



Written by [Selwyn Duke](#) on March 14, 2026

Does America Sit on “Stolen Land”?

The first man who staked out a piece of ground and said “This is mine” was a liar, goes a paraphrase of Jean-Jacques Rousseau. Yet that man also, the philosopher stated, “was the real founder of civil society.”

Rousseau was no fan of *our* Western civil society, but perhaps that makes his statement even more noteworthy. In addition, with the claim that the United States sits on “stolen land” gaining currency, his assertion raises a question.

Is this yet another woke claim that could move us toward being a very uncivil society?



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Addressing this late last month, commentator M.E. Boyd made some interesting points, [writing](#):

At a recent Grammy Awards ceremony, Billie Eilish stated publicly that “*no one is illegal on stolen land.*” This statement implies that the United States was unlawfully created and, therefore, any national laws regarding the illegal entrance of aliens into the country are invalid. This is a very big issue. If the United States was unlawfully created (different from unfortunately created), a case could be made that the land that now comprises its sovereign borders should revert to the indigenous people then living within those boundaries, or in the alternative, be allowed to be claimed by majorities pouring into its undefended borders — a type of siege.

Really, though, while the “alternative” is implied by cultural devolutionaries, how does it make any sense? How does inviting de facto colonization by Third Worlders, and the attendant societal degradation, help American Indians? Is the message, “You’ve been wronged. So as remedy — after destroying the civilization you once enjoyed — we’ll destroy the civilization you’re currently enjoying, too”?

Why, it’s a bit like saying to someone, “I’m not going to return the property I and others stole from you. Instead, I’ll allow another thief to steal some of it (though not the portion I own! Soorry!). Feel better?”

Boyd then posed *the* question: “*Was the United States lawfully created?*” His answer:

It was lawfully created if one accepts the premises of Western Civilization, Christianity, and the notion of advances in civilization.

Actually...

In reality, however, it was “lawfully created” even if one accepts only the premises of pre-Western, pre-Christian civilization. Just consider what Professor Thomas Sowell [pointed out](#) regarding this in 2003:



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One of the things we take for granted today is that it is wrong to take other people's land by force. Neither American Indians nor the European invaders believed that.

Both took other people's land by force — as did Asians, Africans and others. The Indians no doubt regretted losing so many battles. But that is wholly different from saying that they thought battles were the wrong way to settle ownership of land.

For this reason, tribes often fought with each other over land and resources. Not surprisingly, too, they didn't view other Indians as the "noble savages" some white liberals later romanticized them as. For instance, consider that the tribal name "Sioux" is a derogatory term meaning "little snakes."

Oh, and the name was given to them by *other* Indians: the Ojibwe/Chippewa tribe.

This is just one example, too, of [the shade American Indians would throw](#) on each other.

Sowell's point (which is also Boyd's), however, warrants elaboration. Going back in time and applying our morals selectively is to demand that our ancestors should have behaved anachronistically. Why, you may as well condemn medieval plague doctors, saying, "Why didn't they just administer antibiotics and save those 40 million people?!"

The reality is that moral understanding was as radically different centuries ago as was medical understanding. The prevailing mentality was "Might makes right." If you lost land or resources in war, the attitude was, "You should have been stronger. It's not my fault you were weak — it's *yours*." In fact, as Alexander the Great being called "the Great" evidences, vanquishing others via conquest was applauded.

It was only Christianity that changed this. The image of Jesus riding into Jerusalem on a donkey reflected this new sense of virtue. It was realized not in dominating the weaker, but in defending the weak; not in conquering poor souls, but one's own sin. And over *time*, this Truth coupled with God's grace transformed civilization.

Applying Laws Retroactively?

So what Sowell outlined was man's long-standing de facto "laws" governing ownership. These de facto laws of man can be analogized to today's governmental laws, too.

It often happens that we enact new legislation, prohibiting what was once legal. But we don't punish people for having operated in accordance with the previous laws. For example, consider a change in stock-trading regulations. Do we insist that a person who registered some gains trading under the old standards "stole" the money? Do we imply that those profits should now be seized?

In reality, this itself would be unfair, deleterious to civilization, and hence immoral. In fact, it's the kind of thing we've seen from evil governments, such as the early Soviets. They might execute someone for having done or said something that was acceptable five years earlier, but that had come to be seen as "counter-revolutionary."

The moral here: The "stolen land" narrative is not just misguided — it is *destabilizing and evil*. The land on which America sits was acquired via the de facto land-ownership laws operative at the time of acquisition, just as was the case with other nations of the world. End of story.

None of this means, of course, that Billie Eilish need wallow in guilt over perceived wrongdoing. The entertainer owns a palatial \$14 million Los Angeles home on lands "[historically belonging to the Tongva](#)



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[tribe.](#)” (Though other groups occupied the lands *before the Tongva.*) Well, with a \$50 million net worth, Eilish could give the tribe \$14 million in compensation. She could make an honest woman of herself.

Of course, Eilish probably doesn’t like being held to her own standards — even as she tacitly insists that people living centuries ago somehow should be.



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