

The Vatican responds to the Long March to Rome



**His Excellency, Archbishop Silvano Maria Tomasi
Delegate of the Pontifical Council for Justice & Peace**

Explanatory Note: On May 4th, 2016, the Long March to Rome Delegation made representations to Archbishop Tomasi concerning the need to revoke the Papal Bulls of Discovery during a two hour session of talks which followed a Special Audience with His Holiness Pope Francis I earlier in the day. Archbishop Tomasi wrote the following letter in response to the representations made by the delegates, each of whom had spoken eloquently of the suffering of indigenous peoples worldwide over the last 523 years as a result of actions legitimized by the Papal Bulls.

August 1st, 2016

Dear Mr. MacKinnon,

I want to thank you for your communications dated 5 and 17 May 2016. I share your vision that our meeting has been very fruitful for both sides and I look forward for further cooperation.

I am fully aware of the suffering caused by European colonialism and the exploitation of Indigenous peoples and lands. In this instance, this awareness also arises out of the Truth and Reconciliation Commission (TRC) efforts to listen deeply to the hurt that occurred in residential schools, of which 60% were managed by Catholics: while many of the priests, brothers, sisters and laypeople who worked in

the residential schools served with generosity, faithfulness and care, the deeply flawed policies behind the schools, and the abusive actions of some of the personnel among them, left a legacy of suffering.

The Holy See firmly asserts that Indigenous people, created in the image and likeness of God our Creator, ought to have had their fundamental human rights recognized and respected in the past, and that any failure to recognize and respect their humanity and fundamental human rights past or present is to be rejected and resisted in the strongest possible way.

Having said that, by the present communication, I would like to point out that:

1. The Papal Bulls *Dum Diversas* (1452), *Romanus Pontifex* (1455) e *Inter Coetera* (1493) do not influence the position of the Holy See and of the Church since long time. The statement *Sublimis Deus* (1537), condemning racist theses, nullified any previous decrees that would deny the right of Indigenous Peoples in America of their freedom and their property. Moreover, the position of the Holy See is based on the new Code of Canon Law and on the Compendium of the Social Doctrine of the Church. Both, the Code and the Compendium are explicitly in favor of the rights of indigenous people. Finally, recent Popes Saint John Paul II, Benedict VI and Francis — have expressed very clearly and forcefully their regret that European powers caused such terrible harm to the Indigenous Peoples. Just to mention the last example, we can recall the words pronounced by Pope Francis on 9th July 2015 in Santa Cruz, Bolivia “*I say this to you with regret: many grave sins were committed against the native peoples of America in the name of God. . . Like St. John Paul II, I ask that the Church ‘kneel before God and implore forgiveness for the past and present sins of her sons and daughters’.*”

Further, as they do not deal with theological themes, from a Church perspective, such Papal Bulls are rightly seen as political declarations, and therefore subject to retraction and revision, since they do not enjoy any element of infallibility. In the case of *Inter Coetera*, the Holy See, in response to questions from the international community, declared at the United Nations in 2010 that "It has already been abrogated" and is “without any legal or doctrinal value” (Statement by Holy See Permanent Observer to the United Nations, New York, April 27, 2010. The Holy See's intervention lists multiple ways in which the varying aspects of the Bull have been abrogated.).

2. The Holy See and the Church anywhere in the world repudiate illegitimate concepts and principles used by Europeans to justify the seizure of land previously held by Indigenous Peoples and often identified by the terms "Doctrine of Discovery" and "Terra nullius". Basically, there is no basis in the Church's Scriptures, tradition, or theology, for the European seizure of land already inhabited by Indigenous Peoples. On this point, please see the

document "The Doctrine of Discovery and Terra Nullius: a Catholic Response", available at: <http://www.cccb.ca/site/images/stories/pdf/catholic%20response%20to%20doctrine%20of%20discovery%20and%20tn.pdf>

3. The efforts of the Holy See, in the competent international fora, aim at raising awareness of the problems of indigenous peoples. The same can be said for the local church anywhere in the world.
4. More specifically, the Holy See is engaged, on the international level, to preserve indigenous cultures and their traditional knowledge.
5. The Episcopal conferences can be involved to improve the national legislation in a sense more favorable for the rights of indigenous people.
6. The Holy See supports the United Nation Declaration on the Rights of Indigenous Peoples anywhere in the world. For examples, the Holy See Permanent Observer to the UN has explicitly endorsed this Declaration on numerous occasions (Address by Archbishop Celestino Migliore, Holy See Permanent Observer to the UN, New York, May 16, 2007; October 19, 2009, and 20 April 2010; Address by Archbishop Silvano Tomasi, Holy See Permanent Observer to the UN, Geneva, September 17, 2014). The United Nations Declaration on the Rights of Indigenous Peoples, technically known as a "human rights instrument" rather than a treaty or convention, once passed does not have to be signed or ratified. Since it is directed to the governments of nation states, the Declaration does not, in the strict sense, refer to churches or faith groups. But this does not mean that churches and faith groups cannot seek to live out its principles. Because churches and faith groups are an integral part of the society for which a government speaks and acts, it is important for us to make our voices heard. In this sense, I would like to evoke an important document, A Catholic Response to Call to Action 48 of the Truth and Reconciliation Commission (On Adopting and Implementing the United Nations Declaration on the Rights of Indigenous Peoples) and its Appendix where you can find "Some Catholic Statements supporting Indigenous rights articulated in the United Nations Declaration on the Rights of Indigenous Peoples" (available at: <http://www.cccb.ca/site/images/stories/pdf/catholic%20response%20call%20to%20action%2048.pdf>

The central themes of the Declaration, in fact, resonate strongly with statements already made by the Catholic Church, whether through the Canadian Conference of Catholic Bishops (CCCB) or the Holy See. These include the rights of Indigenous Peoples to self-determination, self-government, and to their own distinct institutions, the right to their traditional territories, the right to a fair process to adjudicate land claims, the right to

their cultural traditions and customs, the right to practice and manifest their spiritual traditions and customs, the right to maintain their languages, the right to their own educational institutions, the right to improvement of their economic and social conditions, the right to guide their own development, and the right to the recognition and enforcement of treaties.

7. Like many other Christian communities, the Catholic Church has supported the TRC's Calls to Action.
8. Apologies and acknowledgements of past mistakes are an important step, but they need to be accompanied by constructive actions. In this sense, quoting the abovementioned document on "The Doctrine of Discovery and Terra Nullius: a Catholic Response", it is necessary to:
 - Continue to work with Catholic educational institutions and programs of formation in learning to tell the history of Canada in a way that is truthful, ensuring proper treatment of the history and experience of Indigenous Peoples, including the experience of oppression and marginalization which resulted from the Indian Act, the Residential School system, and frequent ignoring or undermining of signed treaties;
 - Work with centres of pastoral and clergy formation to promote a culture of encounter by including the study of the history of missions, with both their weaknesses and strengths, which encompasses the history of the Indian Residential Schools, assuring that each student has the opportunity to encounter Indigenous cultures as part of their formation;
 - Call upon theological centres to promote and continue to support Indigenous reflection within the Catholic community, and include this as part of the national ecumenical and interreligious dialogues;
 - Encourage partnerships between Indigenous groups and existing health care facilities to provide holistic health care, especially in areas where there are significant health needs;
 - Encourage initiatives that would establish and strengthen a restorative justice model within the criminal justice system. Incarceration rates among Indigenous people are many times higher than among the general population, and prisons are not sufficiently places of reconciliation and rehabilitation. Such initiatives include the renewal of the criminal justice system through sentencing and healing circles and other traditional Indigenous ways of dealing with offenders where appropriate and desired by Indigenous peoples;
 - Support the current national inquiry into missing and murdered Indigenous women and girls and work with others towards a healthier

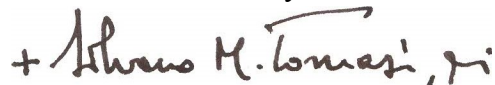
society where just relations flourish in families and communities, and where those most vulnerable are protected and valued;

- Support Bishops and their dioceses and eparchies, as well as superiors of institutes of consecrated life and societies of apostolic life, together with lay Catholic organizations, in deepening and broadening their relationships, dialogue and collaboration with Indigenous Peoples; in developing programs of education on Indigenous experience and culture; and in their efforts to follow up on the TRC's Calls to Action, especially those that address faith communities;
- Encourage Bishops, as well as the superiors of institutes of consecrated life and societies of apostolic life, together with lay Catholic organizations, to invite a greater acquaintance with the above mentioned United Nations Declaration on the Rights of Indigenous Peoples in their dioceses and eparchies, in their parishes and educational institutions, and in their communities and pastoral work, thus fostering continuing reflection in local contexts on how various aspects of the Declaration can be implemented or supported.

Assuring my praying and my blessing, I remain at Your disposal for further clarification, in order to reinforce our fruitful dialogue.

With every good wish, in communion of prayers,

Yours Sincerely,

A handwritten signature in black ink, reading "+ Silvano M. Tomasi, si". The signature is written in a cursive style with a small cross at the beginning.

Archbp. Silvano M. Tomasi
Secretary Delegated