could be easily overridden by colonial powers. Furthermore, it perpetuates the notion that Indigenous systems were inferior to European thought.

Johnson’s ruling asserted, “their power to dispose of the soil, at their own will, to whomsoever they pleased, was denied,” illustrating how colonial frameworks and the Doctrine of Discovery sought to control and objectify Indigenous peoples and the land. Ultimately, from the point of view of the United States, this was an attempt at assimilation into “proper society.”³⁵ The ruling represented a broader pattern throughout the history of the U.S., where treaties and legal precedents were designed to diminish Native sovereignty and self-determination. Although they reaffirmed native sovereignty, it is ultimately up to the United States government if it sees fit to recognize such agreements. Additionally, the court addresses natives as “savages” who could not be governed.³⁶ The characterization of natives was a way to dehumanize them and bring forth the rhetoric found within the doctrine that, as a civilized group, they had every right to enter and

³³ *Johnson v. McIntosh*, 21 U.S. (8 Wheat.) 543 (1823), University of Minnesota Law Library, 20.

³⁴ *Johnson v. McIntosh*, 20.

³⁵ *Johnson v. McIntosh*, 20.

³⁶ *Johnson v. McIntosh*, 18.

become the dominion of the land. This justification is rooted within the Doctrine of Discovery, as removing tribes from their ancestral lands under the guise of “civilization” and “progress” was warranted. Due to this, the court states, “The Europeans were under the necessity either of abandoning the country, and relinquishing their pompous claims to it, or of enforcing those claims by the sword, and by the adoption of principles...”³⁷. This reflects the mentality formed through the principles of the doctrine that viewed Indigenous peoples as obstacles to the advancement of European colonization. The phrase “abandoning the country” reveals how the United States could not leave the country to a group of “savages” incapable of advancing the land past “wilderness.”³⁸ The doctrine and its legal ramifications erased native sovereignty and culture.

The impact of *Johnson v. McIntosh* and the Doctrine of Discovery perpetuated the already enduring legacy of the treatment of Native peoples. The ruling amplified an already heavily prevalent colonial ideology that justified the systematic removal of Indigenous people from their ancestral territories. As a result, the ruling further undermined native sovereignty and framed Indigenous people as unfit to govern their territories. Forming such a legal framework led the way for continuous forced assimilation policies that targeted Indigenous people. Overall, the Doctrine of Discovery, as solidified by *Johnson v. McIntosh*, became a tool for not just territorial expansion but for the broader cultural and political erasure of Indigenous peoples within the United States.

Forced attempts to assimilate Indigenous people contributed to the erosion of Onondaga’s cultural identity to fit into American social frameworks. *The Citizenship Act of 1924* was enacted to give Native Americans the birthright to citizenship within the United States. Native Americans would be the last group recognized as having such citizenship by the United States, although the

³⁷ *Johnson v. McIntosh*, 21.

³⁸ *Johnson v. McIntosh*, 21.

Fourteenth Amendment had been in place since 1866.³⁹ The Act states, “Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all non-citizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States: Provided That the granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property.”⁴⁰ It may seem the United States is acknowledging Native Americans, but it poses a great issue. Deeming natives as American citizens could render native sovereignties non-existent, as the settler-colonial concept of citizenship made those citizens “wards.”⁴¹ Thus, it could be refusing the idea of tribal authority and completely stripping tribes of their sovereignty. Treaties become invalid, land can be taken, and assimilation is enforced as a means to erase Indigenous cultures, further perpetuating colonial dominance.

The Onondaga recognized the imposition of U.S. citizenship on Native peoples and its significant insult to their sovereignty. By rejecting this act, the Onondaga invoked their treaties with the United States, specifically, the *Treaty of Fort Stanwix* and the *Treaty of Canandaigua*, which explicitly recognized their status as sovereign nations. In creating the act, the United States was disregarding many agreements and violating international principles that were later codified in the 2007 United Nations Declaration on the Rights of Indigenous Peoples.⁴² The Doctrine of Discovery was the foundation of this strategy of continuing to invalidate tribal sovereignty, dismantle land rights, and continuously promote Christianization.⁴³ For the Onondaga and the

³⁹ Immigration and Ethnic History Society, “Indian Citizenship Act of 1924” Immigration History, August 25, 2019.

⁴⁰ Indian Citizenship Act of 1924, U.S. Statutes at Large 43 (1924): 253, The University of Texas at Austin Department of History.

⁴¹ K. T. Lomawaima, “The Mutuality of Citizenship and Sovereignty: The Society of American Indians and the battle to inherit America” *American Indian Quarterly*, 37(3), 2013, pp: 333-351.

⁴² Onondaga Nation, “The Citizenship Act of 1924.”

⁴³ Onondaga Nation, “The Citizenship Act of 1924.”

Iroquois Confederacy, accepting US citizenship would be betraying their sovereignty. As stated in their response to *The Citizenship Act of 1924*, they explain how it is a symbol of submission to the colonial power in its intent to erase their sovereignty and distinct cultural identity.⁴⁴ Instances like the Citizenship Act of 1924 are a direct imposition on the culture of natives. Acts such as this one, in turn, catalyze surrounding policies that continue to force the legacy of the Doctrine of Discovery. The language within the Doctrine of Discovery consistently undermines Indigenous people as subjects and creates an attitude for Christians to feel they are entitled to their land. It is important to understand that although the act itself does not directly hold language from the doctrine, it is a product of the doctrine being upheld through legal frameworks. It became a state of mind for settlers in the United States, so rather than seeing Native Americans as equal sovereigns, policies have been put into place to completely decimate them. The Onondaga, along with the other Iroquois nations, have consistently resisted such policies to preserve their culture and sovereignty. As stated in their response, they acknowledge that the treaties made with the federal government are still valid, yet the United States continuously violates these treaties and claims to have plenary power when it decides to break the treaties.⁴⁵ This act gave the United States the blatant right to think it had power over the sovereign nations of Indigenous people. Forcing assimilation meant threatening their cultural and political autonomy. Acts such as this one reveal the broader legacy of the Doctrine of Discovery and its ideological framework that prioritized colonial interests over Indigenous rights. Such a legacy perpetuates cultural erosion through forced conformity. The Onondaga recognizes the ramifications of forced assimilation and consistently fights to prevent cultural erosion.

⁴⁴ Onondaga Nation, "The Citizenship Act of 1924."

⁴⁵ Onondaga Nation, "The Citizenship Act of 1924."

In 2005, Onondaga filed a land rights case against the state of New York. Their claims were dismissed, and this not only denied them justice but also their cultural identity. It threatened their ability to continuously preserve their traditions, governance, and way of life. The initial complaint explains how the Onondaga would like to bring healing to their people, as they have a unique spiritual, cultural, and historical relationship with their land.⁴⁶ Their relationship with the land goes beyond federal legal concepts of ownership, possession, and legal rights. They believe they must heal the land, protect it, and be able to pass it on to future generations.⁴⁷ All in all, they bring forth the action on behalf of their people to process reconciliation and bring peace and respect to their areas.⁴⁸ They further explain how certain lands on their property have been unlawfully acquired by the state of New York, which validates the Indian Trade and intercourse act in addition to the *Treaty of Fort Stanwix of 1784* and the *Treaty of Canandaigua in 1794*.⁴⁹ Within these documents, the United States explicitly protects the rights of the Onondaga to their land and states that no governing body other than the United States federal government is allowed to acquire lands from tribes. The Onondaga gave substantial evidence in their 2005 amended complaint to the state of New York, yet it was dismissed. They would go on to file a petition to the Inter-American Commission on Human Rights.

In their petition to the Inter-American Commission on Human Rights, they explicitly explore how it has affected their traditional way of life. Within the first few claims, the Onondaga stated that the territory in which they have many sacred sites and which are essential to their way of life, is the aboriginal property of the Onondaga Nation.⁵⁰ The Onondaga Nation emphasizes the

⁴⁶ *Onondaga Nation v. State of New York*, 500 F. Supp. 2d 128. N.D.N.Y., 2005.

⁴⁷ *Onondaga Nation v. State of New York*, 500 F. Supp. 2d 128. N.D.N.Y., 2005.

⁴⁸ *Onondaga Nation v. State of New York*, 500 F. Supp. 2d 128. N.D.N.Y., 2005.

⁴⁹ *Onondaga Nation v. State of New York*, 500 F. Supp. 2d 128. N.D.N.Y., 2005.

⁵⁰ *Onondaga Nation v. United States*, Petition to the Inter-American Commission on Human Rights, Case No. 624-14, (2014), 2.

claim of the sacred and cultural importance of their ancestral lands, highlighting how these territories are integral to their spiritual and traditional way of life. We can understand the effects land loss has on the culture of these Indigenous people. These lands and spaces are essential to their identity, and without access to their sacred sites, the community will continue to face challenges in being able to maintain a connection to their heritage. Such a topic must be brought to light, especially in a petition like this, to feel the weight of the ramifications of colonialism. By explaining how they've lost access to their traditional hunting, gathering, and fishing areas, which has deprived the essentials needed for their health and ability to thrive economically.⁵¹ The Onondaga illustrates the consequences of land dispossession on Indigenous cultural identity by offering a firsthand account of the inability to access lands that are deeply tied to their culture, which has had damaging effects not only culturally but also economically. Not only has the doctrine's sphere of influence damaged Indigenous people in every aspect of their lives, but it has now added to the wound by economically damaging tribes and nations.

The Onondaga are very clear within their petition that there has never been an instance in which they have voluntarily seceded, sold, or relinquished any title to their original territories.⁵² Highlighting the Onondaga's resistance to the undermining of their sovereignty, we can gather that they are a group actively opposing repercussions created by the Doctrine of Discovery. They assert that they never voluntarily relinquished their lands, and this becomes a direct challenge to the narrative of the Doctrine of Discovery, which justified dispossession through presumed consent. The failure of the United States to honor treaties that upheld Onondaga sovereignty reflects the systematic disregard of Indigenous self-determination. A continuous pattern of broken agreements perpetuates a legacy of cultural erosion by stripping Onondaga of access to their lands, which

⁵¹ *Onondaga Nation v. United States*, 2.

⁵² *Onondaga Nation v. United States*, 2.

critically alters their spiritual and cultural practices. The Onondaga explain how they feel they have been entrapped into this situation, as they have lost control over a major portion of their land.⁵³ The example offered within the petition is a transaction by the state of New York. In 1788, the state of New York purchased 2,000,000 acres of Onondaga land, yet conducted the transaction with unauthorized individuals who had never been consented to by Onondaga chiefs.⁵⁴ A land transaction like this exemplifies the practices enabled by colonial legal frameworks. By bypassing traditional Onondaga leadership, the transaction undermines their governance structures. Further undermining their ability to protect their sacred sites and cultural traditions on their land. This mirrors the bigger issue with the Doctrine of Discovery, as it marginalizes Indigenous people and allows for dispossession.

Overall, the Onondaga Nation's petition highlights the significant issues in codifying colonial ideology into legal frameworks. They have consistently been seeking justice for the loss of their lands and have been obstructed by these legal frameworks. They explicitly state that their efforts have been hampered by legal doctrines such as the Doctrine of Discovery, which have forced federal and state courts to dismiss their land claims.⁵⁵ Doctrines such as the Doctrine of Discovery prevent Indigenous nations from challenging the dispossession of their lands and are a notable major force in the cultural erosion of Indigenous peoples. Denying Indigenous peoples access to their ancestral territories removes their ability to honor traditions and practices properly. On the last page, Onondaga explained that judicial and other proceedings that are available to petitioners impede the claims of Indigenous people by applying such legal doctrines.⁵⁶ The Onondaga's continued struggle underscores the issues that lie in the US legal system and its

⁵³ *Onondaga Nation v. United States*, 2.

⁵⁴ *Onondaga Nation v. United States*, 3-4.

⁵⁵ *Onondaga Nation v. United States*, 4.

⁵⁶ *Onondaga Nation v. United States*, 10.

inability to uphold Indigenous sovereignty. By legally codifying doctrines like the Doctrine of Discovery, it has created frameworks that have systematically upheld colonial ideology, silenced native self-determination, and eroded Indigenous culture.

The Doctrine of Discovery set forth a precedent systematically undermining the sovereignty and cultural integrity of the Onondaga Nation. The medieval Christian ideology formed a language that dismisses Indigenous existence through the notion of conquest and entitlement. The doctrine inspired various legal frameworks that would justify the dispossession of Native Americans, like the Onondaga. An attitude was formed from the rhetoric of the Doctrine of Discovery that fostered a hierarchical worldview. It led to colonists taking this worldview and establishing it into a state of mind that shaped interactions during the formation of the United States. Specifically for the Onondaga, the doctrine has created a legacy that has had damaging ramifications for their ownership of their ancestral lands and their culture. Although treaties and acts recognized their sovereignty on the surface, they all ultimately stripped them of their land and agency. The United States wielded the rhetoric of the Doctrine of Discovery to redefine Indigenous sovereignty as conditional and subordinate. On various levels, treaties recognize the Onondaga and other Iroquois nations as sovereign, yet the United States continuously undermined these agreements, which led to a loss of the Onondaga's land. This reflects the persistent attitude of entitlement that is born from the doctrine's language. It dehumanized Indigenous peoples, and it framed their lands as rightful subjects of conquest. Forced assimilation policies and the imposition of US citizenship sought to erase Onondaga's cultural identity. The Onondaga have persistently resisted any efforts on the United States' part to assimilate them into American Society and have persevered in holding on to their culture. Overall, the Doctrine of Discovery was a tool of European colonization to create a foundation for the dispossession and cultural erasure of nations like the

Onondaga. By examining the legal, political, and cultural history, we confront such injustices that the language of the Doctrine of Discovery caused. The Onondaga have continuously fought for their sovereignty and have proved resilient through many years, and the Doctrine of Discovery will not diminish them.