Claiming the Land

Read how claims of authority shaped colonization and land rights.

MWH.C.2.5.B "Examine how the Doctrine of Discovery was used to legitimize European colonization of lands and Indigenous peoples."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline one claim of authority in the first paragraph and one in the third, then circle the effect each claim had on Indigenous control and give each claim and its effect a matching number.

Who Had the Right to Claim Land?

1. In 1493, Pope Alexander VI issued a decree after Columbus's first Atlantic voyage. It granted Spain a claim to lands west of a proposed line if no Christian ruler already held them, and it called for spreading Christianity. The decree did not mean those lands were empty. Taíno communities lived on Caribbean islands, with their own leaders, farms, and trade networks. Yet the decree treated a Christian ruler's claim as more important than Indigenous control. This religious argument became part of what later came to be called the Doctrine of Discovery, a set of claims used to justify taking Indigenous lands.

2. Spanish expeditions carried that reasoning into encounters with Indigenous peoples. Beginning in 1513, Spanish officials were instructed to read a statement called the Requerimiento. It said the pope had given authority over these lands to Spain's monarchs and demanded that Indigenous listeners accept Spanish rule and Christian teaching. The statement warned that refusal could bring war and the seizure of people and property. It was sometimes read in Spanish to people who could not understand it. By casting resistance as a refusal of supposedly rightful authority, the statement offered a legal-sounding excuse for conquest rather than seeking meaningful consent.

3. Centuries later, the idea shaped a different legal system. In Johnson v. M'Intosh (1823), the U.S. Supreme Court described European "discovery" as giving the discovering power the exclusive right to acquire Indigenous lands. The Court acknowledged Indigenous peoples' right to occupy those lands but denied them the power to sell land freely to private buyers. This ruling did not simply repeat the pope's decree: it turned a colonial claim into a rule about land ownership in the United States. Across these settings, officials used the word discovery to make outside control seem lawful, even though Indigenous peoples already lived on and governed the land.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did the 1493 decree use religion to support Spain's claim to land?

2. How did the Requerimiento make war against Indigenous peoples appear justified?

3. Why did reading the Requerimiento in a language listeners could not understand weaken its claim to legitimate Spanish rule?

4. How did the 1823 ruling give “discovery” a legal effect on Indigenous land rights?

3 YOUR TURN

Your own words

Rewrite this museum label in one paragraph of 75 to 100 words: “Europeans discovered empty lands and gained ownership.” Use one detail from the 1493 decree or the Requerimiento and one from the 1823 ruling to explain how authorities made outside control seem lawful while limiting Indigenous rights.

ANSWER KEY

Claiming the Land

HIGH SCHOOL · MWH.C.2.5.B

PART 1 · READ AND MARK

Underline one claim of authority in the first paragraph and one in the third, then circle the effect each claim had on Indigenous control and give each claim and its effect a matching number. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did the 1493 decree use religion to support Spain's claim to land?	**It offered Spain a claim where no Christian ruler held the land, treating Christian rule as more important than Indigenous control.**
2	How did the Requerimiento make war against Indigenous peoples appear justified?	**It presented Spanish rule as rightful and warned that refusing it could bring war and seizure of people and property.**
3	Why did reading the Requerimiento in a language listeners could not understand weaken its claim to legitimate Spanish rule?	**Listeners who could not understand the demand had no meaningful chance to respond to it or consent.**
4	How did the 1823 ruling give "discovery" a legal effect on Indigenous land rights?	**It gave the discovering power the exclusive right to acquire Indigenous land, limiting Indigenous peoples' ability to sell it to private buyers.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The lands Europeans claimed were not empty. Taíno communities lived on Caribbean islands before the 1493 decree offered Spain a claim where no Christian ruler held the land. That rule overlooked Indigenous leaders and their control of their homelands. Centuries later, the U.S. Supreme Court said European "discovery" gave the discovering power the exclusive right to acquire Indigenous land. The Court recognized Indigenous peoples' right to occupy the land but limited their ability to sell it. In both cases, outside authorities used a claim of discovery to make control seem lawful without treating Indigenous rights as equal.

Accept responses that distinguish an authority's claim from Indigenous consent or actual control. For the open task, look for accurate details from both periods and an explanation of how those claims limited Indigenous rights.