That Native Americans persisted in lower-central New England is not in question; living residents of native ancestry with long histories in the region are ample proof of that fact. Careful scrutiny of the documentary and material record simply confirms this. To better understand the eighteenth- and nineteenth-century history of native peoples, we need to reevaluate and integrate a variety of sources. In documenting the quirky behaviors of a supposedly dying race, many nineteenth-century historians have, in fact, left us a remarkably detailed record of the persistence of traditional native patterns. Furthermore, the adoption of Euro-American material culture should be viewed as part of a survival strategy, not as evidence of the disappearance of Native American culture.

Forum

The "Iroquois Influence" Thesis—Con and Pro

This Forum addresses a keenly debated topic of current prominence in early American historical studies. In a series of publications, Donald A. Grinde, Jr., and Bruce E. Johansen, among others, have developed the thesis that Indian political practices, as embodied primarily in the Iroquois League, influenced the formation of the American union and constitutional system in the late eighteenth century. This thesis is reviewed in the following pages by Samuel B. Payne, Jr., professor of political science at Ferrum College, and by Philip A. Levy, a doctoral candidate in history at the College of William and Mary. A joint response from Professors Grinde and Johansen follows the critiques.

This Forum virtually created itself. Professor Payne's and Mr. Levy's articles came to the Quarterly unsolicited and almost simultaneously. Each passed independent peer review; each has been revised by its author for publication. The two essays' coincidental arrival and acceptance made it appropriate to combine them in a Forum. It was equally appropriate to invite the principal proponents of the "Iroquois influence" thesis to argue their views in the same issue in response to the critics.

The editors welcome readers' comments in letters of a reasonable length within a reasonable time.
Exemplars of Taking Liberties:
The Iroquois Influence Thesis and the Problem of Evidence

Philip A. Levy

For nearly two decades, Donald A. Grinde, Jr., and Bruce E. Johansen have been the most outspoken proponents of the controversial theory that the Iroquois Confederacy and Great Law of Peace had an important influence on the constitutional design of the United States government. In three books—Grinde's *The Iroquois and the Founding of the American Nation*, Johansen's *Forgotten Founders*, and their co-authored *Exemplar of Liberty: Native America and the Evolution of Democracy*—as well as in numerous articles and essays, the two have made the case for what has come to be called the Iroquois influence thesis.1 Supporters applaud Grinde and Johansen for "doing pioneering work in Indian history,"2 while critics decry the influence thesis as deceptive and shoddy scholarship.

In *Exemplar of Liberty*, the most comprehensive presentation of influence thesis arguments and evidence to date, Grinde and Johansen contend that "the character of American democracy evolved importantly (although, of course, not solely) from the examples provided by the American Indian confederacies that bordered the British colonies." They hold that the "League of the Iroquois, with its representative form of democracy," helped shape the federal Constitution and "served as a catalyst for American unity." They find "overwhelming evidence that, during the framing and ratification process of the United States Constitution, the Iroquois lectured to colonial and revolutionary leaders on the virtues of unity and served as an example of democracy for Europeans and colonial Americans." They also assert that "the Iroquois had a profound impact on American notions about unity, territorial expansion, the origins of sovereignty in the people, and universal suffrage." They

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3 Grinde and Johansen, *Exemplar of Liberty*, xx, xxxii, 177, xlvii, xlix, lxiv.


5 Grinde and Johansen, *Exemplar of Liberty*, xxxi.


outright racism. In a 1989 "Critique of Responses" in the Northeast Indian Quarterly, Grinde said:

Some scholars are seeking to stop the process of de-Europeanizing American history. Such attempts in the 21st century will be seen as fast-dish efforts to maintain an Anglo cultural veneer that sought to dominate new scholarship in a rapidly changing intellectual and social environment. This Eurocentric approach with its "gatekeepers," etc. playing to the subliminal motivations that are the present in the contemporary political situation. 12

Grinde and Johansen repeat this opinion in the introduction to Exemplar of Liberty. Affirming that "history is discovery through the debate of many voices, not just a few 'expert' opinions," they wish to "let American Indian voices be heard on the issue of Iroquois political theory and its role in the development of American governmental structures" in the hope that "when the dominant society becomes more concerned about reciprocity and less concerned about superiority and domination, we may all be able to join hands and celebrate the diverse roots of the American democratic tradition without the blenders of indifference and cultural arrogance." 13

Skepticism about the influence thesis stems from something other than "indifference" or "cultural arrogance" or establishmentarian devotion to the intellectual status quo or all of these. Although Grinde and Johansen maintain that "the oral and written traditions of the Iroquois" 14 substantiate the thesis, Exemplar of Liberty offers little supporting native testimony. Instead, the authors discover the "Indian roots of American democracy" 15 largely in the words of Anglo-American founders such as Thomas Jefferson, James Madison, Benjamin Franklin, and John Adams. Throughout Exemplar of Liberty, these words are misquoted, misattributed, decontextualized, inaccurately paraphrased, liberally edited, and misinterpreted. Grinde and Johansen state that "the credibility of any argument rests on the quality of the evidence that supports it." 16 A review of the evidence cited in important portions of Grinde's and Johansen's arguments reveals that the influence thesis as set forth in Exemplar of Liberty simply does not meet their own professed standard for historical credibility.


13 Grinde and Johansen, Exemplar of Liberty, xxvi, xxvii.

14 Ibid., xiii.

15 Barreto, ed., Indian Roots of American Democracy.

16 Grinde and Johansen, Exemplar of Liberty, 241.

"IROQUOIS INFLUENCE" THESIS

591

The roots of the influence thesis extend at least as far back as the late nineteenth century. In his Sir William Johnson and the Six Nations, William E. Griffis stated that the Iroquois were "not without direct influence" on key American statesmen. 17 This belief was repeated in print by William B. McNeil, a Caughnawaga Mohawk, and J. N. B. Hewitt, a Smithsonian Institution ethnologist and Tuscarora, in the early twentieth century. 18 For substantiation, Hewitt connected two separate passages that have ever since been at the center of influence thesis thinking. The first is from Onondaga chief Canastego's speech at the 1744 Treaty Council at Lancaster, Pennsylvania. 19

Our wise Forefathers established Union and Amity between the Five Nations: This has made us formidable; this has given us great Weight and Authority with our neighboring Nations. We are a powerful Confederacy: and, by your observing the same Methods, our wise Forefathers have taken, you will acquire fresh Strength and Power, therefore wherever he basely, never fail out with one another. 20

The second passage is from Franklin's letter to New York printer and postmaster James Parker. Franklin was an outspoken advocate of a union of British colonies and an active participant in Indian diplomacy. He wrote Parker that

It would be a very strange Thing, if Six Nations of ignorant Savages should be capable of forming a Scheme for such an Union, and be able to execute it in such a Manner, as that it has subsisted Ages, and appears indissoluble; and yet that a like Union should be impracticable for ten or a Dozen English Colonies, to whom it is more necessary, and must be more advantageous: and who cannot be supposed to want an equal Understanding of their Interests. 21

Paul A. W. Wallace subsequently cited Franklin's words and opined that the Iroquois "provided a model for, and an incentive to, the transformation


20 Julian P. Boyd, ed., Indian Treaties Printed by Benjamin Franklin, 1756–1783 (Philadelphia, 1998), 78. In Exemplar of Liberty, 94. Grinde and Johansen change the phrase "you will acquire fresh Strength and Power" to "you will acquire such Strength and power." 21 Franklin to Parker, Mar. 20, 1750, in The Writings of Benjamin Franklin, ed. Albert Halsey Smyth, vol. 3 (New York, 1907), 42.
of the thirteen colonies into the United States of America."22 Similarly, Cohen concluded that "the advice of Canasatego was eagerly taken up by provocatively suggested that "it is known that other framers of the Constitution had knowledge of Indian confederations and the ideals of Indian democracy."23 Grinde's The Iroquois and the Founding of the Iroquois Confederacy, and Exemplar of Liberty gives it an entire chapter.

That chapter—"The White Roots Reach Out"—argues that the 1754 "Albany Plan of Union was the product of Franklin's meetings with the Iroquois and that "on the eve of the Albany conference, Franklin was already persuaded that Canasatego's words of the previous decade were good coun-
25 Exemplar of Liberty offers no citation from Franklin's writings to support that assessment of his motivations. The authors also see important parallels between the Albany Plan (which no colony ratified) and the League of the Iroquois. They note that Franklin's title, "Grand Council," for the plan's deliberative body is "the same title generally applied to the Iroquois similar to the Iroquois council's size of fifty."26 But these supposed parallels are inexact (forty-eight is not fifty), and Grinde's and Johannsen's contention that the plan's "retention of internal sovereignty within the individual colonies" had "no existing precedent in Europe" is hyperbolic.27

The Franklin-Canasatego connection is the central piece of evidence for the influence thesis. The two quoted passages contain similar sentiments, but, as Toooker observes, "considered together these statements confirm what is already well known: at least some whites and some Indians in the eighteenth century realized the advantages of confederation."28 Exemplar of Liberty's discussion of Franklin and the Iroquois demonstrates how influence

26 Grinde and Johannsen, Exemplar of Liberty, 94. See also 183, 144.
27 Ibid., 107.
28 Ibid. Switzerland exhibited this type of federation, and John Adams wrote about it extensively in 1789 in A Defense of the Constitution of Governments of the United States of America. Adams. Defense of the Constitution. John Bartram during a 1743 visit to Iroquois compared the League of the Iroquois to "the thirteen cantons of Switzerland" in A Journal from Philadelphia to Philadelpia in 1743 (Bartram, Miss., 1743).
29 Toooker, United States Constitution and the Iroquois League," 96.

"IROQUOIS INFLUENCE" THESIS

22 Similarly, Grinde and Johannsen's analysis of the St. Tammany Society and its Revolutionary predecessor, the Sons of Liberty, equates the ceremonial wearing of pseudo-Indian garb with being influenced by Indian governments and values. Their discussion of the society, of which many founders were members, overlooks the fact that it is had among its princi-
pal goals the acquisition of new lands, westward expansion, and the displacement of the Indians. In fact, the society lionized its Indian patron "certain Chief Tammany, for his willingness to stand forth to the earth's lands to William Penn. See John Petman, "A Long Talk Delivered before the Tammany Society, on Columbus Order, on Their Anniversary, 1810" (microfilm), (Louisville, Ky., 1835). See also Toooker. "United States Constitution and the Iroquois League," 372-73.
30 Grinde and Johannsen, Exemplar of Liberty, 115.
31 Ibid., 97.
32 Ibid., 108.
33 Barry, Jr. Rutledge of South Carolina (Freeman, N. Y., 1942), chap. 3.
34 Grinde and Johannsen, Exemplar of Liberty, 198.
for these assertions from Jefferson’s writings. They cite only Johansen’s Exemplar of Liberty’s claims nor offers primary source evidence.

Grinde and Johansen state that, in his Notes on the State of Virginia, "Jefferson rather accurately described the deliberations of native national councils" and that these descriptions were "probably... drawn from the Indian nations he knew." 44 They support this assertion with two quotations that they attribute to Jefferson. The quotations are actually on an appendix to the Notes written not by Jefferson but by Charles Thomson. 45

The authors try to demonstrate Jefferson’s deep respect for Indians and possible familiarity with the Iroquois by arguing that “believing as he did in the universal morality of mankind, Jefferson had no objection to intermarriage” and create a “continual family.” 46 In support of this statement they write that in 1802 Jefferson told an Indian delegation that "you are to mix blood andaglied, and we". In their view, he used Iroquois terms. 47 Grinde and Johansen speculate that Jefferson’s "great island" might refer to the Iroquois creation story. 48 These assertions are based on a misunderstanding of the cited evidence.

The Jefferson quotation comes from a speech he made to “Captain Hendrick, The Delawares, Mohicans, and Munseys” in which he urged Anglo-Americans. Jefferson advised them to "depend up the deer and buffalo, American agriculture: on the lands now given you to begin to cultivate the earth." He encouraged them to adopt Euro-American ploughs, hoes, and necessary utensils. 49 Finally, in direct opposition to the influence thesis, he prophesied that when one has property, you will want laws and magistrates to protect your property and persons, and to punish those among you who commit crimes. You will find that our laws are good for this purpose; you will wish to live under them, you will trade yourselves with us, join in our great councils and form one people with us, and we shall all be Americans; you will mix with us by marriage, your blood will run in our veins, and spread with us over this great island. Instead, then, of the Iroquois people, the gloomy prospect you have drawn of your total disappearance from the face of the earth, which is true, if you continue to hunt the deer and buffalo and go to war, you see what a brilliant aspect is offered to your future history, if you give up war and hunting. Adopt the

culture of the earth and raise domestic animals; you see how from a small family you may become a great nation by adopting the course which from the small beginning you describe has made us a great nation. 50

In attempting to prove their assertions about Jefferson, Grinde and Johansen overlook the quotation’s context and create an interpretation that actually reverses the tone of Jefferson’s speech.

Grinde and Johansen similarly distort the historical record in discussing Adams. They contend that Adams was a “student of Native American societies” who possessed “firsthand knowledge of American Indian governments” and “remembered and used the lessons from the Iroquois.” While pondering the restructuring of American government during the period from 1786 to 1787, he would write that “collecting the legislation of the Indians would be well worth the pain” and would aid in the process of creating a new constitution. This claim that Adams wrote reports about Indian governments, particularly those of the Mohawks and the Iroquois,” and that “Adams’s insight indicates that the founders knew a great deal more about the Iroquois governance system than has previously been acknowledged. 51 Grinde and Johansen base virtually all of these contentions on quotations from Adams’s Defense of the Constitutions of Government of the United States of America, a three-volume review of analysis of governmental systems from the ancient Greeks to the modern English that contains six explicit references to American Indians. 52

Adams was in London when the Constitution was drafted, but Defense of the Constitutions conveyed his opinions to the delegates at the Philadelphia convention. Grinde and Johansen believe that it also presented Iroquois political ideas to the framers, making Adams’s writings an important link in the chain of Indian influence they propose. Combining Defense of the Constitutions’s Indian references with an assertion by Charles Francis Adams (Adams’s grandson and editor) that the book was “much circulated” at the convention, Grinde and Johansen conclude that, “given the nature of Adams’s Defense, there can be no doubt that Native American governmental structures and ideas were part of the process of constitution-making.” 53 But in making their case they liberally edit Adams’s words and opinions while also taking them out of context.


46 Grinde and Johansen cite references to Indians in Defense of the Constitutions, 279, 376, 379, 387-91, 295, 298-301, 399, 398, 190-191, 566-67. They also interpret each use of the word “American” to mean Indians, not Anglo-Americans as the text indicates, as in “Without those orders, and an effectual balance between them, in every American constitution, it must be decided to frequent unavoidable revolutions”; ibid., 387. See also ibid., 298-302.

They posit three grounds for attributing to Adams a "firsthand knowledge" of Iroquois government. The first is "that Adams received intelligence about the Iroquois during 1776," containing "lessons" that he later codified in "Defence of the Constitutions." Adams’s papers cited in Exemplar of Liberty the Six Nations’ possible stance in the war with Britain. But Chas made no indication he received military intelligence from Samuel Chase regarding mention of Iroquois governmental systems.

Second, Grinde and Johansen cite meetings between Adams and "Iroquois missionary, Reverend Samuel Kirkland," during the summer of 1775. They probably made routine reports about their behavior and habits to the curious journal’s biographical notes by editor Walter Pilkington mention Kirkland’s and members of the Continental Congress about Kirkland’s "work towards Grinde and Johansen’s supposition that Kirkland "probably" made "routine reports" to Adams.

Third, Grinde and Johansen write that, "just a year before he wrote Defence in Boston" and that "perhaps they talked of the Iroquois system of government in England," and no such meeting took place. Grinde and Johansen base "association with native leaders was a rather routine matter in the late eighteenth century. On 23 December 1786, for example, Adams wrote to Rufus King that "Joseph Brant was yesterday in the Drawing Room." Adams attended to the Royal Drawing Room. Brant was also in London that winter and frequently met with King George III to discuss particulars of their anti-United States military alliance. Adams’s letter to Rufus King refers to one of these Adams political consultation that Grinde and Johansen adduce. These errors leave no credible basis for Grinde’s and Johansen’s claim that Adams remembered and used the lessons from the Iroquois’ when writing Defence of the Constitutions in 1786-1787. Nevertheless, the authors make such of the book’s few references to Indians. They argue that Adams believed the League of the Iroquois was the best example of the governmental division of powers available to Americans for direct observation. To support this assertion, Exemplar of Liberty presents an edited passage from Defence of the Constitutions’s preface:

If Cicero and Tacitus could revisit the earth, and learn that the English nation had reduced the great idea to practice... and that the Americans, after having enjoyed the benefits of such a constitution a century and a half, were advised by some of the greatest philosophers and politicians to renounce it, and set up governments of the ancient Goths and modern Indians—what would they say? That the Americans would be more reprehensible than the Cappadocians, if they should listen to such advice.

Compere this version with the passage as Adams wrote it:

If Cicero and Tacitus could revisit the earth, and learn that the English nation had reduced the great idea to practice, and brought it near to perfection, by giving each division a power to defend itself by a negative; had found it the most solid and durable government, as well as the most free; had obtained by means of it a prosperity among civilized nations, in an enlightened age, like that of the Romans among barbarians; and that the Americans, after having enjoyed the benefits of such a constitution a century and a half, were advised by some of the greatest philosophers and politicians of the age to renounce it, and set up governments of the ancient Goths and modern Indians—what would they say? That the Americans would be more reprehensible than the Cappadocians, if they should listen to such advice.

The ‘great idea’ to which Adams refers is “a republic, in which there is a governor, a senate, and a house of representatives.” Grinde and Johansen claim that Adams’s Defence of the Constitutions lauds Iroquois government. But this assertion relies on their omission of Adams’s assessment that England possessed “the most solid and durable government, as well as the most free,” which gave “each division a power to defend itself by a negative.” Grinde and Johansen replace these words with an ellipsis. Furthermore, Adams never used the word “Iroquois” in the book. He referred only to “Indians,” “modern Indians,” “savages,” “savages of North or South America,” and “Mohawks.” Once again, their cited primary material offers no support for their conclusions.

Grinde and Johansen, Exemplar of Liberty, 279 n. 39.
51 Ibid., 241-42.
52 Adams, Defence of the Constitutions, 256.
53 Ibid., 294.
54 Ibid., 296, 298, 392, 398, 511, 566.
Grinde and Johansen further claim that Adams "discoursed on the need to study Indian governments—citing examples such as their separation of powers, the personal independence of the Mohawks, the sachemship of the Iroquois Confederacy, and the ‘fifty [govern]ing families.’" 53 They base the first part of this assertion on Adams’s statement that

it would have been much to the purpose, to have inserted a more accurate investigation of the form of government of the ancient Germans and modern Indians; in both, the existence of the three divisions of power is marked with a precision that excludes all controversy. The democratical branch, especially, is so determined, that the real sovereignty resided in the body of the people, and was exercised in the assembly of kings, nobles, and commons together. 56

Adams indeed noted that further study of the "government of the ancient Germans and modern Indians" would aid his study. But he also believed that, although these governments possessed "three divisions of power," that institutions really collected all authority into one centre of kings, nobles, and people and that "the consequence was confusion." 57 He went on to write, referring more to ancient Germans than to modern Indians, that

each part believed it governed the whole; the chiefs thought they were sovereigns; the nobles believed the power to be in their hands; and the people flattered themselves that all depended upon them. Their purposes were well enough answered, without coming to an explanation, so long as they were few in number, and had no property; but when spread over large provinces of the Roman empire, now the great kingdoms of Europe, and grown populous and rich, they found the inconvenience of each not knowing its place. 58

Adams thus used Indians and Germans as negative examples. Although Grinde and Johansen are correct in stating that Adams referred to Indians to help him "clarify his position in the debates surrounding the Adams devoted hundreds of pages to detailed governmental, philosophical, and historical accounts of Greece, Rome, the medieval Italian city states, England, and many other ancient and contemporary European polities. The distribution of his pages strongly suggests that he believed Anglo-Americans could learn more, for better or worse, from Athens, Sparta, Mycenae, Argos, Thebes, Corinth, Rome, Siena, Genoa, Milan, Florence, Padua, San Marino.

53 Grinde and Johansen, Example of Liberty, 171–77 (brackets in original).
54 Adams, Defence of the Constitutions, 296.
55 Ibid., 296–97.
56 Ibid., 297.
57 Grinde and Johansen, Example of Liberty, 105.
58 Bucsy, Appenzel, Underwald, Glarus, Bern, Lucerne, Zurich, Geneva, Poland, and Neuchatel than from the Indians.

Grinde and Johansen use Defence of the Constitutions to substantiate their assertion that Adams was familiar with many specific aspects of Iroquois government and the symbols relating to them. They argue that his "knowledge of Iroquois and other American Indian confederacies extended to their sachemship systems," that he "understood the voluntary nature of Iroquois warfare," and that "the historical record shows that Adams knew some very basic things about American Indian governments, specifically the Iroquois." 60 They base these claims on the longest passage about Indian governments in Defence of the Constitutions—a paragraph sandwiched between discussions of the ancient Germans and of Phaestus, as represented in the Odyssey. Adams wrote:

"Before we proceed to the Greeks, we may even mention the savages. Every nation in North America has a king, a senate, and a people. The royal office is elective, but it is for life; his sachem is his ordinary council, where all the national affairs are deliberated and resolved in the first instance; but in the greatest of all, which is declaring war, the king and sachems call a national assembly round a great council fire, communicate to the people their resolution, and sacrifice an animal. Those of the people who approve the war, partake of the sacrifice; throw the hatchet into a tree, after the example of the king, and join in the subsequent war songs and dances. Those who disapprove, take no part of the sacrifice, but retire." 61

Grinde and Johansen state that Adams "wrote that a sachem was elected for life and had an 'ordinary council' composed of lesser sachems." 62 In fact, Adams wrote that a "king" was elected for life and that the sachems were his "ordinary council." 63 Grinde and Johansen use this misquotation to argue that Adams was familiar with the Iroquois sachemship system long before it was recorded by the pioneering ethnographer Lewis Henry Morgan in the 1840s. 64 They interpret Adams’s mention of animal sacrifice as "no doubt a reference to the 'white dog ceremony' of the Iroquois also described by Morgan more than six decades after Adams." 65 But Adams’s reference to the sacrifice is too unspecific to justify such certainty.

Grinde and Johansen state that Adams "knew about the 'fifty families' of the Iroquois long before Lewis Henry Morgan," 66 that, "while discussing the Mohawks, Adams referred to 'fifty families governed by all authority in one centre,'" and that he believed that "personal liberty was so important to them

55 Ibid., 297, 300.
57 Grinde and Johansen, Example of Liberty, 107.
58 Ibid., 291–95; Lewis H. Morgan, League of the Ho-Di-No-Sau-Met. or Iroquois, 1803, 59.
59 Grinde and Johansen, Example of Liberty, 107.
60 Ibid., 306.
Exemplar of Liberty

Is it not sublime wisdom [according to the Iroquois system], to rush headlong into all the distractions and divisions . . . which are the certain consequence of the want of order and balance, merely for the sake of the popular caprice of having fifty families governed by all authority in one centre! Even this would not satisfy; the fifty families would soon dissolve their union, and nothing would ever content them short of the complete individual independence of the Mohawks; for it may be depended on, that individual independence is what every unthinking human heart aims at, nearly or remotely. 67

Defence of the Constitutions

Argos alone, of all the cities in the Peloponnesus, openly exposed the cause of Athens. This single circumstance, if it was not accidental, is enough to show that this city had more sense and profound wisdom than all the rest; for Sparta was certainly then leading all Greece to destruction. In other respects the Argives discovered the same temper and the same understanding with all the others; for they led their whole forces against Myconos, took it by storm, decimated the inhabitants, and demolished the town. Is it not sublime wisdom, to rush headlong into all the distractions and divisions, all the assassinations and massacre, all the seditions, rebellions, and eternal revolutions, which are the certain consequence of the want of orders and balances, merely for the sake of the popular caprice of having every fifty families governed by all authority in one centre! Even this would not satisfy; the fifty families would dissolve their union, and nothing would ever content them short of the complete individual independence of the Mohawks; for it may be depended on, that individual independence is what every unthinking human heart aims at, nearly or remotely. 68

At the start of this chapter Adams warns that a "disposition to fly to pieces, as possessed the minds of the Greeks, would divide America into thousands of petty, despotic, states, and lay a certain foundation for irreconcilable wars." 69 The context of the passage reveals that Adams viewed the "complete individual independence of the Mohawks" as little more than anarchy. The context also strongly suggests that the phrase "fifty families" refers to ancient Greece's balkanizing oligarchic city states and not to the Iroquois. 70

67 Ibid., 102.
68 Ibid., 203 (bracket and ellipsis in original).
69 Adams, Defense of the Constitutions, 191.
70 Ibid., 199.

"Iroquois Influence" Thesis

Grinde's and Johannson's assertion that "Adam's 'discovery' of the fifty families" predates Morgan's research is rendered largely meaningless by the fact that Morgan's research identified "fifty permanent Sachemships," not "fifty families." 71 This is much more than a small point of ethnographic language. Grinde's and Johannson's vital claim that "Adam's insight indicates that the founders knew great deal more about the Iroquois governance system than has previously been acknowledged" 72 rests on their ignoring the Greek context of Adam's passage (and the "ancient German context" of other passages) and then equating these "fifty families" with Morgan's "fifty permanent Sachemships."

In his League of the Ho-Di-No-Sau-See, or Iroquis, Morgan wrote that "at the institution of the League, fifty permanent Sachemships were created, with appropriate names; and in the Sachems who held these titles were vested the supreme powers of the Confederacy." 73 These sachemships were divided unevenly among the nations; the Mohawks, for example, received nine while the Onondagas received fourteen. The titles were hereditary and belonged to particular clans, which Morgan called "the several tribes of which each nation was composed." 74 Morgan described each sachemship as hereditary and owned by a tribe (clan), but it is inaccurate for Grinde and Johannson to identify these sachemships as families. Furthermore, they categorize the Iroquois confederacy as being governed by "fifty families" when discussing Adams but earlier in Exemplar of Liberty call the same system a "central council of fifty 'delegates'" when they seek parallels with Franklin's forty-eight delegates in the Albany Plan of Union. 75 These problems negate Grinde's and Johannson's conclusions about Adam's detailed knowledge of the Iroquois, while Adam's own words undermine the influence thesis itself.

Grinde and Johannson contend that Iroquois government also influenced Madison. Madison's central role in the drafting of the Constitution makes him vital to the influence thesis, but Grinde's and Johannson's discussion of Madison relies on the same systematic misuse of evidence and questionable logic that hobbles their accounts of Adams and Jefferson.

They contend that "Madison was exposed to the governmental structure and ideas of freedom of the Iroquois people" and that this exposure "doubtless had an influence upon Madison in his search for a workable government for America during the next few years." They also state that "certainly, Madison would find a model for territorial expansion that was capable of incorporating diverse elements when he encountered the union and society of the Iroquois." 76 Their principal authority is Irving Brant's six-volume biography of James Madison, which they supplement with a letter of Madison's discussing the 1784 Fort Stanwix treaty and with the travel reminiscences of François, marquis de Barbé-Marbois. 77 They make no attempt to support their conclusions by quoting Madison.

71 Grinde and Johannson, Exemplar of Liberty, 196; Morgan, League of the Ho-Di-No-Sau-See, 62.
72 Grim and Johannson, Exemplar of Liberty, 201.
73 Morgan, League of the Ho-Di-No-Sau-See, 65.
74 Ibid., 65.
75 Ibid., 18.
76 Grinde and Johannson, Exemplar of Liberty, 107.
77 Ibid., 18; 181.
78 Brant, James Madison, vol. 5 (Indianapolis, 1948); Madison to Jefferson, Oct. 11, 1814, in
In the spring of 1784, Madison traveled to Fort Stanwix near present-day Rome, New York, to attend treaty negotiations between delegates of the United States and the then-dismounted League of the Iroquois. While there, Madison and his traveling companions, the marquis de Lafayette, his aide, the chevalier de Carabane, and the French chargé d'affaires, Barbé-Marbois, visited the Oneida village of Chief Grasshopper. This visit serves as the basis for Grinde's and Johansen's claims about this important Constitutional architect.

Grinde and Johansen argue that Madison "led of Virginia politics and decided to travel to Iroquois country in 1784 to renew his friendship with the Oneida chief, Grasshopper," because "perhaps he was curious about American Indian governments." Their speculation about Madison's motives is not supported by Brant, who states that Madison was taking a relaxing tour of the eastern states. He had gone to Philadelphia and then to Baltimore, where he met Lafayette, who urged Madison to accompany him to Fort Stanwix. Madison agreed to travel as far as New York City and only there decided to continue on to Iroquois.

The portion of Brant's text cited by Grinde and Johansen makes no mention of "the governmental structure and ideas of freedom of the Iroquois people." Instead, Brant unflatteringly describes Madison's visit as a night-long revelry. "Madison and the Frenchmen took with them five 'breasts of milk (small kegs of brandy) each carried by an Indian," and Grasshopper "received his guests in a Bavarian court hunting costume" given him by the chevalier de la Luzerne. Upon the travelers' arrival, "young warriors began a masked dance, interrupted only by side trips to the brandy kegs." The exhausted visitors found the dance "an appalling prospect" and appealed to Grasshopper to curtail the revelries. But Grasshopper informed them that "he had no right" to stop the dancers. The night concluded with "the white men's servants going off with temporary wives who gave up on the masters when the likeliest of them, the youthful Caraman, refused to be subdued." The following morning, "the strayed horses were brought down from the hills," the "servants said farewell to squaws," and the party headed back to Fort Stanwix. Brant in no way suggests that Madison's visit with the Oneidas was anything more than a diplomatically expedient diversion.

According to Grinde and Johansen, Madison and the Frenchmen conversed with two Europeans living with the Oneidas. One was a Frenchman named Nicolas Jordan; the other was an unidentified "Euro-American woman." They assert that the two adoptees' "revelation[s] about the

"virtues of American Indian life must had [sic] surprised Madison and his companions." Grinde and Johansen print the woman's speech, in which she declared "Here I have no master" and asked the travelers, "Is there a single woman as independent as I in your city?" The text of the speech comes not from Brant, as Exemplar of Liberty notes indicate, but from Barbé-Marbois's letters, which date his meeting with this "rather fine looking squaw" several days after returning from Grasshopper's village and do not indicate whether Madison was with him when the meeting occurred. Madison's papers contain no reference to any such meeting, and Brant's text alludes to the time gap between the village visit and the woman's testimony. But Grinde and Johansen conflate these separate events to strengthen their unsubstantiated conclusion that "these accounts doubtless had an influence upon Madison in his search for a workable government for America."

The authors also pointedly argue that "three Virginians and future presidents—Madison, Jefferson, and Monroe—planned trips to Iroquois country after the American Revolution. Madison and Monroe were able to go, but Jefferson was called to France as ambassador and had to content himself with reports from his friends." Grinde and Johansen ignore the salient point that Madison and Monroe were partners in an Iroquoia land speculation venture and that in 1786 the two purchased 900 acres located nine miles from Fort Stanwix. Brant discusses these business dealings in detail, yet no hint of them appears in Exemplar of Liberty. Grinde and Johansen's discussion of Madison and the Iroquois hangs on their flawed reading of Brant's biography and a dubious reinterpretation of Madison's land speculation. The record they cite provides no evidence that Madison was "exposed" to Iroquois institutions and ideas and no ground for the view that his visit to Iroquoia affected his political thinking or furnished a model for an expanded union. Instead, they employ the same contact-or-interest-equals-influence argumentation that they apply to Franklin, Rutledge, Jefferson, and Adams.

Exemplar of Liberty makes impressive revisionist claims for the Indian origins of American government, but these claims do not withstand close examination. Grinde and Johansen call their book a "mosaic of fact and opinion" and state that they seek to "discover the developing pattern in primary documentation and build a mosaic that perceptually reinforces itself." In fact, what they have created is a crazy quilt of inaccurate assessments, free-floating speculations, incorrect or disembodied quotations, and


79 Brant, Madison, 345-356.
80 Grinde and Johansen, Exemplar of Liberty, 182.
81 Brant, Madison, 351-357.
82 Grinde and Johansen, Exemplar of Liberty, 183.
83 Ibid., 357-358.
84 Ibid., 359.
85 Grinde and Johansen, Exemplar of Liberty, 186.
thesis-driven conclusions. Such methods damage their case and cause far more harm than academic elitism or cultural chauvinism ever could; Grindle and Johansen are their own worst enemies.

The Iroquois League, the Articles of Confederation, and the Constitution

Samuel B. Payne, Jr.

THE standard works on the United States Constitution and the Articles of Confederation do not credit the American Indians with having contributed to their origins. Indians are absent, as intellectual influences, from such sources as Gordon S. Wood’s The Creation of the American Republic and The Radicalism of the American Revolution, Bernard Bailyn’s The Ideological Origins of the American Revolution, Samuel H. Beer’s To Make a Nation, and Jack N. Rakove’s The Beginnings of National Politics. To cite a few distinguished and representative examples.¹ Instead, these works describe the political ideas of eighteenth-century British-American leaders and thinkers as creative adaptations of the European intellectual heritage to American conditions. The intellectual roots of the Constitution and the Articles of Confederation lay, the mainstream authors assert, in Europe: in Great Britain above all, in Continental Europe to a considerable extent, and in ancient Rome and Greece to a much lesser extent.

In contradiction to the mainstream is a revisionist school that gives much of the credit to the American Indians. The revisionists believe that the Iroquois Indians, the “forgotten Founders” as Bruce E. Johansen terms them, significantly influenced the joining together of the thirteen colonies in 1776, the writing of the Articles of Confederation, and the construction of a federal system of government in 1787–1788.² Although the “Iroquois influence” thesis lacks the persuasive power of the mainstream “European influence” thesis, it has been widely propagated and, for that reason alone, deserves serious, critical examination.

Lewis Henry Morgan, who made the first comprehensive study of Iroquois politics and society, may also have been the first proponent of the Iroquois influence thesis. In 1881 he wrote, “It is worthy of remembrance

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² Johansen, Forgotten Founders: Benjamin Franklin, the Iroquois, and the Rationale for the American Revolution (Ipswich, Mass., 1982).

that the Iroquois commended to our forefathers a union of the colonies similar to their own as early as 1751. Subsequent scholars developed and promoted this thesis, among them J.N.B. Hewitt, Felix S. Cohen, Donald A. Grinde, Jr., Johannsen, Jack Weatherford, Oren Lyons, John C. Mohawk, and Robert W. Venables. Charles Stewart Goodwin describes the Iroquois Confederacy as one of the "sources of inspiration" for his proposed remodeling of the American system of government. The Iroquois influence thesis has been espoused by an American fraternal organization, the Imperial Order of Red Men, and is preserved to this day as an oral tradition among the Iroquois themselves.

In the last few years, the Iroquois influence thesis has shown signs of being accepted as the new orthodoxy in some quarters. Alvin M. Josephy, Jr.'s 500 Nations, a well-received book written for a general audience, gives the Iroquois credit for having influenced the development of the United States Constitution. A recent curriculum guide for eleventh-grade history classes in New York State public schools prescribes the study of the Iroquois political system as one of the three "foundations" of the United States Constitution. In October 1988, the United States Congress passed a Concurrent Resolution asserting that "the confederation of the original thirteen Colonies into one republic was influenced by the political system developed by the Iroquois Confederacy" as many of the democratic principles which were incorporated into the Constitution itself. On the other hand, the Iroquois influence thesis is not yet universally accepted, history. It does not appear, for example, in the National Standards for


2 The other two are Mowhawk's theory of the small republic and Vaclav Havel's political thought. Goodwin, A Renunciation of the Republican Ideal (Lawhum, Md., 1993), 19-77; Grinde and Johansen, Exemplar of Liberty, 231.


4grave and Johansen maintain that the Iroquois influenced the formation of the American Union in two ways. The first was through the advice and ideas that Iroquois spokesmen conveyed directly to the authors of the Articles of Confederation and the Constitution. The second was through the force of example exerted by Iroquois political practices that American leaders observed and used as models in devising a new system of government. In evaluating the latter argument, it is important to distinguish among three images of the Iroquois: (a) the Iroquois as they actually were in the seventeenth and eighteenth centuries, (b) the Iroquois as the authors of the Articles of Confederation and the framers of the Constitution understood them to be in the late eighteenth century, and (c) the Iroquois as they have been described by the proponents of the Iroquois influence thesis. Only the

Other authors credit the Iroquois with having inspired female suffrage, the impeachment of government officials, and Congress's employment of conference committees.

The heart of the argument—where the documentary record has the greatest claims to strength—concerns Indian influence on the joining together, first of the colonies under the Articles of Confederation, then of the states under the federal Constitution. Accordingly, the present essay focuses on these topics—that is to say, on the formation of the American Union. It concentrates on the writings of Donald Grinde and Bruce Johannsen, who have made the most detailed and authoritative statements of the Iroquois influence thesis. It summarizes their argument, examines the evidence, and concludes that their position is unfounded.

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United States History: Exploring the American Experience, issued by the National Center for History in the Schools.

The leading advocates of the thesis see Indian influence in many aspects of the United States system of government: life, liberty, and happiness (Declaration of Independence); government by reason and consent rather than coercion (Albany Plan and Articles of Confederation); religious tolerance (and ultimately religious acceptance) instead of a state church; checks and balances; federalism (United States Constitution); and relative equality of property, equal rights before the law, and the thorny problem of creating a government that can rule equitably across a broad geographic expanse (Bill of Rights of the United States Constitution). Native America had a substantial role in shaping all these ideas.
image British-American leaders had of the Iroquois could have influenced the formation of the union. As will be shown below, the Iroquois as presented in the Iroquois influence thesis differ substantially from the British-American leaders' image of them; furthermore, both the Iroquois influence image of the Iroquois and the British-American leaders' image differ from the way the Iroquois actually were.

Propponents of the thesis describe the Iroquois as constituting in the seventeenth and eighteenth centuries a powerful confederacy, the Iroquois League, comprising five (later six) nations. In the words of Grinde and Johansen, "each of the five nations maintained its own council, whose sachems were nominated by the clan mothers of families holding hereditary rights to office titles." 10 The clan mothers could remove a sachem from office. There was also a Grand Council, made up of the fifty sachems who led the five nations and other leaders chosen by the Council itself, that met once a year to keep the peace among the Iroquois and to negotiate agreements with other Indians and with European colonists. However, "the Grand Council could not interfere in the internal affairs of the tribe." 11 The entire political structure was regulated and maintained by a type of constitution, the Great Law of Peace, passed down over the centuries in an oral tradition supplemented by the use of wampum belts as mnemonic devices. 12

The Iroquois influence school sees in this combination of a central government with limited powers and substantially autonomous local governments a marked resemblance to the American federal system. In this they follow the lead of Morgan, whose League of the Ho-Di-No-Sato-Nee, or Iroquois they rely heavily. Morgan refers to "the nations sustaining nearly the same relation to the League, that the American states bear to the Union." 13 If that analogy is accepted, then it is plausible to assert, as Grinde and Johansen do, that the formation of the American Union, in close geographic proximity to the Iroquois League and while the League was flourishing, suggests that the Union was inspired by or modeled on the League.

Grinde and Johansen also perceive the influence of the Iroquois League's example on the United States Constitution in remarks John Adams made in A Defence of the Constitutions of Government of the United States of America. They quote his statement that in "the form of government of the ancient Germans and modern Indians . . . the existence of the three divisions of power is marked with a precision that excludes all controversy." From this they infer that the Iroquois League helped form Adams's views on the separation of powers and, through him, the views of the framers, since "the League of the Iroquois was the best example of the governmental separation of pow-

10 Grinde and Johansen, Exemplar of Liberty, 24.
11 Ibid., 31.
12 One of several extant versions of the Great Law of Peace is printed in Grinde, Iroquois and the Founding of the American Nation, 128-47.
13 Morgan, League of the Ho-Di-No-Sato-Nee, or Iroquois (Rochester, 1891), 62. This passage is quoted in Grinde and Johansen, Exemplar of Liberty, 259.

"IROQUOIS INFLUENCE" THESIS

ents available to Americans for direct observation." 14 Grinde and Johansen also point to other references to Indian politics and customs scattered through Adams's book and assert that the book was an important influence on the deliberations of the Constitutional Convention. 15 The direct transmission of Iroquois ideas, according to thesis proponents, began in 1744. In that year there was a treaty conference at Lancaster, Pennsylvania, between leaders of the league and commissioners representing Pennsylvania, Virginia, and Maryland. At the conference, Canastatego, the most prominent of the Iroquois leaders, said to the commissioners:

We heartily recommend Union and a good Agreement between you our Brethren. Never disagree, but preserve a strict Friendship for one another, and thereby you, as well as we, will become the stronger.

Our wise Forefathers established Union and Amity between the Five Nations; this has given us great Weigt and Authority with our neighbouring Nations.

We are a powerful Confederacy; and, by observing the same Methods our wise Forefathers have taken, you will acquire fresh Strength and Power. 16

Benjamin Franklin, already an important colonial leader and a student of Indian life, was impressed by Canastatego's speech and by what he had learned about the Iroquois League from other sources. An advocate of union among the British colonies in North America, Franklin is said to have taken the League as a model. In 1750, he wrote to his friend James Parker, "I would be a very strange Thing, if six Nations of ignorant Savages should be capable of forming a Scheme for such an Union . . . and yet that a like Union should be impracticable for ten or a Dozen English Colonies." 17

In 1754, Franklin was one of the delegates whom several of the colonies sent to meet at Albany, New York, with representatives of the League. At

15 Adams, Defence of the Constitution, 192, 298, 308, 61, 506-67; Grinde and Johansen, Exemplar of Liberty, 238-244.
this meeting, the Iroquois leader Hendrick urged the colonists to join, as Canassatego had in 1744. Hendrick also, according to Grinde and Johansen, "was asked to provide insights into the structure of the League of the Iroquois for the assembled colonial delegates." Franklin then proposed a plan of union for the colonies, which the delegates adopted with few changes as the Albany Plan of Union. Grinde and Johansen assert that "with this plan, colonial leaders embraced the advice of Indian leaders such as Canassatego and Hendrick who had advocated such intercolonial unity for more than a decade... Its model was the Iroquois Confederacy." According to them, the "retention of internal sovereignty within the individual colonies closely resembled the Iroquois system and had no existing precedent in Europe." 18

The Albany Plan was rejected by the colonial legislatures. However, write Grinde and Johansen, the colonies' decision on 1776 to form a continental union and declare their independence of British rule was influenced by Canassatego's and Hendrick's advice. They cite two events to support this thesis. One was a treaty conference between Iroquois representatives and commissioners representing the Continental Congress, on August 24-September 1, 1775. At this meeting, the commissioners quoted what Canassatego said about colonial unity in 1744 and added:

Our forefathers rejoiced to hear Canassatego speak these words. They said to one another, "The Six Nations are a wise people. Let us hearken to them, and take their counsel, and teach our children to follow it." We thank the great God that we are all united; that we have a strong confederacy... and that we have lighted a great council-fire at Philadelphia. 19

Grinde and Johansen also cite a visit that twenty-one Iroquois leaders made to Philadelphia to meet with the Continental Congress in May and early June 1776, shortly before the Congress issued the Declaration of Independence. "With the Iroquois chiefs inside the halls of Congress on the eve of the Declaration of Independence, the impact of Iroquois ideas on its makers was unmistakable." 20

Proposents of the Iroquois influence thesis believe that the Albany Plan, having been inspired by the Iroquois League, set the pattern for the draft Articles of Confederation that Franklin submitted to the Continental Congress on July 21, 1775. As Grinde puts it, Franklin's 1775 draft "was obviously a revision of his earlier Albany Plan of Union." The Articles of

The Confederation grew weaker after the mid-1650s and became comparatively inactive in the late 1660s. It was revived in 1672, under new Articles of Confederation, played an important role in waging King Philip's War (1675-1676), and functioned until 1684.

The New England Confederation had little or no influence on the writing of the United States Constitution. It was not discussed at the Constitutional Convention. It may have had a slight influence on the Articles of Confederation. In January 1775, Silas Deane, one of the first members of the Continental Congress, was asked to address the issue of a confederation. He proposed a model for a New England Confederation. However, the Continental Congress did not accept his proposal.

The founders of the New England Confederation could not have learned about the confederations of the Iroquois because they had no diplomatic contact with the Iroquois nation. In 1677, they drew upon European experience with confederations, particularly the Swiss Confederacy and the United Provinces of the Netherlands, both cited by Puritan authors as guides to political practice. They also drew upon their own experience. Already by 1684, New England colonists had had considerable practice in forming communities, making compacts, and writing constitutions. The Fundamental Orders of Connecticut had been drafted in 1638-1639 by the leading citizens of Hartford, Windsor, and Wethersfield to unite those towns under a single government. There is a simple, logical progression from several towns joining together in a coöperative body to the British colonies in North America. In 1677, William Penn presented his plan for a Union of the Colonies in America to the Board of Trade, the body responsible for administering the British colonies. Others were


27 Ward, United Colonies, 331-34. Roger Williams's Key into the Language of America, Indian governments briefly but does one describe any Iroquois as living in confederations? Williams's key into the Language of America (1635). ed. John J. Toussaint and Evelyn L. Hint (Detroit, 1973), 201-04.

28 Ward, United Colonies, 12-14, 1980. There lived by then been centuries of economic, cultural, and religious interaction between the French, the Dutch, and the British, and the Iroquois. David Hackett Fischer, Albion's Seed: Four British Colonies (New York, 1989), 17-44.


proposed by the Board of Trade itself, by various Britons, and by residents of North America. Donald S. Lutz lists twenty plans to unite the colonies, from 1643 to 1775. Almost all of them were not even drafted before 1744. What Canarseege said about the nature and value of confederations was already familiar to leaders in the British colonies.

Of all the authors of confederation plans for the colonies, Franklin probably had the most knowledge of and respect for the Indians. Proposers of the thesis argue strongly for Iroquois influence on the Albany Plan. But the evidence is weak. Nancy Dietz Egloff concluded that "Franklin never stated that the Iroquois League was his model for the Albany Plan of Union." Even had the Albany Plan been modeled on the Iroquois League, it would not have been adopted by all of the colonies because it was not adopted by all of the colonies. It was not adopted by all of the colonies.

The Congress modified the Albany Plan considerably before adopting it as the Articles of Confederation. It was not the last time that the Iroquois League was used to influence American politics. Cadwallader Colden's History of the Five Indian Nations of Canaan, or British Americans the standard work on the Iroquois, described the Iroquois as governed by a "League of Nations."
of devising unified strategies, and no central government in the sense that term is usually understood by Euro-Americans. 34

Because they were written for a state-organized society the British-American confederation plans had to serve far more functions than did the Iroquois League. They had to make provision for paying the common expenses of the confederation and therefore determine the basis on which each confederate's share was to be assessed. 35 The confederation planners assumed that each government in a confederation would have a code of laws and a criminal justice system. They therefore provided for the extradition of fugitives from justice, prohibited each government from discriminating against citizens of other governments in the confederation, and distinguished the areas in which the confederation's legislature could act from those that were to be left to the individual governments. 36 Finally, the confederation plans gave the confederation's government the power to appoint civil and military officers distinct from the members of the legislature. 37

In contrast, the primary, virtually the only, function of the Grand Council was to keep the peace among the Iroquois nations. Even negotiations with the French and British colonial governments were, in the seventeenth and eighteenth centuries, handled by meetings of Iroquois leaders outside the Grand Council framework. The Grand Council of the League did not assess taxes, administer a criminal justice system, or employ a bureaucracy. Nor did any member Iroquois nation these practices were simply not aspects of Iroquois society. 38 Taxation, law codes, and bureaucracy are aspects of states.

34 Daniel K. Richter, The Ordinance of the Longhouse: The Iroquois of the Iroquois League in the Era of European Colonization (Chapel Hill, 1993), 40. As Richter makes clear, the League did not become significantly more stable during the 18th and 19th centuries.

35 H. E. O'Callaghan, The History of the Iroquois League in the Era of European Colonization (Chapel Hill, 1993), 40. As Richter makes clear, the League did not become significantly more stable during the 18th and 19th centuries.

36 H. E. O'Callaghan, The History of the Iroquois League in the Era of European Colonization (Chapel Hill, 1993), 40. As Richter makes clear, the League did not become significantly more stable during the 18th and 19th centuries.

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38 H. E. O'Callaghan, The History of the Iroquois League in the Era of European Colonization (Chapel Hill, 1993), 40. As Richter makes clear, the League did not become significantly more stable during the 18th and 19th centuries.
not of nonstate societies. They are, in fact, among the most important aspects of a state and are necessarily at the heart of all the British-American federation plans. Their absence from Iroquois society meant that the confederation planners could not have used the Iroquois League as a model even if they had wished to do so and had had a detailed knowledge of it.

There remains to be considered Grinde's and Johannsen's claim that Iroquois leaders' advocacy of a confederation of the colonies helped persuade the British government. The strongest evidence for this thesis is the statement made by the commissioners representing the Continental Congress at the August 24-September 1, 1774, treaty conference. It should be noted, though, that the commissioners' statement went beyond what they had been instructed to say. The Congress had drafted a statement for them to deliver to the Iroquois leaders that said nothing about Canastatego's advice. The commissioners duly reported to the Continental Congress of American leaders in Philadelphia in May and early June 1776, was mentioned in private letters by five members of the Congress, influenced to support independence by anything the Iroquois said during League's support or at least neutrality in the conflict with Great Britain. In 1744, Canastatego advocated a union of the colonies so the colonies and Britain together could support the Iroquois more effectively in conflicts with the French and other Indians. In 1771, the Americans' primary concern was to defend their rights and interests against the British. They had to decide whether forming a confederation was necessary or was the best way to attain their objectives. They had no reason to believe that what might have served Iroquois interests in 1744 would serve their own interests in 1774.

There is no evidence of Iroquois influence on writing or ratification of the United States Constitution. James Madison's record of the debates at the

"IROQUOIS INFLUENCE" THESIS

Constitutional Convention makes no mention of the Iroquois League. In the course of their discussions, the framers touched on other aspects of Indian politics and life, but only a few times. On June 29, 1787, Madison referred to "the existing condition of the American Savages at one example of "those stages of civilization in which the violence of individuals is least controlled by an efficient Government." On July 5, Governor Morris implied that, not possessing any property, the Indians did not need or have governments. On August 9, Morris suggested that the men of some Indian tribes offered the sexual services of their wives and daughters to visitors. None of these references suggests Indian customs or political practices as models to emulate.

These comments suggest that the framers were better informed about Indian political practices than colonial leaders had been earlier in the century. James Wilson knew that Iroquois confederations existed, but Grinde and Johannsen do not demonstrate that he knew more than that about them. Other well-informed statesmen such as Madison and Thomas Jefferson knew little more than that Indian governments were characterized by weak, exeracting little control over the lives of individuals.

Adams's Defense of the Constitutions, contrary to what Grinde and Johannsen assert, reflects little knowledge of or interest in the American Indians. Volume I, the only one of the three volumes published in time to have influenced the Constitutional Convention, is a survey of some forty governments whose institutions Adams thought should be considered in forming a government for the United States. Almost all of them were in the ancient world or contemporary Europe. He devoted only a few sentences to Indian politics, mostly combined with his discussion of the ancient Germans, on the assumption that the Germans and the Indians had very similar political systems.

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45 "Men do not enter into Society to preserve their Lives or Liberty, but they unite in Society for the Protection of Property," Governor Morris quoted in Rufus King, "Rufus King's Notes of the Constitutional Convention of 1787," in The Life and Correspondence of Rufus King, ed. Charles R. King, vol. 1 (New York, 1815), 601. Madison's record of his comments is slightly different; Madison, Notes of Debates in the Federal Convention, 344.
46 Madison, Notes of Debates in the Federal Convention, 341. Grinde asserts that at the first meeting of the Committee of Detail, which was charged with putting the Constitution into its final form, chairman John Rutledge read aloud "some excerpts from Iroquois Indian treaties." He bases this assertion on Richard Barry's undocumented, popularized biography of Rutledge, Grinde, "Iroquois Political Theory and the Roots of American Democracy," 287; Barry, Mr. Rutledge of South Carolina (Freeport, N. Y., 1964), 339. Neither is nor, apparently, Grinde has found independent confirmation of Barry's account.
47 Wilson said, on July 26, 1776, "Indians know the striking benefits of Confederation; they have an example of it in the Union of the Six Nations," Fords, Journals of the Continental Congress, 6: 763-64, 767-68, 793-97; Jefferson, Notes on the State of Virginia, ed. Peden, 92-93. Madison's views are cited above.
The "three divisions of power" Adams perceived in Indian politics are not the separation of powers inscribed in the Constitution. What the separation of powers meant to the framers was the differentiation of three functions of government—rule making, rule application, and rule adjudication—and the assignment of primary but not exclusive responsibility for each to one of the three branches of the government—legislative, executive, and judicial. What Adams meant by "three divisions of power" is the differentiation of the members of any society into the one, the few, and the many and the consequent need for three branches of government, each representing one of these elements. He believed that each society necessarily consists of three elements: a prominent leader, an aristocracy of birth, wealth, or achievement, and the broad mass of the people. Consequently, every government should have a legislative body to represent the aristocracy; another legislative body, either consisting of all the citizens or chosen by them, to represent the people; and a chief executive, the prominent leader, to keep the balance between the aristocracy and the people. In his wide-ranging survey of European governments, Adams found this pattern in even the simplest and most egalitarian societies as well as in the most complex. So, when he wrote, erroneously, that "every nation in North America has a king, a senate, and a people," he was simply ascribing to the Indians a pattern of government he had discerned in many other places. In fact, he found the Indian form of government to be inferior and rejected it, as Grinde and Johannsen acknowledge, because in it the king, the senate (or council of the sachems), and the people all meet and deliberate together. In any case, Defence of the Constitutions did not have the influence Grinde and Johannsen ascribe to it.

When the framers discussed the confederation form of government, they looked to contemporary Europe and ancient Greece for examples, not to the Iroquois League. In Federalist Nos. 18, 19, and 20, Madison surveyed the Amphictyonic council, the Achaean league, the Holy Roman Empire, Poland, the Swiss Confederacy, and the United Provinces of the Netherlands, but not the Iroquois League. In "Of Ancient and Modern Confederacies," rough notes that Madison made in preparation for the Constitutional Convention, he covered the same confederacies except that he left out Poland and added the Lycean Confederacy. Also, in two of his speeches at the Virginia ratifying convention Madison referred with disapproval to the Swiss Confederacy and the United Provinces of the

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Netherlands. Wilson mentioned a number of confederacies in his opening address to the Pennsylvania ratifying convention—the Swiss Confederacy, the United Provinces of the Netherlands, the Holy Roman Empire, the Achaean league, the Lycean Confederacy, and the Amphictyonic council—but not the Iroquois League. The Antifederalists had strong motives for taking the Iroquois League as a model. The example of a successful confederation on North American soil might well have strengthened their case for perpetuating the confederation form of government. However, Antifederalists showed little interest in the Iroquois League or in other aspects of Indian political life. There is no mention of Indian political practices in the essays of "Bratus," often considered the most cogent of the Antifederalist writings. James Winthrop, writing as "Agrippa," described American Indian politics as "generally democratical" but also as "the most rude and artless form of government." John Francis Mercer ("A Farmer") said that the Indians "live in freedom and value the blessing" and that they are "governing themselves." These are, in part, favorable references, but neither Winthrop nor Mercer described Indians as living in confederations, and both offered their very brief remarks in the context of general discussions of various forms of government.

Instead, Antifederalists looked to Europe for examples. The United States might emerge, their favorite was the Swiss Confederacy. In the same essay in which he made two passing references to the Indians, Mercer devoted several pages to the "grand fabric of Helvetic liberty," describing the confederal structure of the Swiss government in some detail. Patrick Henry, in his June 7, 1788, speech to the Virginia ratifying convention, referred to Switzerland as "a thirteen cantons expressly confederated for national defense." He urged his countrymen, "Let us follow their example, and be equally happy." The authors who wrote under the names of "An Old Whig" and "A Newport Man" also made favorable references to the Swiss Confederacy. Henry and Melancon Smith spoke favorably of the United Provinces of the Netherlands. Mercer and "A Newport Man" praised the republics of San Marino and

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65 Adams, Defence of the Constitutions, 399-89. Adams's "three divisions of power" are much more evocative of Aristotle's "mixed state" than they are of Montesquieu or Locke.

66 Ibid., 566.

67 Ibid., 566-88, 567-60. Grinde and Johannsen, Examples of Liberty, 200, 103-05.

68 Wood, Creation of the American Republic, 374-91. There are no references to Adams's book in Madison's record of the debates at the Constitutional Convention.
Lucci.68 Luther Martin cited the examples of the Amphictyonic council, the United Provinces of the Netherlands, and the Swiss Confederacy to support his assertion that each state should have equal representation in both branches of Congress.69 These were, for the most part, the same confederations that the Federalists discussed, the Antifederalists offering as models to emulate what the Federalists saw as horrible examples.

Probably none of the foreign confederations—in contemporary Europe, ancient Greece, or Indian America—had much influence on the thinking of eighteenth-century Americans. To both Federalists and Antifederalists, by far the most important confederation was the one they were living in: the United States under the Articles of Confederation. Whatever lessons they derived from reading about the United Provinces of the Netherlands or the Iroquois League were greatly overshadowed by their direct experience with the Articles. Antifederalists, while recognizing that the Articles were inadequate, did not propose the Iroquois League or any other foreign confederation as a substitute.66 Federalists concluded that a stronger and more centralized government was needed almost entirely on the basis of their experience with the Articles of Confederation.

The Constitution was written and ratified as a rejection of the confederation system of government, the system that eighteenth-century Americans believed the Iroquois to possess. As Madison put it, "[t]he other confederacies [other than the United States under the Articles of Confederation] . . . furnish no other light than that of beacons, which give warning of the course to be shunned, without pointing out that which ought to be pursued."61 The framers devised a radically new system of government, a federal union. It may not have been fully clear to them or to their fellow citizens what they had done or what terms to use in describing it. However, it was clear that they had not perpetuated a confederation. In rejecting the confederation form of government they set aside whatever lessons the Iroquois League could have taught them. They could not have modeled the Constitution on the Iroquois League because the Iroquois League was not a federal union.

The Iroquois had no significant influence on the drafting or ratification of the Constitution or the Articles of Confederation. In all probability, the framers and the members of the Continental Congress would have written those documents the way they did if they had not known of the Iroquois League. The Iroquois created the Iroquois League without having to learn about confederations from the Swiss or the ancient Greeks. Similarly, the Americans created the United States of America without having to borrow the idea from the Iroquois.


66 Madison, Hamilton, and Jay, Federalist Papers, 2:25 (No. 37). See also "James Wilson's Opening Address," in Bally, Debate on the Constitution, 1:279: "There existed not any precedent to assist us in the undertaking . . . a perfect confederation of independent states is a system hitherto unknown."

Sauce for the Goose:
Demand and Definitions for "Proof"
Regarding the Iroquois and Democracy

Donald A. Grinde, Jr., and Bruce E. Johansen

We would like to thank Philip A. Levy and Samuel Payne for engaging in this debate and the editors of the William and Mary Quarterly for providing a forum. We are indebted to those who have taken strong exception to our views. They help to make this vital debate possible. As authors, we know that spirited, fair-minded debate generates not only heat, but also light. It is also refreshing and novel to encounter two gentlemen who are vested with such certitude and mission in their scholarly work.

Our search for light in this debate begins with the definition of the intellectual field on which we play. In the first paragraph of his "Exemplars of Taking Liberties," Levy attempts to do this for us as he refers to our "controversial theory that the Iroquois Confederacy and the Great Law of Peace had an important influence on the constitutional design of the United States government" (p. 588). Does Levy take as the proper range of this enquiry the whole corpus of ideas lying behind the formation of the United States as a national political entity? Our cheer at this prospect was sharply dimished by a more restrictive definition a few lines later: "They hold that the 'League of the Iroquois, with its representative form of democracy,' helped shape the federal Constitution" (p. 588). The rest of Levy's piece takes issue with our case mainly during the late colonial and constitutional periods. Payne similarly limits the debate. Both leave untouched, except for a few glancing references, most of the history that composed the genesis of the United States Constitution as a body of ideas. What do they make of Roger Williams's associations with and insights into Native American cultures? What of the symbolism in the Boston Tea Party? What of Elizabeth Cady Stanton's belief a century after the Constitutional Convention that the Iroquois Confederacy provided a model for a higher order of gender relations?

Aside from the strained cuteness of his title and a rather strange chunk of ad hominem argument in his last sentence ("Grinde and Johansen are their

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own worst enemies") (p. 604), a most problematic aspect of Levy's argument is his assertion that we have, by turns, "misattributed, decontextualized, inaccurately paraphrased, liberally edited, and misinterpreted" the historical record (p. 595). He tries to challenge us on grounds of factual inaccuracy by focusing on a handful of typographical errors and a disagreement over a meeting involving John Adams.1 The rest of his case devolves into questions over how much of a primary source should be quoted as text or context. These purported crimes and misdemeanors indicate to him that we lack "proof" for our case.

At this point, Levy encounters a fundamental problem: having demanded proof, he fails to define his term. He fails even to suggest a definition. His standard, such as it is, becomes entirely situational. Often, we are left wondering what Levy really wants, for he seems to be operating with a moving target, citing small fragments of our work and concluding that none of whatever he sees meets his all-important but undefined single standard of historical veracity. As Levy ruminates about historical credibility, he uses the same editorial devices that he accuses us of misusing to build his argument against the "influence" thesis. Levy's case is full of choppy, short quotations from our work taken entirely out of context.

We might be tempted to chalk most of this up to the character of vigorous debate, if Levy would agree that sauce for the goose is sauce for the gander. In places, his tendency to chop quotes to pieces reverses the meaning of our work. For example, we point out that the Iroquois Grand Council had fifty members (forty-nine living sachems and one seat perpetually reserved for the Peacemaker), while Benjamin Franklin's Albany Plan had forty-eight. He implies that we have some problems with basic arithmetic ("forty-eight is not fifty") (p. 592), even though, in Forgotten Founders, Johansen writes: "There is no documentary evidence, however, that Franklin intended such a Dutch imitation."2 In this instance, as in many others, Levy's map bears little resemblance to our territory.

Samuel B. Payne, Jr.'s assertions also suffer from imprecision in the delineation of our case. He writes that we give "much of the credit" for the inspiration of the Constitution and Articles of Confederation to the American Indians" (Payne, p. 605). Like Levy, Payne simplifies and overstates our case. His characterization of our argument is one we have never made. We do not seek to discredit or ignore English and other European contributions to our history. Such an argument would be absurd; we are, after all, carrying on this debate in the English language. We instead look at the American policy as a product of both European and Native American precedents, without assigning any kind of ratio of cause and effect.

Even during the period that they cover most intensely, Payne and Levy ignore enormous amounts of documentation that describe a much richer, fuller historical record than they indicate. Much of this slighting involves Franklin, the colonies' foremost advocate of governance that combined Iroquois and European models. Franklin's role in the history of the Constitutional Convention is totally disregarded by Levy, although this role is described in Exemplar of Liberty to an extent comparable to our attention to Adams and his Defense of the Constitution.

The most irritating instance of such distortion comes with Levy's attempt to show that we turn John Adams into an advocate of Native American governance. He writes that Adams never used the word "Iroquois" in his Defense of the Constitution; yet he writes (one sentence later) that Adams did use "Mohawks," the English colonists' name for the Iroquois nation situated at the "Eastern Door" of the Longhouse and therefore most familiar to many Anglo-Americans. Adams may not have used "Iroquois," but he did use the "Mohawks" that held leadership titles on the Iroquois Grand Council. "Iroquois" is a French word that was only rarely used by Anglo-American colonists.

Franklin's role at the convention is fundamental to understanding Adams's views on Native American governance. Levy may infer that we present Adams who "hads" native governance (Levy, p. 597), but that is his word, not ours. He leaves unconsidered passages in Exemplar of Liberty that undermine this caricature of our case. Examine, for example, this passage:

"the Influence" Thesis 623

Adams's Defense was clearly not an unabashed endorsement of native models for government. In the main, it was a refutation of the arguments of Franklin and Turgot, who advocated a one-house legislature resembling the Iroquois Grand Council. . . . Adams did not trust the consensus model, although it seemed to work for the Iroquois.3

In our dictionary, lauding hardly fits the situation here. Adams was reacting to views that Franklin had espoused since his Albany Plan. Instead of considering the full history on its own merits, Levy oversstates our case regarding Adams and then blows his own straw man to bits. The resulting flurry of speculation reveals more of Levy's opinion of Adams than our published views.

It has been said that imitation is the sincerest form of flattery. If this is so, then Mr. Levy has, indeed, paid us a compliment. Having implicated us in the creation of a John Adams who lauds Iroquois government, Levy attempts
to refute us by saying that Adams actually "used Indians and Germans as negative examples" (p. 596). We experienced a measure of déjà vu at the realization that Levy is trying to refute us by quoting (without attribution) from Exemplar of Liberty: "Adams sought to impose checks on the caprice of the unthinking heart and cited the Iroquois Grand Council (the fifty families) as a negative example." Such problems with Levy's argument make us wonder whether he has misinterpreted the work he seeks to criticize or simply has failed to read it. Essentially, Levy's use of our own terminology to correct our reading of Adams is a sorry exercise in criticism.

During the twenty years that we have attended this body of ideas, we have watched reduction ad absurdum tactics used many times. Levy's is one of the kinder, gentler versions. During those twenty years, we have accumulated roughly 350 references to the contemporary debate over Native American contributions to democracy. A significant number of these are reduction ad absurdum denials. "Revisionist mountains out of historical molehills" (p. 197) is rapturous rhetoric compared to "fiction" (George Will) and "idolatry" (Patrick Buchanan). Indeed, by "Visigoth" in tweed (Dinesh D'Souza), comprising an "elaborate hoax" (Elisabeth Toonker), assertions of Iroquois influence on later political developments have been characterized as a political-correctness horror story. In Arizona Republic, D'Souza, a research fellow at the America Enterprise Institute, wrote that, "since many of the positive features of the American Constitution are undeniable, many schools teach students that these were not European importations, but were stolen from the Iroquois Indians." D'Souza contends that this is an example of "bogus multiculturalism that promotes ignorance rather than understanding." In the ideological arena, Payne cannot quite make up his mind whether our work is a radical dead end or "the new orthodoxy in some quarters" (pp. 610). Initially, Payne seeks to marginalize us by appealing to the authority of historians such as Gordon Wood, Bernard Bailyn, and Samuel H. Beer. He concludes his case by denying the opinions of his own authorities as he states that the framers devised a radically new system of government, a federal union. It may not have been fully clear to them or to their fellow citizens what they had done. However, it was clear that they had not perpetuated a confederation. They could not have modeled the Constitution on the Iroquois League because the Iroquois League was not a federal union (p. 620).

Such a sweeping, oversimplified assertion is analogous to arguing that the U.S. Constitution could not be partially derived from the British Constitution because it does not have a clearly defined text, like the United States' founding document. Likewise, Payne seems convinced that the Iroquois system could not have been a model for the colonial union because it was not a federal union. One could argue, using this logic and a little sauce for the goose, that the British Constitution cannot be compared to the American union either, since it also is not a federal union. For the record, we would never deny British influence on the origins of the United States' fundamental law. We do not argue American Indian origins of United States fundamental law exclusively. Instead, we hold that the legitimate Native American role has not been adequately studied and that it should be added as one of the intellectual antecedents for the U.S. Constitution as well as our broader national constitution as a body of ideas.

On the few occasions that Levy seeks to evaluate Franklin's role in the exchange of ideas, he mangles the intent of our words as well as some of the historical circumstances. Among the observations in his scathing treatment of the Albany Congress and Franklin's designs for a colonial union, Levy asserts that Exemplar of Liberty "gives . . . an entire chapter" to "the Canastota-Franklin connection" (p. 192). That chapter, "The White Roots Reach Out," is concerned mainly with the Albany Congress and Franklin's introduction to diplomacy as a representative to the Six Nations. In point of historical fact, Canastota died in 1750, four years before the Albany Congress, so his direct role ends rather early in the chapter.

Levy complains that Exemplar of Liberty offers no citation from Franklin's writings to support his use of Canastota's ideas expressed at the Lancaster Treaty Conference (1744) at which the Onondaga sachems advised the colonists to form a union on an Iroquois model. Levy fails to mention Franklin's long association with Canastota's words, which began when he set them into type on his own Philadelphia press. Levy does mention Franklin's letter to his printing partner James Parker in 1751 encouraging the colonists to emulate an Iroquois model, but he does not seem to think this has anything to do with Franklin's first design for colonial union three years later. If he did, would this letter not satisfy his request for a statement on
the issue directly from Franklin? Levy seems not to notice that Franklin's
missive to Parker was not a private letter; he distributed many copies of the
letter through his post office. Is this not an indication that Franklin was
associating the Iroquois with his evolving design for federalism?
Levy's argument would be more credible if he had produced a statement
from Franklin saying that he designed his Albany Plan in emulation of any
other model. Payne states as accepted fact his opinion that the Albany Plan
master's thesis. Our interpretation on this matter is hardly historically far-
teristic, whose opinion Payne ignores, observed that, in writing the Albany
plan, Franklin "proposed a plan for the union of the colonies and he found
his materials in the great confederacy of the Iroquois."

Payne states that

Even had the Albany Plan been modeled on the Iroquois League... that would not demonstrate any significant influence of the league on the Articles of Confederation. It was a long road... from 1754 to 1777. Franklin's July 21, 1775... plan... was only one of several that the committee appointed to draft a confederation... plan... may have considered in 1776... The committee prepared its own plan, the Dickinson plan, which owed little to Franklin's 1775 plan... The Congress modified the Dickinson plan considerably before approving it as the Articles of Confederation. Little remained in the Articles of Confederation that might have come from the original Albany Plan but the most basic outline of a confederation [p. 613].

In framing his statement, Payne clearly avoids examining the documentary sources. Josiah Bartlett gives one a radically different account of the steps toward confederation. In his mid-June 1776 "Notes on the Plan of Confederation," he included a heading: "By the Albany plan." According to Paul H. Smith, "There can be no doubt that the members of the committee began their work with a copy of Benjamin Franklin's proposed Articles of Confederation." In addition, several passages from Franklin's plan can be found verbatim in the Bartlett and John Dickinson drafts. According to Smith, only the fourth, seventh, eighth, and twelfth of Franklin's thirteen Articles were not "conspicuously incorporated into the committee's work."

12 Ibid., 372.

How does Payne reconcile Smith's richly annotated account with his own, which accuses us largely without documentation?

The Iroquois example remained in colonial consciousness until at least the end of the Revolution and when the Articles of Confederation being prepared. Colonial representatives meeting with Iroquois leaders recalled the words of Canassatego in Albany during 1775:

These were the words of Canassatego, Brothers. Our forefathers rejoiced to hear Canassatego speak these words. They sank deep into their hearts. The advice was good; it was kind. They said to one another, "The Six Nations are a wise people. Let us... take their counsel, and teach our children to follow it... These provinces have lighted a great council-fire at Philadelphia, and have sent sixty-five counsellors to speak and act in the name of the whole." Such expressions indicate that colonial representatives were looking at treaty councils with something more than blank stares on their faces. Canassatego was quoted by name, directly from Franklin's treaty account. At that time, the Iroquois were invited to observe the workings of the Continental Congress at the Pennsylvania State House (later called Independence Hall). Iroquois chiefs agreed to come to Philadelphia and expressed concern about the nature of the executive in the Congress. Subsequently, an Iroquois delegation visited during May and June of 1776; its members lodged on the second floor of the Pennsylvania State House. The Iroquois held a joint session with the Continental Congress June 11, 1776, at which John Hancock was given an Iroquois name. On July 26, 1776, James Wilson discussed in Congress the notion of confederation and stated that "Indians know the striking benefits of Confederation and "they have an example of it in the Union of the Six Nations.")

Payne describes these events, but again overstates our case, claiming that we believe the Albany Plan to have been "inspired" by the Iroquois example. While Franklin's model of federalism in the plan owes something to the Iroquois, he also built into it a European-style governor to meet the demands of the British crown. The Albany Plan is a significant example of the synthesis that was occurring between the two cultures. Payne's quotation from Jack Weatherford regarding federalism ("The Indians invented it") (p. 611) also overstates our case. As students of history, we are acquainted with federal models from European history (as were the founders). Our point is that European and Native American elements were considered together. We
also are not ignorant of the New England Confederation of 1643, and, like Payne and Levy, we see no explicit connection between this form of confederation and the Albany Plan. Payne admits as much, indicating that the New England Confederation had little or no influence on the writing of the Constitution and only an inklung of possible influence on the earlier Articles of Confederation. Since Payne finds his own argument without direction, we wonder what his point here may be (p. 612).

The fact that the colonists were familiar with the concept of confederation before the Albany Congress does not preclude Iroquois influence, despite Payne's argument. The fact is that Franklin printed Canastego's words and urged confederation using the Six Nations as an illustration. The Iroquois example thus became part of the transatlantic stream of ideas at the time. We do not contend that the Iroquois were the only authors of a federal system but that they maintained an important working system and contributed to the making of the Albany Plan and subsequent governmental entities.

The influence of the Albany Plan is evident in American political history into the constitutional period. To take but one example, both Levy and Payne ignore an important article in the American Museum, a national magazine of the time that was edited by Mathew Carey of Philadelphia, a longtime friend of Franklin. The article, published in 1789, directly compared the Albany Plan and the proposed U.S. Constitution. The article maintained that the Albany Plan had a "stron... resemblance to the present system" and that further examination of the Albany Plan and the Constitution would "convince the waverer, that the new constitution is not the fabrication of the moment." The article also asserted that Franklin had never lost sight of his favorite system of government and that he "lived to see it accomplished." After publishing this article, Carey launched a three-part series entitled "Albany Papers with Notes by Franklin," which explored the evolution of American government from the Albany Plan to the formation of the Constitution. The documentary evidence clearly does not support Payne's preconceived notions about the development of the United States political history.

Once Payne abandons the historical record at the time of confederation, we are treated to several pages of speculative ideological thought. For example, Payne states that we "offer no evidence that the other British-American leaders knew even as much about Indian political practices as Franklin and Thomson did" (p. 614). He ignores numerous citations by us from Thomas Jefferson, George Washington, John Adams, James Wilson, Thomas Paine, and James Madison discussing an American Indian governments. Levy also ignores Richard K. Mathews's assessment that "the American Indian provides the empirical model for Jefferson's political vision" (p. 116).

"Contrary to Levy's assertion that we 'make no attempt to support our conclusions by quoting Madison' (p. 601), we actually quote verbatim Madison's growing dissatisfaction with the Articles of Confederation government in 1784:

'It required but little time after taking my seat in the [Virginia] House of Delegates in May 1784 to discover that, however favorable the general disposition of the State might be towards the Confederacy, the Legislature retained the avarice of its predecessors to transfers of power from the State to the Government of the Union; notwithstanding the urgent demands of the Federal treasury[,] . . . the rapid growth of anarchy in the Federal system, and the animosity kindled among the States by their conflicting regulations.'

The above quotation from Madison is interesting in light of Payne's conclusions that the founders abandoned the idea of confederacy when writing the Constitution. In our eyes, Madison's discourse on the difficulties of the Articles of Confederation in 1784 seems to include some sense of a "confederacy" at least a concept of a federating federal system. See Exemplar of Liberty, 388 n. 19, Madison quotation in Galbraith Hunt and James B. Scott, eds., The Debate in the Federal Convention of 1787 which Framed the Constitution of the United States of America (New York, 1920), 6. In addition to this reference to Madison, Grinde's "Incorporating Political Theory and the Roots of American Democracy," in Osiris 22, ed. E. C. O. Stobart (Chicago, 1997), 156. Madison's observations about American government in 1784 also appear in Grinde, "Iroquois Political Theory," 387. Levy makes much of what is a primer's excuse in Exemplar of Liberty relating to Madison's visit to Fort Stanwix (p. 602). Similarly, the Exemplar of Liberty's statement to Franklin, marquis de Burke-Madison, is correctly attributed in Grinde, "Iroquois Political Theory," 387, 190. Levy fails about the adopted Onondaga woman's words not necessarily being spoken in Madison's presence, but where did the concept of the confederacy have been but in the French party as it journeyed back to Albany from Fort Stanwix (Rome, N. Y.). Levy also discounts the fact that Madison definitely spoke to Nicolas Jordan, a Frenchman who became an adopted Onondaga Indian, on the 1784 journey.

Payne has Madison remarking: "The other confederacies either the United States under the Articles of Confederation . . . furnish no other light than that of beacon, which give warning of the course to be thinned, without pointing out which ought to be pursued" (p. 625). To construct a wholly eurenician view (at least, non-Indian) genius for the Constitution that such a characterisation implies, Payne must ignore the assertions of Julian Boyd, Paul Smith, Richard Mathews, and Mathew Carey, cited elsewhere in this article as well as in our own work. We seek to be inclusive of all the schools of thought entertained by the founders, not to give American Indians exclusive credit. The Exemplar of Liberty, 388 n. 19, concludes: 'Native American political cognates must join the pantheon of ideas (Greek, Roman, English, etc.) in American history that influenced the minds of Americans as they groped with the problem of creating a distinct, unique, and original form of union." We work as a multicultural team that seeks to include Native American ideas in the mainstream of American history. We believe that as scholars deal with the divergent ideas expressed in this debate in a measured way, many will come to understand that our history has been multicultural and multicultural from the beginning of European "discovery" in America.
Instead of describing what Madison and other founders said about Native American politics, Payne simply asserts that the “Iroquois lived in a non-state society” (p. 614). He adheres to Daniel K. Richter’s highly controversial representation of the Iroquois League as possessing “few” of those characteristics.” Payne then asserts that “virtually the only function of the Grand Council was to keep the peace among the Iroquois nations” (p. 615). Once again, Payne presents no primary-source documentation for his characterization. He also ignores the criticisms that many founders—Franklin, Jefferson, and Paine particularly—made of statist societies in Europe.

Contrast Payne’s complaint about Iroquois statelessness with the following from Jefferson, as he discussed the size of governmental units in new states:

A tractable people may be governed in large bodies; but, in proportion as they depart from this character, the extent of their government must be less. We see into what small divisions the Indians are obliged to reduce their societies.22

Or this from Thomas Paine:

To understand what the state of society ought to be, it is necessary to have some idea of the natural and primitive state of man; such as it is at this day among the Indians of North America. There is not, in that state, any of those spectacles of human misery which poverty and want present to our eyes in all the towns and streets of Europe.23

These are hardly endorsements of a European-style society or state. “As for France and England,” wrote Jefferson, “the one is a den of robbers, and the other of pirates. . . . I would rather wish our country to be ignorant, honest and estimable as our neighboring savages are.”24 Writing to Madison in 1787, Jefferson asserted: “Societies . . . without government as among our Indians may be . . . best. But I believe [them] . . . inconsistent with any great degree of population.”25

Payne’s notions about the nature of the Iroquois League and its purported dissimilarity to European confederacies and states connotes only a difference

25 Jefferson to Madison, Jan. 20, 1817, in Boyd, ed., The Papers of Thomas Jefferson, vol. 11 (Princeton, 1953), 229-230. Jefferson’s use of “without government” does not mean without social organization, as his detailed descriptions of Native American societies in his Notes on the State of Virginia and in other sources indicate. Here the phrase may be taken to mean the lack of a European-style state.

of form. It remains unproven that only similar structures can influence each other and that dissimilar ones cannot. In any event, Payne’s conception of history shares little with the visions of many of the founders who avidly sought alternatives to the European states of their time. Payne’s assertions ignore standard European histories of the period. The New Cambridge Modern History observes that the use writers like “Montesquieu . . . made a . . . noble savage to point a criticism of European conditions was an indication of how much the impact of other civilizations was affecting European ways of thought.”26 Payne’s argument soon becomes an ideological island of cultural and racial exclusivity unto itself. This form of intellectual apartheid seems to permeate everything he examines.27

Reading Payne’s opinion of how closely the British-American societies and ideas resembled those of England, one wonders why the founders went to the trouble of a revolution at all. He believes that the Iroquois Confederacy was unsuitable as a model to the founders because it was not state oriented, because it “did not assess taxes, administer a criminal justice system, or employ a bureaucracy” (p. 619). Contrast this with the opinion of James Wilson, expressed in the Constitutional Convention, June 7, 1787: “The British Government cannot be our model. We have no materials for a similar one. Our manners, our laws, the abolition of estates and of primogeniture, the whole genius of our people, are opposed to it.”28

Livy seems irritated that much of our case comes from “Anglo-American founders such as Thomas Jefferson, James Madison, Benjamin Franklin, and John Adams” (p. 590). How could we have made a case at all without studying the papers of these and other Anglo-American founders? One can imagine the look that Livy would make if we had somehow managed to make a case for Iroquois influence on the evolution of American democracy without studying its intellectual architects, regardless of their ethnicity.

21 Payne treats Iroquois and Euroamerican sources very differently, illustrating his ethnocentrism with almost every page of his book. His failure to address or cite the primary source on the Iroquois. Instead, he appeals to scholarly authority that agrees with his interpretation of history without examining primary documentation. Subliminally, Payne hints that there are not really any good sources on the Iroquois, when the opposite is really true. As a Native American, Professor Grinage is particularly disturbed by such posturing and differential treatment of Euroamerican and Native American sources. Uncritically, Payne accepts Montesquieu’s idea of the Iroquois as a “sark society, in which some people have much more authority than others, but there is no government with coercive power, no true law, and little economic inequality. In contrast, states have ruling elites, economic inequality, laws, bureaucracy, and taxes” (Fried, The Evolution of Political Society [Chapel Hill, 1992], quoted in Payne, 606, 36). Thus, Payne would have us believe that the definition of a state is one that functions only as states often functioned in Europe. This is a more ethnocentric argument, which ignores the fact that the American Revolution was a struggle against some of the same, bureaucratic, taxes, and American Indian political systems to which the founders had often examined and inequality present in the British system. We point out that these same arguments have been made by historians.
VILLIAM AND MARY QUARTERLY

Levy further indicts us racially: "Exemplar of Liberty offers little supporting native testimony" (p. 190). One again wonders what Levy wants, because Exemplar of Liberty beins ever with supporting native testimony. Does Levy mean to imply that Native American support for the idea does not exist. or that we ignore it in our work? As he does elsewhere, Levy totes just what proof of native support he is seeking. Does not a detailed account with the colonies comprise supporting native testimony? Levy seems not to classify the words of Canastego, Tyianoga (Hendrick), and other Iroquois leaders as supporting native testimony. Extended quotations of contemporary Iroquois such as Mohawk artist and teacher John Kahionhes Fadden do not register on his native-testimony meter either. Levy does not mention the book Exiled in the Land of the Free,29 which makes a detailed case for influence. The book has eight co-authors, six of whom are Native American. Its primary editor, Oren Lyons, has been a prominent proponent of the influence thesis. He is Onondaga. Do his words comprise supporting native testimony?

Levy indicts us for simply doing the historian's job, such as reading the founders' papers and noting their presence at treaty councils, meetings, or conventions and then constructing a narrative based on our findings. The significance of the well-documented fact that leaders of Iroquois and colonial societies met on a regular basis over many years seems to have escaped Levy. He dismisses the potential for intellectual communication between Iroquois and colonial leaders as he simplifies our argument to "contact-equals-influence" (p. 603). When Jefferson wrote that Native American societies "enjoy, in their general mass an infinitely greater degree of happiness than those who live under European governments,"30 is this not an intellectual cut above contact-equals-influence?

Levy also faults Exemplar of Liberty for inadequate attention to the debate regarding "happiness" and "property" at the time that Jefferson composed the Declaration of Independence. The subject was developed at greater length, as Levy notes, in Forgotten Founders (pp. 101-09), but the majority opinion was made: first, that Jefferson and Franklin rejected John Locke's trifle of life, liberty, and property for "life, liberty and happiness." The second point is that Franklin's and Jefferson's conception of the social utility of property shared something with the ideas of many American Indians.

The critique of Exemplar of Liberty takes liberties of his own, ignoring large numbers of quotations from both Franklin and Jefferson that describe how they made Native American exemplars of life, liberty, and happiness as

Grinde and Johansen's discussion of Madison and the Iroquois hangs on...a dubious reinterpretation of Madison's land speculation [p. 63].

Elsewhere, Levy complains that we ignored the same land speculation. One wonders how we could misinterpret the land speculation and ignore it at the same time. For a more complete development of the founders' land speculations, Levy may consult Robert Venable's essay in the aforementioned *Exiled in the Land of the Free*. Levy does not develop further his non sequitur that anyone who speculated in frontier land could have no appreciation of native governmental systems. That would be quite a speculative leap. He merely implies that we made a conscious effort to exclude the founders' trade in land, which we did not.

Having characterized both Federalists and Antifederalists as exclusively European in their orientation, Payne contradicts himself by saying that the fundamental governmental documents of the United States were intellectually rootless: "Probably none of the foreign confederations—in contemporary Europe, ancient Greece, or Indian America—had much influence on the thinking of eighteenth-century Americans" [p. 620]. Payne ends his case with an episode of fantasy: "The framers and the members of the Continental Congress would have written those documents the way they did even if they had not known of the Iroquois League" [p. 620]. In fact, the Iroquois League did exist as a major factor in American diplomacy, and many of the founders factored it into their thinking along with European precedents.

We freely acknowledge the many structural differences between the Iroquois Great Law and the U.S. Constitution. We are careful to point out that the Constituion disenfranchised women, condoned the enslavement of African Americans, and contained no concept of human stewardship of the earth. The Iroquois polity included all these ideas. But rather than attempt to posit the Iroquois as a singular model for American government, we have sought to factor these influences into the broader stream of ideas as we examine Euro-Americans' quest for a free and democratic society in North America. We try also to place this quest in the historical con-


69 Ibid.
vided ample opportunities for reflection on the character of life, liberty, and happiness.

Reviews of Books


Historians as a rule purport to launch their books onto a sea of ignorance, claiming that no one has given their subject the attention it so richly deserves. Colin G. Calloway is no exception to this rule: in his case, the claim happens to be true. Though the American Revolution had a direct impact on scores of native peoples in North America and an indirect effect on all of them, few scholars have paid much attention to Indians during these years. Only earlier works by Barbara Graymont (The Iroquois in the American Revolution [Syracuse, 1972]) and James H. O'Donnell III (The Southern Indians in the American Revolution [Knoxville, 1973]) focus on Native Americans in the Revolutionary era.

Several reasons may explain the silence. One is the pervasive assumption that Indians have no place in the history of America's founding. Another is the difficulty of fitting the natives' history into periods constructed for other Americans: in Indian country, 1775 (or 1763) is not, at first glance, an obvious departure date, nor is 1783 (or 1789) a sensible terminus. Then there is the sheer magnitude of the task: "Indian country" was actually "the Indian countries," a land inhabited by many groups, each with its own story. To make matters more difficult, the evidence available to reconstruct those stories is scattered and otherwise intractable.

Thus Calloway, bent on exploring in a single volume the Indian experience during the American Revolution, ventures boldly into uncharted territory. The result is an impressive achievement that will open new vistas for scholars to contemplate and will point toward new paths for researchers to explore. The book's strategies for getting past the many obstacles blocking its way are ingenious and effective. Where to start and to finish? Calloway focuses on the years 1775 to 1783 but goes back in time to make sense of those years and pushes beyond the Peace of Paris to see how things played out. How to explore Indian country without staying at a level of generalization so high that the landscape's human features are lost? Calloway opens with a superb overview of Indian America before 1775 and a synopsis of the war's terrible impact on Indian peoples. These set the stage for the heart of the volume, eight richly detailed "case studies" (p. 47) of native communities. Defining community broadly to include clusters of villages (and often of different tribes), Calloway travels widely through Indian country: his journey starts in the north with Abenakis at Orono, then ventures southward, pausing at Stockbridge (in Massachusetts) and Oquaga (in Iroquoia) before moving west for a look at natives collected around Fort Niagara and Shawnees at