

The following excerpt from *Indian Givers* by Jack Weatherford, discusses how Benjamin Franklin respected the civilization of the Native Americans and incorporated many key elements of their culture into the Founding Documents of 1776.



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

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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. One of the most important characteristics of the Iroquois League permitted it to expand as needed; the council could vote to admit new members. This proved to be an important feature of the system after the Tuscarora Indians of North Carolina faced attack in 1712 by the army of Colonel John Barnwell and again in 1713 by the army of Colonel James Moore. Having thoroughly defeated the Tuscaroras, the Carolina colonists demanded reparations from the Indians to pay the colonists' expenses incurred in the war. Because the Indians had no money to pay, the colonists seized four hundred of them and sold them into slavery...

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