

America owes to the Iroquois Confederacy and other Indian Nations for their demonstration of enlightened, democratic principles of government and their example of a free association of independent Indian nations;

(2) The Congress also hereby reaffirms the constitutionally recognized government-to-government relationship with Indian Tribes which has historically been the cornerstone of this nation's official Indian policy;

(3) The Congress specifically acknowledges and reaffirms the trust responsibility and obligation of the United States Government to Indian Tribes, including Alaska Natives, for their preservation, protection and enhancement, including the provision of health, education, social and economic assistance programs as necessary, to assist Tribes to perform their governmental responsibility to provide for the social and economic well-being of their members and to preserve tribal cultural identity and heritage; and

(4) The Congress also acknowledges the need to exercise the utmost good faith in upholding its treaties with the various Tribes, as the Tribes understood them to be, and the duty of a Great Nation to uphold its legal and moral obligations for the benefit of all of its citizens so that they and their posterity may also continue to enjoy the rights they have enshrined in the United States Constitution for time immemorial.



II

100TH CONGRESS  
2D SESSION**S. J. RES. 379**

To establish as the policy of the United States the preservation, protection, and promotion of the rights of indigenous Americans to use, practice and develop Native American languages, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

SEPTEMBER 15 (legislative day, SEPTEMBER 7), 1988

Mr. INOUE (for himself, Mr. EVANS, Mr. DASCHLE, Mr. DECONCINI, Mr. MCCAIN, Mr. MURKOWSKI, Mr. DOMENICI, and Mr. MATSUNAGA) introduced the following joint resolution; which was read twice and referred to the Select Committee on Indian Affairs:

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**JOINT RESOLUTION**

To establish as the policy of the United States the preservation, protection, and promotion of the rights of indigenous Americans to use, practice and develop Native American languages, and for other purposes.

Whereas the unique status of the cultures and languages of Native Americans is analogous to that of native and endemic species in the United States, and the United States has the responsibility to act together with indigenous Americans to ensure the survival of these unique cultures and languages;

Whereas special status is accorded Native American peoples in the United States, a status that recognizes unique cultural features and the right to continue unique identities;



Whereas the traditional languages of Native Americans are an integral part of their cultures, traditional heritage, and identity, such languages forming the basic medium of the transmission, and thus survival, of Native American cultures, literatures, histories, religions, and values;

Whereas the widespread practice of treating Native American languages as if they were non-valid languages has placed Native American languages in a position of being treated as linguistic outcasts in their own homeland;

Whereas the lack of a clear, comprehensive and consistent Federal policy has often resulted in acts of suppression and extermination being directed against Native American languages and cultures, especially as used by the young in educational institutions;

Whereas acts of suppression and extermination directed against Native American languages and cultures have often been premised on bases incompatible with a United States policy of self-determination for Native Americans;

Whereas Native American languages and cultures in their own homelands, principal settlements and reservations have been restricted, banned and, in some cases, exterminated;

Whereas all indigenous languages of the Americas are recognized as full members of the world's linguistic community;

Whereas languages are fully capable of serving as a means of communication for the full range of human experiences and are critical to the survival of cultural integrity of any peoples; and

Whereas language provides a direct and powerful means of promoting intercultural communication: Now, therefore, be it



1       *Resolved by the Senate and House of Representatives*  
2 *of the United States of America in Congress assembled,*

3 That—

4           (1) it shall be the policy of the United States to  
5       preserve, protect, and promote the rights of indigenous  
6       Americans, including Indians, Alaska Natives, Native  
7       Hawaiians and Native American Pacific Islanders, to  
8       use, practice, and develop Native American languages,  
9       including the right to use Native American languages  
10      as the media of instruction in State and Federal insti-  
11      tutions of compulsory education and as the official lan-  
12      guage in their traditional territories;

13           (2) the Federal Government supports the granting  
14      of proficiency in an indigenous language the same aca-  
15      demic credit as proficiency in a foreign language; and

16           (3) the Federal Government strongly recommends  
17      that all institutions of elementary, secondary, and  
18      higher education include indigenous languages in the  
19      curriculum in the same manner as foreign languages  
20      are and that competency in the indigenous language be  
21      granted the same full academic credit.



THE GREAT LAW OF PEACE  
AND THE  
CONSTITUTION OF THE UNITED STATES OF AMERICA







The Great Law of Peace is founded upon a basic respect for the opinions of all people. Consensus was the means by which decisions were made.



# Introduction

"The Birth of Frontier Democracy from an Eagle's Eye View:

The Great Law of Peace to  
The Constitution of the United States of America"  
by Gregory Schaaf, Ph.D.

From the time of the signing of the Declaration of Independence to the ratification of the U.S. Constitution, the opportunity to create and to establish a new government challenged people to search for the roots of democracy. One of the little known secrets of the Founding Fathers is the fact that they discovered a democratic model *not* in Great Britain, France, Italy, nor any of the so-called "cradles of civilization." Thomas Jefferson, Benjamin Franklin and others found the oldest participatory democracies on earth among the American Indians.<sup>1</sup>

Representatives of the U.S. Congress met privately with ambassadors from the Haudenasaunee Six Nations Confederacy, as well as the Lenni Lenape, "Grandfathers" of the Algonquian family of nations. For centuries these American Indian people were governed by democratic principles. Through wampum diplomacy, their traditional philosophy of liberty was advanced in a series of peace talks focused on the law of the land, the balance of power and the inherent rights of the people.<sup>2</sup>

American Indian Agent George Morgan and others served as intermediaries in these talks. His role as a diplomat demanded an intimate knowledge of the cultures, social structures and governments of the American Indians. He travelled safely through Indian communities and met with Indian leaders of frontier democracies. He witnessed societies where people were endowed with the right to speak freely, the right to assemble, religious freedom, as well as the separation of governmental powers into three branches.<sup>3</sup>

A system of checks and balances was firmly in place like the branches of the great "Tree of Peace" among the Haudenasaunee, "People of the Longhouse." The United States government was structured surprisingly similar to their Grand Council.<sup>4</sup>

## SEATING PATTERN OF IROQUOIAN GRAND COUNCIL

The Onondaga, led by Tatadaho the Firekeeper at the heart of the Confederacy, paralleled the presidency of the U.S. executive branch. Their legislative branch was divided into two parts. The Mohawk and Seneca, united as Elder Brothers, formed the upper house of the traditional Senate. The Oneida and Cayuga, composed the Younger Brothers, similar to the House of Representatives.<sup>5</sup>

After meeting with representatives of the Six Nations in the summer of 1754, Benjamin Franklin first proposed the creation of a colonial Grand Council in the "Albany Plan of Union.":

"One General Government may be formed in America. ...administered by a president General...and a grand Council to be chosen by the representatives of the people of the several colonies..."<sup>6</sup>

Franklin's plan for a Grand Council of United Colonies clearly resembled the Grand Council of the united Haudenasaunee.

Why did the Founding Fathers choose to keep secret the original design of the United States government? One clue may be related to a major difference between Iroquoian vs U.S.'s judicial branches. The Iroquoian 'supreme court' was entrusted to the women. Clan Mothers and Women's Councils maintained a balance of power in their matrilineal society. Women nominated chief statesmen as political and

religious leaders, lending a maternal insight into good leadership qualities. Their standards were set very high. While under the U.S. Constitution, qualifications of Congressmen were limited to age, citizenship and residency, Iroquoian women moreover required:

All royaneh (Chief Statesmen) of the Five Nations must be honest in all things. They must not idle or gossip, but be men possessing those honorable qualities...Their hearts shall be full of peace and good will and their minds filled with a yearning for the welfare of the people of the Confederacy...<sup>7</sup>

Women also held the power to impeach any leader who failed — after three warnings — to serve the best interests of the people. If the Founding Fathers had disclosed the political powers of many Indian women, perhaps women like Abigail Adams, wife of future President John Adams, could have effectively assumed positions as "Founding Mothers." White women could have argued they deserved, at least, equal rights with American Indian women.

In behalf of the people, women preserved title to the land through families and clans. This may be another facet of the Iroquoian system which some Founding Fathers may have preferred not to make public. In contrast, women in the United States were not permitted the right to own land, nor even to vote, much less control over the system of justice. Iroquoian women also maintained a sort of veto power to stop wars. If women across the land had known the truth about the power of Indian women, the call for equal rights could have been heard earlier, and American history might have changed over the past two hundred years.<sup>8</sup>

Two generations ago, Dr. Paul Wallace, a respected ethnohistorian in Iroquoian and Algonquian studies, traced the source of the first "United Nations".<sup>9</sup> When I retraced these roots to Onondaga and then to Akwesasne, I was impressed by a stone monument to Dr. Wallace which stands before the Akwesasne Mohawk Longhouse. On the top was engraved the Tree of Peace followed by these words:

TO AMERICA'S OLDEST ALLY  
THE IROQUOIS CONFEDERACY  
"PEOPLE OF THE LONG HOUSE"  
Mohawks, Oneida, Onondaga, Cayugas,  
Senecas — To Whom Were Later Added  
The Tuscaroras Constituting  
THE SIX NATIONS

Founded by Deganawidah and Hiawatha who planted the Tree of Peace at Onondaga (Syracuse) sometime before the coming of Columbus.

THEY EXCELLED IN STATESMANSHIP AND THE ART OF DIPLOMACY. AFTER THE WHITE MAN CAME, DURING MORE THAN A CENTURY OF INTERCOLONIAL STRIFE, THEY LOYALLY PROTECTED THE INFANT ENGLISH COLONIES, SHOWED THEM THE WAY TO UNION, AND SO HELPED PREPARE THE AMERICAN AND CANADIAN PEOPLE FOR NATIONHOOD.

IN MEMORY OF OUR BELOVED BROTHER TO—RI—WA—WA—KON (Dr. Paul A. Wallace) WHO, THROUGH HIS WRITINGS, SHOWED THE IROQUOIS CONFEDERACY AS IT TRULY EXISTED.

THANK YOU,  
TORIWAWAKON, FOR YOUR GREAT WORK.<sup>10</sup>



Toriwawakon literally means, "He Holds the Matters," which implies that he held in his hands matters related to the core of Iroquoian society.

Dr. Wallace began the story by recognizing the Iroquois as the "famous Indian confederacy that provided a model for, and an incentive to, the transformation of the thirteen colonies into the United States of America."<sup>11</sup> Over a thousand years ago, according to Iroquois faithkeepers, a Great Peacemaker emerged at the time of a terrible war. He inspired the warriors to bury their weapons of war beneath a sacred Tree of Peace. An eagle soared from the heavens, perched on top of the tree and clutched the arrows to symbolize the united Indian nations. (The U.S. national seal, pictured on the back of the one dollar bill, features 13 arrows for the 13 original United States.)<sup>12</sup>

The Haudenosaunee have preserved a story of the origins of the Tree of Peace. At the planting of a Tree of Peace at Philadelphia in 1986, Mohawk Chief Jake Swamp explained through interpreter Chief Tom Porter:

In the beginning of time, when our Creator made the human beings, everything needed to survive in the future was created. Our Creator asked only one thing: Never forget to be appreciative of the gifts of Mother Earth. Our people were instructed how to be grateful and how to survive. But at one time, during a dark age in our history perhaps over 1000 years ago, human beings no longer listened to the original instructions. Our Creator became sad, because there was so much crime, dishonesty, injustice and so many wars. So our Creator sent a Great Peacemaker with a message to be righteous and just and to make a good future for our children seven generations to come. He called all the warring people together, and told them as long as there was killing, there would never be peace of mind. There must be a concerted effort by human beings, an orchestrated effort, for peace to prevail. Through logic, reasoning and spiritual means, he inspired the warriors to bury their weapons (the origin of the saying to "bury the hatchet") and planted on top a sacred Tree of Peace."<sup>13</sup>

Upon hearing this story, Dr. Robert Muller, former Assistant Secretary General of the United Nations, responded, "This profound action stands as perhaps the oldest effort for disarmament in world history."<sup>14</sup>

The Peacemaker provided the people with a code of justice called the *Great Law of Peace*.<sup>15</sup> His vision had all the people of the world joining hands in a way of life based on the principle that peace is the law of the land. He created a united government which still meets around the council fire at Onondaga, near present-day Syracuse, New York.

The rights of the people, according to Onondaga Faithkeeper Oren Lyons, include, "freedom of speech, freedom of religion, and the rights of women to participate in government. The concept of separation of powers in government and checks and balances of power within governments are traceable to our constitution. These are ideas learned by the colonists..."<sup>16</sup>

Over 200 years ago an Onondaga chief advised Benjamin Franklin and other colonial representatives saying, "Our wise Forefathers established Union and Amity this made us formidable...We are a powerful Confederacy and if you observe the same methods you will acquire fresh Strength and Power..."

Franklin challenged the colonists to create a

similar united government:

It would be a strange thing if (the) Six Nations should be capable of forming...such a union...and yet a like union should be impracticable for...a dozen English colonies.<sup>16</sup>

The result of Franklin's challenge was the creation of the United States of America with a Bill of Rights and Constitution based on the Great Law as symbolized by the Tree of Peace.

In fact, the first U.S. - Indian peace treaty in 1776 took place beneath a Tree of Peace, as documented in the Morgan Papers - the documents of the American Indian agent who recorded how the Indian elders tried to promote peace during the Revolutionary War.<sup>19</sup> In the spring of 1776, the Continental Congress decided to retrace the White Roots of Peace by appointing the first Indian Agent, George Morgan, to promote peace among the Indian nations.<sup>20</sup> John Hancock, the President of Congress, instructed Morgan to take a "great peace belt with 13 diamonds and 2,500 wampum beads," following the custom of the Peacemaker when inviting the Indians to attend the first U.S. - Indian Peace Treaty.<sup>21</sup> The details of the wampum diplomacy --which featured the philosophical roots of the Great Law of Peace and the U.S. Constitution --came to light with the discovery Morgan Papers.<sup>22</sup> Found in an old trunk in the attic of 94-year-old Susannah Morgan, the collection features original documents by George Washington, Thomas Jefferson, John Hancock and Morgan's private journal which prove the Iroquois Confederacy advocated peace and neutrality early in the Revolution. To symbolize the American promise that Indians would never be forced to fight in the wars of the U.S. and that Indian land rights would be respected, the American Indian Commissioners presented the chiefs and clan mothers with the 13 diamond wampum belt. Symbolically, the war hatchet was then buried beneath the Tree of Peace, and prayers of peace were offered through the sacred pipe.<sup>23</sup>

The Tree of Peace thus became the Tree of Liberty, and the Eagle atop clutched 13 arrows for the 13 states. While the Iroquois shared the Peacemaker's plan for creating a strong united government which influenced the U.S. Constitution. Washington also wanted Iroquois men to fight in the war and Iroquois land for American expansion. The Six Nations were forced to take a stand against the U.S. for their own freedom and liberty.<sup>24</sup>

Based on the *Great Law of Peace*, the Peacemaker founded a participatory democracy in which the people have the right to actively participate and to determine their own future. The Iroquois Constitution laid the foundation for a government of the people with three branches. The democratic government of the Lenni Lenape, Grandfathers of the Algonquian family of nations, also guaranteed freedom of religion, freedom of speech, and freedom of assembly long before these rights were extended to American citizens.<sup>25</sup> As acknowledged in the writings of Benjamin Franklin, George Morgan and other founding fathers, frontier democracy clearly influenced the framers of the U.S. Constitution.

Iroquoian elders have long claimed their government served as a model for the United States. To put their tradition to a test, appropriate passages from the *Great Law of Peace* have been positioned side by side with the Constitution of the United States of America. The results proved striking. The parallels are unmistakable. Moreover, the differences proved even

