

Our Founding Mothers and Fathers, The Iroquois

by Jerry Mander

One of the greatest irritations for American Indians today is how American society refuses to acknowledge that the flow of influence between our societies over the centuries has not been entirely one-directional. Occasionally, begrudging recognition is given of the fact that the Indians taught the early arrivals to these shores what to eat, how to farm, and how to survive in the harsh, cold woods. And nowadays, because of the recent work of groups attempting to protect the rainforests of the world, we are hearing about forest Indians' knowledge of medicinal plants.

In his book *Indian Givers*, anthropologist Jack Weatherford lists numerous instances where Indian contributions have not been acknowledged, particularly in agriculture, food, architecture, and urban planning. But to me the most important area where the Indian role has been ignored or hidden is its influence on democratic government. It is surely one of the most closely guarded secrets of American history that the Iroquois Confederacy had a major role in helping such people as Benjamin Franklin, James Madison and Thomas Jefferson as they attempted to confederate a new government under democratic principles.

Recent scholarship has shown that in the mid-1700s Indians were not only invited to participate in the deliberations of our "founding fathers," but that the Great Binding Law of the Iroquois Confederacy arguably became the single most important model for the 1754 Albany Plan of Union, and later the Articles of Confederation and the Constitution. That this would be absent from our school texts, from history and from media is not surprising given the devotion Americans feel to our founding myth: great men gathered to express a new vision that has withstood the test of time. If it were revealed that Indians had a role in it, imagine the blow to the American psyche.

Try to imagine what it was like in the mid-1700s, when the colonists were desperate to free themselves from oppressive English control. The major urban settlements of the time — Albany, Philadelphia, Boston, New York — were nothing like they are

today. Albany, the capital of New York and site of the most important meetings about confederation, had only some 200 houses in 1754. Its population was less than 3000. Philadelphia, which was to become the US capital, was the largest city in the colonies, with a population of 13,000. These places were really tiny towns, with mud roads, separated from one another by hundreds of miles of forest and several days' travel. And within those forests were Indians! In fact, the Indians were still, at that time, the stronger society, having yielded only a small part of their coastal territories. The Iroquois Confederacy (of New York, Pennsylvania, Ohio, Tennessee and Ontario) had yielded practically nothing.

The colonists were still quite vulnerable. It was exceedingly important to them to get along with the Indians, who were all around. They often met to discuss mutually important issues of safe passage, trade, land agreements (treaties) and military alliances. It is fair to say that good relations with the Indians of that period were as important to the colonists as, say, present-day US relations with Canada or the Soviet republics.

The Iroquois Confederacy showed Franklin, Madison and Jefferson how to create a new democratic government

In the 1700s, "foreign policy" was largely about relating to the Indians.

If the Iroquois had not finally fought on the side of the English colonies, we would all now be speaking French, and would probably be part of Quebec. Dealings with Indians took place on an everyday basis, and, according to many scholars, most negotiations were "in the Indian manner," that is, they were held as part of Indian councils, and followed Indian rules of discussion, procedure and contact. The colonists who negotiated with the Indians had significant knowledge of Indian decision-making and governance, and went to considerable pains to accommodate the Indian processes. Even the selection of Albany as the site of many meetings was at the behest of the Indians.

The men who were striving to achieve independence, confederation and democracy were struggling under a great burden:



nowhere in their own experience was there a working model of a democratic confederation of states. All of Europe at that time was under the rule of monarchs who claimed their authority by divine right.

Meanwhile, living side by side with these aspiring federalists, in constant negotiation with them, was an Indian nation that, beyond theory or historical abstraction, was an actual living example of a successful democratic confederation, united under a single law that had already survived for many centuries: the Great Binding Law of the Iroquois Confederacy.

Although some Western scholars assert that the Great Law was created in the early 1400s, the Iroquois themselves argue that the Great Law existed for hundreds of years before Columbus' arrival. There is little doubt, however, that the Great Law arose from circumstances very similar to those faced by the separate colonies. The law was designed to form a peaceful federation among five previously separate, disputatious Indian nations — Onondaga, Oneida, Mohawk, Seneca and Cayuga (joined later by Tuscarora) — who resided for millennia in adjoining areas that extended from what is now Tennessee to most of Ontario. The Great Law articulated the manner in which the confederated nations would thenceforth relate to one another as a single body. It also articulated the rights that would be reserved for the individual nations' (states') rights. The law described a system for democratically electing representatives to a Grand Council, divided into separate deliberative bodies (multicameral legislature). And it included, in great detail, descriptions of the legislatures of individual nations, as well as rights of universal suffrage, popular selection and removal of chiefs, and the manner in which all the members of the population should participate.

That the model was successful was apparent by the mere fact that it was already many centuries old, during which time the separate nations had cooperated peacefully on federal matters, yet remained separate.

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In fact the Iroquois Confederacy is still functional today among the six member nations, and the Great Law remains the system of governance.

Professor Donald Grinde, Jr., in his book *The Iroquois and the Founding of the American Nation*, argues that the Iroquois were a significant influence on colonial leaders, who had nowhere else to turn. Grinde points out that the fourth US president James Madison made frequent forays to study and speak with Iroquois leaders. Second US president John Adams and his family socialized with Cayuga chiefs on numerous occasions. The personal papers of third US president Thomas Jefferson show specific references to the forms of Iroquois governance, and, says Grinde, "Benjamin Franklin's work is resplendent with stories about Indians and Indian ideas of personal freedom and structures of government." Franklin was also present at an important meeting among Iroquois chiefs and several colonial governors in Lancaster, Pennsylvania, in 1744, at which the chiefs recommended that the colonists stop fighting among themselves and form a union.

By 1754, when most of these men gathered to create the Albany Plan of Union, the first inter-tribe confederation, they invited 42 members of the Iroquois Grand Council to serve as advisors on confederate structures. Benjamin Franklin freely acknowledged his interest in the Iroquois achievement in a famous speech at the Albany Congress: "It would be a strange thing . . . if six nations of ignorant savages [sic] should be capable of forming such a union and be able to execute it in such a manner that it has subsisted for ages and appears indissoluble, and yet that a like union should be impractical for ten or a dozen English colonies."

If Indian influence upon American constitutional democracy is a tough pill for Americans to swallow, there is yet another minor aspect to the story that can only create still greater anxiety. There is a case to be made that the Iroquois model was also influential in Europe, particularly upon Friedrich Engels and Karl Marx.

At the time when Marx and Engels were struggling to create models for an egalitarian, classless society, which later evolved into communism, Engels was strongly influenced by the eighteenth-century work of anthropologist Lewis Morgan, particularly his reports on the Iroquois. Engels was so impressed that in his work *Origin of the Family, Private Property and the State*, the Iroquois were used as the prime example of a successful classless, egalitarian, non-coercive society.

And so we have the bizarre situation that while Westerners continue to assume that the flow of influence was simply from the



Penn's Treaty with the Indians by Benjamin West (c.1771)

more "advanced" Western societies to the Indians of the Americas, it is arguably the case that the two dominant political systems of the past century were both at least partly rooted in the wisdom of the Great Binding Law of the Iroquois Confederacy.

The Great Binding Law

According to Iroquois history, the creation of the Great Law is attributed to the work of two men: Hiawatha (Mohawk tribe) and Dekanawida (Onondaga tribe). The Great Law was transmitted orally from generation to generation with its tenets recorded only on wampum belts and strings.

Certain features of the Great Law are instantly recognizable for their similarity with the US Constitution

Certain features of the Great Law are instantly recognizable for their similarity with the US Constitution: the establishment of a federation with separate powers for federal and state governments; provisions for the common defense; representative democracy at federal and local levels; separate legislative branches that debate issues and reconcile disagreements; checks and balances against excessive powers; rights of popular nomination and recall; and universal suffrage (although this last provision took Americans another 150 years to achieve). The only executive was a temporary "speaker," appointed by acclamation, who served for one day only.

The right to nominate chiefs was hereditary, held only by "clan mothers" of certain clans from each tribe. After nomination, the candidate was then ratified in stages by the whole clan, the national council, the Grand

Council of the Confederacy, and then finally by all the people. The women also had the power to remove the chiefs from office if they proved not to have "in mind the welfare of the people," as the law says. They could also remove a chief "who should seek to establish any authority independent of the jurisdiction of the Great Law." If the women removed a chief, they also nominated the replacement.

The Great Law contains one rule that I found particularly extraordinary for its democratic import and the degree of trust it reveals for the people of the member nations. The law says that when an "especially important matter of a great emergency is presented before the council, and the nature of the matter affects the entire body of the Five Nations," then the council is not permitted to act without first going back to all of the people in the confederacy.

What is remarkable is that this rule describes a way of doing things that is exactly the opposite of our own. In the United States the most apocalyptic decisions, especially military ones, are always made by government, quickly — often secretly — without consulting the people. This speed and secrecy is justified precisely because of the importance of the matter and by the need for rapid action. Often this reflects how technology has accelerated the pace of events, creating situations such as "launch on warning."

In the United States, the president makes all war decisions. The constitutional principle that only Congress can declare war is a farce, as was obvious most recently in the US-Iraq conflict. Although Congress finally gave its (divided) approval for war, it came only after President Bush had already maneuvered 450,000 troops to the front lines without any approval, and issued a level of verbal insurrection that has taken the

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impossible to avoid. And in preceding years, we saw US presidents bomb countries (Vietnam, Cambodia, Laos), invade nations (Grenada, Lebanon, Panama), and undertake indirect military actions (Nicaragua), all without congressional approval, let alone the approval of the people.

However, I do not know of any native society in which any war chief could undertake military action without long meetings of the entire tribe.

Iroquois Nation, 1990

Prominent among the militant contemporary Onondaga leadership is Oren Lyons, faithkeeper of the Turtle Clan. I visited him at his home several times to learn more about the subtleties and power of the Great Law.

Lyons cautioned me to remember that "the Great Law is [essentially] an oral law and would remain that way. In 1974, the Grand Council of the Haudenosaunee Onondaga reflected all written versions," said Lyons, *including that of Arthur Parker*. While many of Parker's passages are not objectionable, his use of words such as "Lords" to describe the members of the Council is actually offensive to Indians.

"I think it is fair to say the Haudenosaunee council of chiefs may be the last of the traditional governments in North America that have control of their territories," said Lyons. Of the six confederated nations, only the Mohawk have seen their traditional system succumb to an American-imposed governmental form, which has led to disastrous events on the Akwesasne (Mohawk) reservation in New York State. "That is where the government instituted gambling operations without the consent of the people, and they've been fighting among themselves ever since."

According to Lyons, the basic strength of Iroquois governance comes from its trust in and dependence upon the participation of all the people. "The word *chief* is an English word," said Lyons. "The Indian word *hoyawnah* means 'the good mind,' the peacemaker. We [the chiefs] are servants. Within our nations, the leaders are directly accessible to the people. In nation-states like the US you develop an entity separate from the people with accompanying power structures — for example, executive committees or central committees. In our government, national consensus is paramount. There is no process for voting. We have a system of discussion and council that requires agreements from all sides of our council fire: all must finally agree on the subject before them. All meetings are public. We cannot have a closed meeting in the longhouse. There are no executive [presidential] decisions."

In all council meetings, "every adult member of the tribe is permitted to speak for as long as he or she wishes, unless they raise their voice too loud. There are strictures against attempting to dominate the meeting, or to use any measure of force, even verbal force. The idea is for everyone to have a say, and to say everything they wish.

"Discussion continues until consensus is reached," Lyons said "It's a very slow process. Sometimes it takes days or weeks, but we're not in a hurry, especially about important things." Lyons added that only in machine-oriented societies is there pressure to get human matters processed quickly, because society is moving at machine speed.

"If everyone has spoken and still there's no decision, then the question is put off to the next meeting. If the issue is discussed at

three meetings and there's no decision, then we decide that there will be no decision. We stop discussing it. We figure it will come up again some other time."

Lyons told me that unlike many Indian nations, especially those governed by US-style Indian Reorganization Act governments, the Onondaga "do not have to this day a police force or army to carry out any orders by the chiefs. Therefore it is elemental that the people agree before any change takes place, because they are the ones to carry it out."

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Lakota and Cheyenne Indian Tribes Declare Independence From US

PAHA SAPA — On July 14, at an historic summit meeting in the Black Hills (*Paha Sapa*) of western South Dakota, leaders of the Lakota (Sioux), Cheyenne and other Indian nations declared the reestablishment of the Lakota nation's traditional boundaries and the tribes' total separation from the United States of America, denouncing their "illegal" US citizenship imposed under 19th century treaties which were never accepted by these Indian peoples.

At an international press conference at the sacred Bear Butte Mountain, the chiefs announced their complete rejection of all American laws and borders, reinstating the ancient and traditional boundaries under Indigenous caretakership in the Black Hills bioregion. Therejected boundaries had been established in a series of treaties beginning in 1825 and culminating in the famous 1868 Fort Laramie Treaty that was signed into law by President Ulysses S. Grant.

The Fort Laramie Treaty, upheld in 1980 by the US Supreme Court, was allegedly signed by tribal members of the Lakota and Arapaho under Lakota chiefs Red Cloud and Spotted Tail, the victors in a long-running war in Wyoming Territory against General William T. Sherman and the US Army.

The historical borders now being reclaimed by the Lakota and Arapaho (along with their traditional allies, the Cheyenne) include the Missouri, Yellowstone and North Platte Rivers. Portions of the states of Nebraska, North and South Dakota, Mon-

tana and Wyoming are included in this bioregion, with the Black Hills as the central ceremonial and sacred burial ground.

A provisional multi-tribal government will be established by the Bear Butte Council on disputed treaty land north of the Black Hills, which was seized by the US government in 1878, until a permanent Elders Council can be formed. A Declaration of Independence has been drawn up, with extensive policies relating to disengagement from all federal, state and Bureau of Indian Affairs jurisdictions. De-privatizing of all lands will be initiated, with the goal of an eventual return to a "Buffalo Commons" economy for the area, naturally implemented by regional Indian tribes over the next 25 years [Spring '91 EIJ].

Alcohol will be declared illegal in the new nation and the spiritual path of the Sacred Buffalo Calf Pipe will provide the prevailing structure of the peaceful societies of the ancient Plains cultures. All other belief systems will be tolerated. All current citizens of the US may remain in the Lakota nation as foreign nationals or may apply for Lakota citizenship.

A complete restructuring and reform of the medical, educational, economic and ecological management systems will be developed over a five-year period.

What You Can Do: For more information contact the Lakota Sovereignty Organizing Committee, Box 5686, Rapid City, SD 57709; (605) 343-9463.