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Despite these civic myths surrounding the creation of American government, America's settlers from Europe knew little of democracy. The English came from a nation ruled by monarchs who claimed that God conferred their right to rule and even allowed them to wage wars of extinction against the Irish. Colonists also fled to America from France, which was wandering aimlessly through history under the extravagances of a succession of kings named Louis, most of whom pursued debauched and extravagant reigns that oppressed, exploited, and at times even starved their subjects. Despite the ideal government sketched by Plato in *The Republic*, and the different constitutions analyzed by Aristotle in his *Politics*, the Old World offered America few democratic models for government....

Reportedly, the first person to propose a union of all the colonies and to propose a federal model for it was the Iroquois chief Canassatego, speaking at an Indian-British assembly in Pennsylvania in July 1744. He complained that the Indians found it difficult to deal with so many different colonial administrations, each with its own policy. It would make life easier for everyone involved if the colonists could have a union that allowed them to speak with one voice. He not only proposed that the colonies unify themselves, but told them how they might do it. He suggested that they do as his people had done and form a union like the League of the Iroquois [Johansen, pp. 12, 61]. Hiawatha and Deganwidah founded the League of the Iroquois sometime between A.D. 1000 and 1450 under a constitution they called the Kaianerekowa or Great Law of Peace.

When the Europeans arrived in America, the league constituted the most extensive and important political unit north of the Aztec civilization. From earliest contact the Iroquois intrigued the Europeans, and they were the subject of many amazed reports. Benjamin Franklin, however, seems to have been the first to take their system as a potentially important model by which the settlers might be able to fashion a new government. Benjamin Franklin first became acquainted with the operation of Indian political organization in his capacity as official printer for the colony of Pennsylvania. His job included publication of the records and speeches of the various Indian assemblies and treaty negotiations, but following his instinctive curiosity, he broadened this into a study of Indian culture and institutions. Because of his expertise and interest in Indian matters, the colonial government of Pennsylvania offered him his first diplomatic assignment as their Indian commissioner. He held this post during the 1750s and became intimately familiar with the intricacies of Indian political culture and in particular with the League of the Iroquois.

After this taste of Indian diplomacy, Franklin became a lifelong champion of the Indian political structure and advocated its use by the Americans. During this time he also refined his political techniques of persuasion, compromise, and slow consensus building that proved so important to his later negotiations as the ambassador to France and as a delegate to the Constitutional Convention. Echoing the original proposal of Canassatego, Franklin advocated

that the new American government incorporate many of the same features as the government of the Iroquois [Wilson, p. 46]. Speaking to the Albany Congress in 1754, Franklin called on the delegates of the various English colonies to unite and emulate the Iroquois League, a call that was not heeded until the Constitution was written three decades later [Hecht, p. 71].

Even though the Founding Fathers finally adopted some of the essential features of the Iroquois League, they never followed it in quite the detail advocated by Franklin. The Iroquois League united five principal Indian nations—the Mohawk, Onondaga, Seneca, Oneida, and Cayuga. Each of these nations had a council composed of delegates called sachems who were elected by the tribes of that nation. The Seneca Nation elected eight sachems to its council, the Mohawk and Oneida nations each had councils of nine sachems, the Cayuga Nation had a council of ten, and the Onondaga Nation had a council of fourteen. Each of these nations governed its own territory, and its own council met to decide the issues of public policy for each one. But these councils exercised jurisdiction over the internal concerns of that one nation only; in this regard they exercised powers somewhat like the individual governments of the colonies.

In addition to the individual councils of each separate nation, the sachems formed a grand Council of the League in which all fifty sachems of the six nations sat together to discuss issues of common concern. The sachems represented their individual nations, but at the same time they represented the whole League of the Iroquois, thereby making the decisions of the council the law for all five nations. In this council each sachem had equal authority and privileges, with his power dependent on his oratorical power to persuade. The council met in the autumn of at least one year in five in a longhouse in the Onondaga Nation; if needed they could be called into session at other times as well. Their power extended to all matters of common concern among the member nations. In the words of Lewis Henry Morgan, America's first modern anthropologist, the council "declared war and made peace, sent and received embassies, entered into treaties of alliance, regulated the affairs of subjugated nations, received new members into the League, extended its protection over feeble tribes, in a word, took all needful measures to promote their prosperity, and enlarge their dominion" [Morgan, pp. 66–67].

Through this government the nations of the Iroquois controlled territory from New England to the Mississippi River, and they built a league that endured for centuries. Unlike European governments, the league blended the sovereignty of several nations into one government. This model of several sovereign units united into one government presented precisely the solution to the problem confronting the writers of the United States Constitution. Today we call this a "federal" system in which each state retains power over internal affairs and the national government regulates affairs common to all. Henry Steele Commager later wrote of this crucial time that even "if Americans did not actually invent federalism, they were able to take out an historical patent on it" [Commager, p. 207]. The Indians invented it even though the United States patented it.

Another student of the Iroquois political organization was Charles Thomson, the perpetual secretary of the Continental Congress. He spent so much energy studying the Indians and their way of life that the Delaware Nation adopted him as a full member. Following Thomas Jefferson's request, Thomson wrote at length on Indian social and political institutions for inclusion in an appendix to Jefferson's Notes on the State of Virginia. According to his description of Indian political tradition, each Indian town built a council house for making local decisions and for electing delegates to the tribal council. The tribal council in turn elected delegates to the national council [Thomson, p. 203]. Even though Thomson wrote this several years before the Constitutional Convention, this description reads like a blueprint for the United States Constitution, especially when we remember that the Constitution allowed the state legislatures (rather than the general populace) to elect senators. Thomson stresses that the sachems or political leaders do not acquire their positions by heredity but by election, and he adds that because outsiders can be naturalized into the Indian nation, even they can be elected to such offices. The Americans followed the model of the Iroquois League not only in broad outline but also in many of the specific provisions of their Kaianerekowa.

According to the Kaianerekowa, the sachems were not chiefs, a position frequently associated with leadership in war. As a lawmaker, the sachem could never go to war in his official capacity as a sachem. "If disposed to take the warpath, he laid aside his civil office, for the time being, and became a common warrior" [Morgan, p. 72]. This followed the tradition in many Indian tribes that relied upon separate leaders for peace and for war. The colonists followed this model too in eventually separating civilian authorities from military ones. Members of Congress, judges, and other officials could not also act as military leaders without giving up their elected office; similarly, military leaders could not be elected to political office without first resigning their military position. This contrasted with British traditions; church and military leaders frequently served as members of the House of Lords and frequently played major political roles in the House of Commons as well. Similarly, this inability to separate the civil government and the military has doomed many of the imitators of American democracy, particularly in Africa and Latin America. If the conduct of any sachem appeared improper to the populace or if he lost the confidence of his electorate, the women of his clan impeached him and expelled him by official action, whereupon the women then choose a new sachem [Goldenweiser, p. 570]. This concept of impeachment ran counter to European tradition, in which the monarch ruled until death, even if he became insane or incapacitated, as in the case of George III. The Americans followed the Iroquois precedent of always providing for ways to remove leaders when necessary, but the Founding Fathers saw no reason to follow the example of the Iroquois in granting women the right to vote or any other major role in the political structure...

Europeans were accustomed to shouting down any speaker who displeased them; in some cases they might even stone him or inflict worse damage. The Iroquois permitted no

interruptions or shouting. They even imposed a short period of silence at the end of each oration in case the speaker had forgotten some point or wished to elaborate or change something he had said [Johansen, p. 87]. Even though the American Congress and legislatures did not adopt the practice of silence at the end, they did allow speakers “to revise and extend” the written record after speaking. The purpose of debate in Indian councils was to persuade and educate, not to confront. Unlike European parliaments, where opposing factions battle out an issue in the public arena, the council of the Indians sought to reach an agreement through compromise. This important difference in nuance led Bruce Burton to observe in his study of American law that “American democracy owes its distinctive character of debate and compromise to the principles and structures of American Indian civil government” [Burton, p. 5].

In keeping with Iroquois tradition, Franklin proposed that since the sachems did not own land or receive any financial compensation for their work, the officials of the United States should not be paid. They should perform their work as a sacred trust freely given to the communal welfare. Even though the Founding Fathers did not incorporate this, they did work to prevent property qualifications for holding office and for exercising the right to vote...

In addition to Benjamin Franklin, Thomas Paine, and Charles Thomson, many of the Founding Fathers of American federalism had worked closely with the Indian political institutions. George Washington had extensive contacts with the Indians in his surveying expeditions into the western part of Virginia and fought with Indians and against Indians in the French and Indian War. Washington showed a greater interest in land speculation and making money than in observing the political life of the Indians. Thomas Jefferson, author of the Declaration of Independence, also lived close to the frontier, and he himself was the son of a pioneer. He studied and wrote numerous articles and essays on the Indians, leading a later historian to call Jefferson “the most enlightened of amateur ethnologists” [Commager, p. 179]. In his recommendations for the University of Virginia, he became the first person to propose a systematic ethnological study of the Indians in order “to collect their traditions, laws, customs, languages and other circumstances” [Jefferson, p. 151]. Because of men such as Thomas Paine, Benjamin Franklin, Charles Thomson, and Thomas Jefferson, we today know a great deal about the League of the Iroquois and some of the other Indian groups of the eastern United States....

Subsequent years of ethnological research into the political organizations of the New World have shown that the League of the Iroquois seems representative of political institutions throughout all of America north of Mexico and much of Central and South America as well....

The Greeks who rhapsodized about democracy in their rhetoric rarely created democratic institutions. A few cities such as Athens occasionally attempted a system vaguely akin to democracy for a few years. These cities functioned as slave societies and were certainly not egalitarian or democratic in the Indian sense. Most of the respected political thinkers of Greece despised democracy both theoretically and in practice. The people of Athens executed

Socrates during one of their democratic eras because he had conspired with the oligarchs to destroy democracy. On the other hand, Plato favored rule by a philosopher-king and even went to Syracuse to help the tyrant Dionysius rule. In the United States, the southerners identified much more closely with the ideals of Greek democracy based on massive slavery than with Iroquois democracy, which did not permit slavery... The American south, however, embraced everything Greek. The southern gentleman with his leisurely life of relaxation in the study, friendly conversation in the parlor, fine meals in the dining room, courting in the ballroom, and hunting in the forest identified closely with the good life of Greek literature....

When the United States government embarked on an expansion of the Capitol in the middle of the nineteenth century, the architects proposed to cap the dome with a symbol of freedom. They chose for this a nineteen-foot bronze statue of a Roman woman who would stand on the pinnacle of the Capitol. Sculptor Thomas Crawford crowned the woman with a Phrygian cap, which in Roman history had been the sign of the freed slave. At that time Jefferson Davis, the future president of the Confederate States of America, still served as the secretary of war for the United States, and he objected strongly to what he interpreted as an antisouthern and antislavery symbol. He compelled Crawford to cap her with something less antagonistic to southern politicians. Crawford designed a helmet covered with a crown of feathers, but in putting this headdress on the figure, her whole appearance changed. Now instead of looking like a classical Greek or Roman, she looked like an Indian. She still stands today on the pseudoclassical Capitol overlooking the city of Washington. The Washington Monument rises to the same height, but no other building has been allowed to rise higher than she. Even though no one intended her to be an Indian, she now reigns as the nearest thing to a monument that Washington ever built to honor the Indians who contributed to the building of a federal union based on democracy.

References for Chapter 8

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