

Pandoro's Briefcase - Inter Caetera, among other things  
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*It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the Season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way - in short the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative of comparison only.—(Charles Dickens (1859) A Tale of Two Cities)*

With these words, Charles Dickens catapulted his reader into a period of madness, a period of inherent contradictions -- of both immense wealth for a few and crushing poverty for all others; of justice for a few, and none for everyone else.

Well, I too have a story to tell, composed of two tales. Both are true, and probably all of you are familiar with most, if not all, of their initial elements.

Our story's central character is a man, a very successful and wealthy man, whose ambitions and ego were near limitless. In his 60's he decided he wanted to be elected to the highest office in the land, notwithstanding that he had not engaged in the usual activities that prepared one for the responsibilities of the office.

His family's roots originated in a foreign land, and his uncle changed his surname to a similar name that was less foreign sounding. Our ambitious central character followed suit, and used the less-foreign sounding surname.

He had three sons and a daughter. Upon them all he lavished wealth and honors. He was especially close to his daughter. So public was his affection for his daughter that those who hated him--and there many who did--speculated on reasons for their closeness. So hated was he by some that rumors abounded that the current mother of his children had been a courtesan.

When our protagonist was running for office, the field was large, and he was not expected to win. He likely would not have, had it not been for the unprecedented tampering with the very electoral process itself. But he did - both. When his election was officially announced, protests broke out in his capital. To make

matters worse for him, from the beginning of his term of office, his administration was rocked by scandals to a degree never before seen. The scandals were numerous and of such a character, that there was a huge groundswell of popular opposition that would not be silenced, and would not give up. The opposition movements changed the course of history.

Our central character's name was Rodrigo de Borja, which he changed to make it sound less foreign. Two of his children's names, Cesare and Lucrezia Borgia, are more widely known than Rodrigo's. His election to the papacy on August 11, 1492 sent shock waves throughout Christendom and these popular opposition movements resulted in the Protestant Reformation. Rodrigo took the name Pope Alexander VI - and his papacy is largely remembered for its scandals and excesses. Rodrigo's papacy, if I may misquote Bernie Sanders, caused an authentic theological revolution.

While Rodrigo's personal life is fascinating, I want to focus on one of his policies. It was enunciated in the *Papal Bull Inter Caetera*, (You see, papal bulls are always known by the first few words of the bull - *Inter caetera* meaning "Among other things" a fitting description) *Inter Caetera* was issued on May 4, 1493, nine months into his papacy. This Papal Bull was the centerpiece of what became known as the *Doctrine of Discovery*.

Many of us learned of *Inter Caetera* in elementary school where it was referred to as the *Papal Line of Demarcation*, for among other things, the bull established a line--one hundred leagues west of the Cape Verde islands running pole to pole. Portugal was granted rights over all lands east of the line -- Spain to the lands west of the line. By the terms of the June 7, 1494 Treaty of Tordesillas, Spain and Portugal agreed to shift the line a further 270 leagues to the west. It's why people in Brazil speak Portuguese.

But *Inter Caetera* did more. The rights granted to Portugal and Spain with respect to the lands and peoples under their respective control were extraordinary to say the least.

In its February 17, 2012 *Statement on the Doctrine of Discovery and Its Enduring Impact on Indigenous Peoples*, the World Council of Churches stated that, "Inter Caetera and the other constituent documents constituting the Doctrine of Discovery, among Other Things, did the following: Non-European cultures were 'barbarous nations'." The Indigenous Law Institute noted that the Doctrine of Discovery stated that non-Christian people were "brute animals." At its New York

Yearly meeting held last year, the Religious Society of Friends (Quakers) declared that “the Doctrine of Discovery held that “one’s status as human was based on religion.”

**As Unitarian Universalists, we covenant to affirm and promote the inherent worth and dignity of every person.**

The World Council of Churches wrote: ”The Doctrine mandated Christian European countries to attack, enslave and kill the Indigenous people they encountered, and to acquire all of their assets.”

**As Unitarian Universalists, we covenant to affirm and promote justice, equity and compassion in human relations.**

*Inter Caetera* expressly stated: “the Catholic Faith and the Christian religion be exalted and be everywhere increased and spread, that the health of the Christian soul should be cared for and that barbarous nations be overthrown and brought to the faith itself.”

**As Unitarian Universalists, we covenant to affirm and promote acceptance of one another and encouragement to spiritual growth ....**

At its New York yearly meeting held last year (2016), the Religious Society of Friends (Quakers) declared that the Doctrine of Discovery led to, “Forced removals such as the Trail of Tears, the seizure of natural resources, the destruction of traditional languages and cultures, the sterilization of Indian women, and the disruption of religious communities.”

**As Unitarian Universalists, we covenant to affirm and promote the right of conscience and the use of the democratic process within our Congregations and in society at large.**

The World Council of Churches summarized the Doctrine’s effects on today’s Indigenous peoples: “Around the World, Indigenous peoples are over-represented in all categories of disadvantage. In most indigenous communities people live in poverty, without clean water and necessary infrastructure. Basic health outcomes dramatize the disparity in well being between Indigenous peoples and European descendants.”

Lest we think that the Doctrine of Discovery is an indigenous peoples/European

problem only, the United States Supreme Court in its unanimous 1823 opinion in *Johnson & Graham's Lessee v. McIntosh* written by Chief Justice John Marshall ruled that as a result of the Doctrine of Discovery, "Christian people" had the right to "discover" and possess the lands of "heathens", leaving the Indians with a mere "right of occupancy." The United States, as successor in interest to various "potentates" had "ultimate dominion" and "ultimate title" over all Indian lands and peoples. That case was cited with approval by our courts as recently as the 1970's. Did we call it the Doctrine of Discovery when we slaughtered the indigenous peoples of the West? No, we called it Manifest Destiny - the term that John O'Sullivan first coined in his Newspaper's 1845 Editorial. He wrote, "...other nations - (that means our indigenous peoples) have undertaken to intrude themselves ... in a spirit of hostile interference against us, for the avowed object of thwarting our policy and hampering our power, limiting our greatness and checking the fulfillment of our manifest destiny to overspread the continent allocated by Providence for the free development of our yearly multiplying millions. We had a divine obligation to stretch our nation's boundaries all the way to the Pacific Ocean, and slaughter all those in our path." Australia, New Zealand, and Canadian Courts cited the US Supreme Court ruling when they ruled that the indigenous people had no rights prior to the colonization of those countries by European settlers, as was well settled under international law. In essence: "before we got here, the indigenous peoples had no rights anyway!"

Some historians estimate that 26 MILLION indigenous people died as a result of our American Doctrine of Discovery. (There is a consensus among most historians that the number is at least 10 million) Such mortality numbers have recently been verified by comparisons between ancient and modern mitochondrial DNA. Studies placed the number of indigenous people in the Americas at around 55 million in 1492. According to the 2011 proceedings of the National Academy of Sciences, there were massive die offs in indigenous populations following European settlements in the Americas. And while many of the deaths likely were caused by disease, other evidence suggests that warfare and enslavement played a major role.

Three religious denominations have called upon the Pope to repudiate *Inter Caetera*: The Episcopal Church at its 76<sup>th</sup> General Convention in 2009; The Unitarian Universalist Association of Congregations at its 2012 General Assembly, and the Philadelphia and New England Yearly Meeting of Friends in 2010 and 2013. In 2014 The Leadership Conference of Woman Religious -- representing 80% of all Roman Catholic women in religious orders -- called upon Pope Francis to rescind *Inter Caetera*.

Our 2012 Unitarian Universalist General Assembly Resolution states: “We the delegates of the 2012 General Assembly of the Unitarian Universalist Association, repudiate the Doctrine of Discovery as a relic of colonialism, feudalism, and religious, cultural, and racial biases having no place in the modern day treatment of indigenous peoples. It went on to state: “we call upon the leadership of the UUA to make a clear and concise statement repudiating the Doctrine of Discovery and its current use in US laws and regulation....”

As an aside, the Obama administration’s Department of State advised against repudiating the Doctrine of Discovery! You see, there is a cardinal rule of British and US law: *Nemo Dat Quod Non Habet* - You can only transfer what you have. It’s why if I own the Hope Diamond, and it is stolen, it doesn’t matter how many people buy and sell it after the theft I or my heirs always continue to own it. The original thief did not own it, and therefore could not transfer title to it. If the police find it, I get it back -- see where this is going? If the Indigenous people “were people” at the time of conquest their heirs still own the land. Many here in the Valley pay lease land payments to the local Indian tribes -- should we all be? The reason why the State Department issued its statement is they were concerned that if the Doctrine of Discovery were repudiated, if they wanted to talk to our neighbors to the North about natural resources, do they call Canadian Prime Minister Justin Trudeau, or Perry Bellegarde, The Assembly of First Nations National Chief?

Though the *Doctrine of Discovery* was established nearly 5 centuries before Unitarian Universalists articulated our Seven Principles, its effects today constitute a frontal assault on our beliefs. It was hard to imagine that any policy or policies could do the same. But that brings me to the second part of my story - my second tale.

Rodrigo de Borja’s biography as I stated it earlier is the same for another man, but the second man’s election landed him in the White House. But like His “Holiness” Pope Alexander VI, I want to speak only of his policies, for today, we are facing the introduction or revocation of policies that threaten to have as wide ranging effects on societies and our planet as the Doctrine of Discovery has.

As of April 30, 2017, reflecting his first 100 days of office, Mr. Trump signed 78 executive actions; 31 of which were executive orders. Candidate Trump railed against President Obama’s use of executive orders. However, during his 8 years in office, President Obama issued 277 executive orders, the lowest number since President McKinley who served at the end of the 19<sup>th</sup> century. Mr. Trump beat FDR for the number of executive orders signed in the first 100 days, and is second

only to Harry Truman. We clearly don't have time to discuss them all - so, just a highlight of some of them:

On April 28, 2017 Mr. Trump signed an Executive Order directing the Energy Department to review where the US could allow offshore energy development, revoking the rules that were put in place following the disastrous BP (well, really Haliburton) oil spill in the Gulf of Mexico in 2010 and putting Arctic drilling back on the table.

On April 26, 2017 Mr. Trump directed his Interior Department Secretary to review any national monument designations made since 1996 that are over 100,000 acres, calling into question President Obama's designations of 554 million acres of land as national monuments.

On April 21 Mr. Trump sent two memos to his Treasury Secretary ordering him to "judiciously apply Dodd-Frank provisions." In non-alternate fact language, it means to not enforce the law as written. He doubled down on his February 3 actions. I will deal with those in a minute.

On April 14, 2017 Mr. Trump designated April 15-23, 2017 National Park Week, and he also donated his first quarter's salary of \$78,333.32 to the American Battlefield Protection Program, which doesn't even scratch the surface of his proposed nearly \$2 billion cut to the Department of the Interior.

On April 8, 2017 Mr. Trump sent a Presidential Memorandum to Congress, notifying them of his cruise missile attack in Syria with fifty-nine Tomahawk missiles in retaliation for the chemical attack the previous week. The first justification administration officials cited in the memorandum was the President's "constitutional authority to conduct foreign relations." It wasn't his role as Commander-in-Chief, or as Chief Executive. Wow, threats of military action have long been used in the conduct of foreign relations - bombing as a tool of diplomacy not quite so often. Perhaps it explains his proposed 29% cut in the State Department, and 10% increase in the Department of Defense, if that is how he intends on conducting foreign policy.

On March 28, 2017 Mr. Trump signed the Energy Independence Executive Order, directing all executive departments to rescind any existing regulations that "unduly burden the development of domestic energy resources." It also rescinds 4 of President Obama's executive actions, withdraws/ repeals two status of the environment reports, and instructs the EPA to review the landmark Clean Power

Plan that had capped power plant emissions.” Mr. Trump’s March 16 budget would cut the EPA budget by a third. Reputable scientists are in agreement that at least 7 million people -- and they are people -- die each year from air pollution - pollution at current levels.

On March 27 Mr. Trump signed an Executive Order revoking President Obama’s fair pay and safe workplace orders.

On March 23 Donald Trump signed a memorandum declaring a national emergency in South Sudan, extending the same emergency President Obama declared in 2014, because of the threat of imminent widespread starvation. One week earlier, Office of Management and Budget Director, Mick Mulvaney, stated that the President’s March 16 budget would spend less money on people overseas, and “absolutely” cut programs like those that would aid those starving in South Sudan!

On March 6, 2017 Mr. Trump issued his travel ban, part deux. Every court that has reviewed the ban has said it suffers from the same constitutional defects as his January 27, 2017 ban, but there are some changes. One of the changes is that the first ban banned all Syrian refugees. Remember the campaign rhetoric: “Such chaos there that the threat of ISIS slipping through was too great.” The second ban excludes ALL refugees, from everywhere in the world! All refugees - how does that make us safer? The song lyrics from *Colors of the World*- “whether we are white or copper skinned.” How many refugees in the world are white? Chechnya, well yeah, Putin took care of that problem, too. What’s really going on here?

On February 28, 2017 Mr. Trump issued an Executive Order ordering all federal agencies to revise the Clean Water Rule by narrowing the definition of which areas are protected under the Clean Water Act.

On February 24, 2017 Mr. Trump signed an Executive Order establishing “regulator reform officers” in each federal agency, each officer charged with reviewing existing regulations and eliminating those that “prevent jobs, are outdated, unnecessary, or cost too much.” In response leaders of 137 non-profit groups signed a joint letter stating that “Americans did not vote to be exposed to more health, safety, environmental and financial dangers.”

On February 3, 2017 Mr. Trump signed two Executive Actions. One is designed to roll back the financial regulations enacted on a bi-partisan basis in response to the 2008 financial crises. Critics maintain the action will ensure a repeat financial

meltdown. The other seeks to reverse the rule that financial advisors and money managers have a fiduciary obligation to act in a way that keeps their client's best interests in play. Under the change, they have no such duty to those who entrust funds in their care, and their own self-interest can govern what they advise others. The chump at the table will be you.

January 25, 2017 was a busy day in Mr. Trump's war on immigrants. Mr. Trump issued an Executive Order directing the Department of Homeland Security to build the famous Mexican wall, among other things. It also directs the "immediate detainment and deportation" of ALL illegal immigrants. Mr. Trump also issued another Executive Order warning sanctuary cities to fully comply with federal immigration policies, or face a loss of all federal funding. A federal judge in the Northern District of California struck down the sanctuary city order. One thing is certain, banning all refugees and deporting all illegal immigrants will make America Whiter.

On January 20, 2017, Inauguration Day, Mr. Trump signed an Executive Order indicating his intention to cause a repeal of the Affordable Care Act.

At the beginning of my second tale I said: "Though the *Doctrine of Discovery* was established nearly 5 centuries before Unitarian Universalists articulated our Seven Principles, its effects today constitute a frontal assault on our beliefs. It was hard to imagine that any policy or policies could do the same."

Hyperbole. I don't think so. If we cut aid to starving people in South Sudan -- and they are people -- so the ultra wealthy can get another tax cut, we are killing the Sudanese as sure as if we launched 59 Tomahawk missiles into their midst. If 20, 24 or 26 million people -- and yes they are people -- lose their health care, many will die. Oh yeah, we all die, it's just that the poor -- and the poor are people too -- do it much younger. And if the Clean Air Act is gutted, more 7 million people will be dying, and if the Clean Water Act is gutted, our environment will take another major hit, and people will be going to Flint, Michigan for the water.

If people die as a result of our policies, what do we call those who initiated those policies; voted for them; enable them? Does our First Principle require that we just say, "These are just people with inherent worth and dignity who make bad decisions?" Or do we say, "These people are killing people." To misquote Homer Simpson - "Why can't we do both!" I personally find it extremely hard. I think the thing that bothers me the most is that I have always thought that in today's day and age, how could anyone disagree with our first 6 principles. I grant that the 7<sup>th</sup> is

inherently controversial. I am suffering the effects of my own “destruction of innocence.” Each of us must decide the answer to these and all of life’s difficult decisions for ourselves.

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*For whether we are white or copper skinned, we need to sing with all the voices of the mountains, we need to paint with all the colors of the wind. of the Wind.--[Stephen Schwartz](#) and [Alan Menken](#)(1995). *The Colors of the Wind* from Disney’s Pocahontas.*