

2019 Teaching Native American Histories

Curricular Project*

***This lesson plan will be submitted for inclusion into an on-line database of curricular projects for the NEH program "Teaching Native American Histories."**

Title (255 characters or fewer): The Debate on the Iroquois' Influence on the U.S. Constitution

Grade Level : 7th Grade

Subject Area Focus (Ex: Social Studies/History, English Language Arts, etc... List all that apply):

Social Studies, English Language Arts

TNAH Conceptual Focus: Historical Trauma

Estimated Number of Days to Complete: Two days

Submitted by*: John Ingram, Brooklyn, New York

**This lesson plan will be submitted for inclusion into an on-line database of curricular projects for the NEH program "Teaching Native American Histories".*

Additional Creators (if any):

School, district, and state: MS 839, District 15 in NYC DOE, New York

Date Submitted: July 26, 2019

Curricular Project Summary:

The creation of the U.S. Constitution was considered revolutionary and unprecedented for the 18th century. The Founding Fathers have been cited to pull inspiration from ancient Greeks and prior European thought, however, the influence stopped there. Counter to the colonial mindset conscious, recent scholars have sought to prove that the Iroquois influenced the creation of the U.S. government by namely comparing their Great Law of Peace to the Constitution. Other historians refute that assertion. This lesson asks students to not simply argue whether or not the Iroquois influenced the Founding Fathers, but rather why would someone choose to refute or confirm the influence? This serves as a gateway to a discussion on historical trauma by illuminating how Americans have denied, discredited, or even erased the contributions of indigenous nations to the United States.

Desired Results/Objectives

1. Essential Questions / Historical Questions:

- How do our perspectives shape the telling of narratives?
- Why would someone choose to either refute or confirm a perspective?
- How can multiple perspectives be given space?

2. Objectives / Learning Targets: By the end of this project students what will students know, understand and be able to do?

- Students will understand the influence of the Iroquois on the U.S. Constitution.
- Students will analyze historian's understanding of the Iroquois' contributions to the creation of the U.S. Constitution.

3. Curriculum Standards (National, State, Local):

Common Core

- CCSS.ELA-LITERACY.RI.7.1
Cite several pieces of textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.
- CCSS.ELA-LITERACY.RI.7.2
Determine two or more central ideas in a text and analyze their development over the course of the text; provide an objective summary of the text.
- CCSS.ELA-LITERACY.RI.7.8
Trace and evaluate the argument and specific claims in a text, assessing whether the reasoning is sound and the evidence is relevant and sufficient to support the claims.
- CCSS.ELA-LITERACY.RI.7.9
Analyze how two or more authors writing about the same topic shape their presentations of key information by emphasizing different evidence or advancing different interpretations of facts.
- CCSS.ELA-LITERACY.RH.6-8.1
Cite specific textual evidence to support analysis of primary and secondary sources.

New York State Social Studies Framework

- 7.4 Historical Development of the Constitution (7.4b, 7.4c)
- 7.5 The Constitution in Practice (7.5a, 7.5b)

4. Transfer Goals / Enduring Understandings:

- Students develop the habit of analyzing an author's perspective.
- Students will analyze the cause and effect relationship more deeply and consider how key events, figures and ideas influence historical events.
- Students will grasp the importance of looking at multiple perspectives--or consider whose perspective is missing--when drawing conclusions on interpretations of historical events.

Assessment / Evidence

Performance Task or Assessment used to gauge student learning: (Please describe and/or attach)

Paragraph response on the impact of historians refuting or confirming another historical perspective.

Pre-Assessment:

Warm Up prompts to gauge students' initial thoughts. These prompts will illuminate students' preconceived notions of historical events.

Formative / Student-Engaged Assessment:

- Student annotations on the influence of the Iroquois nation on the U.S. Constitution
- "Stick It" Post-Its response on why we might be surprised that indigenous people influenced the American government
- Four Corners discussion

Summative Assessment:

Paragraph response on the impact of historians refuting or confirming another's historical perspective.

Other Evidence:

Learning Plan

Lesson Summaries:

Prior Knowledge: These lessons fit into the discussion of the creation of the U.S. Constitution. Students should have already discussed the American Revolution, the Constitutional Convention, and key elements of the Constitution (balance of federal, state, and local governments, the system of checks and balances, the Bill of Rights and amending the Constitution).

Lesson 1: Students will be introduced to the argument that the Iroquois's Great Law of Peace influenced how the Founding Fathers structured the U.S. Constitution. They will read a secondary source and primary source testimonies as they compare the two constitutions. More so, students begin to unpack their "colonial mindsets" as they reflect on why they might be surprised by the connection.

Lesson 2: Students are provided two alternative perspectives that refute the Great Law of Peace's influence on the U.S. Constitution. Students will then offer their own assertions as to whether the Iroquois Confederacy influenced the United States' government. The class will finally reflect more wholistically on the implications of affirming or denying one's perspective on history. This can illuminate how Americans have denied, discredited, or even erased the contributions of indigenous nations to the United States.

Learning Events and Instruction:

LESSON 1

Title: The Iroquois' Influence on the U.S. Constitution

Guiding Questions:

- How did the Iroquois' Great Law of Peace influence the U.S. Constitution?
- How did key historical figures feel about the connection between the two constitutions?
- How do contemporary people today react to the connection between the two constitutions?

Lesson opening:

Ask: What influenced the U.S. Constitution?

This prompt is an opportunity to review previous topics as well as start to unpack students' "colonial mindsets." Students are likely to mention the American Revolution and the importance of representation to the colonists. The teacher should mention too the failure of the Articles of Confederation and the need for a balance of power. After students jot their ideas and they share out, teacher should say, "Raise your hand if you think indigenous nations influenced the framework of the U.S. Constitution." It is likely that very few students raise their hands. No need to address that yet--save this data point for the lesson closing.

During the lesson:

Read the adapted version of "Franklin and the Iroquois Foundations of the Constitution" by Cynthia Feathers and Susan Feathers.

Use Kyrene Beers' Nonfiction Essential Questions to analyze the text.

- Whole class reads the text aloud. Students' first guiding questions for their annotations are:
 - What surprised you in the text?
 - What did the author think I already knew?
 - If students do not raise this themselves, ask, "Was anyone surprised that the Iroquois nation influenced the Constitution?" If they agree, ask why this is surprising. These remarks can lead to unpacking the historical trauma and stereotyping indigenous communities face; that their contributions have been erased or that their societies are not as advanced as the colonists'.
- Students independently read the text a second time annotating for:
 - What challenged, changed, or confirmed what I knew?
 - Students share their ideas in small groups. Each group then offers 1-2 ideas to the entire class.

Lesson closing:

Students independently respond to the prompt: How did the Iroquois influence the Constitution? On a Post-It, students then more informally respond to a second prompt: Why might we be surprised that indigenous people influenced the American government? Students should stick their Post-Its to the board on their way out. Teacher should thematically group them and notice trends in their responses. Incorporate student responses during the discussion in the next lesson.

Instructional Tips/Strategies/Suggestions:

Some students will need a more scaffolded version of the reading. Consider adding pre-annotations or guiding questions to help guide them through the text. Consider a short video or article on the Iroquois if students need to develop more background knowledge.

LESSON 2

Title: The Debate on the Iroquois' Influence on the U.S. Constitution

Guiding Questions:

- How did the Iroquois' Great Law of Peace influence the U.S. Constitution?
- How did key historical figures feel about the connection between the two constitutions?
- How do contemporary people today react to the connection between the two constitutions?

Lesson opening:

Display student responses from the previous lesson on why people might be surprised by the Iroquois influence on the U.S. Constitution. Ask: What has influenced these mindsets? Acknowledge it is a difficult prompt (difficult both conceptually and having students face colonization), but encourage students to independently jot a reflection. Call on students to share their responses. Be sure to name the concept of historical trauma during the share out. Name how this is an example of colonization today: indigenous contributions, values and government structures are discredited.

During the lesson:

Distribute excerpts of two articles that refute the connection between the Great Law of Peace and the U.S. Constitution. Have students work in pairs and take notes on the reasons why these historians do not believe the Iroquois influenced the American government.

Four Corners Discussion

- Label the four corners of the classroom as "Strongly Agree," "Agree," "Disagree," and "Strongly Disagree."
- Display the prompt: The Iroquois' Great Law of Peace influenced the U.S. Constitution.
- Direct students to stand in the corner that expresses their opinion.
- Facilitate a conversation, ensuring a voice from each corner is heard.
- If time permits, you can ask students to consider other people's perspectives on the prompt. Ask students to stand where their parents' or grandparents' generation might stand. Where would the current president stand? Where would Peter Minuit or other Dutch colonists stand? Where would someone from the Iroquois nation stand?

Discussion

Facilitate a discussion on the affirmation and denial of perspectives. Ensure it is student-led. Start broad and allow students to steer the conversation. As the conversation unfolds, offer more targeted, follow up prompts to allow space to discuss historical trauma as it relates to indigenous nations.

- Start broad: Why would historians refute other historian’s perspectives? Why would historians seek to confirm another historian’s opinion?
- More targeted: What does it do if historians deny the Iroquois’ influence on the U.S. government? Why do others seek to confirm the influence?

Lesson closing:

Students write a response to the following prompt:

What is the impact of confirming or denying the influence of the Iroquois on the U.S. Constitution?

Instructional Tips/Strategies/Suggestions:

Ensure student-centered discourse. Allow students to guide the discussion. Offer follow-up questions to steer the conversation if necessary.

If students readily answer the prompts on the impact of refuting or confirming one perspective, consider adding other historical examples for them to contemplate. As students just completed a unit on the American Revolution, consider asking them what does it do if a historian either condemns or affirms the revolution? After discussing, bring this Eurocentric example to a multiethnic example. For example, have students consider contrasting views of land between the colonists and the Native Americans. What does it mean if someone confirms the Doctrine of Discovery as justification for the taking of indigeneous land? If someone else rejects this reasoning, what does that mean?

Materials and Sources Used

What primary source(s) is/are being used (full citation)? Please annotate each source.

From Benjamin Franklin to James Parker, 20 March 1751. *National Archives*
<https://founders.archives.gov/documents/Franklin/01-04-02-0037>

Annotation: An excerpt of Benjamin Franklin’s writing is featured in the article, “Franklin and the Iroquois Foundations of the Constitution.” It captures his perspective of the Iroquois nation; a perspective that students may debate as satirical or sincere.

What secondary sources are being used (full citation)? Please annotate each source.

Feathers, C., & Feathers, S. (2007, January 01). Franklin and the Iroquois Foundations of the Constitution. *The Pennsylvania Gazette*. <http://www.upenn.edu/gazette/0107/gaz09.html>

Annotation: This article argues that the Iroquois did influence Benjamin Franklin and thus the other founding fathers in how they framed the U.S. Constitution.

Jacobson, Louis. (2014, Dec. 2). Viral meme says Constitution 'owes its notion of democracy to the Iroquois'. *Politifact*.
<https://www.politifact.com/truth-o-meter/statements/2014/dec/02/facebook-posts/viral-meme-says-constitution-owes-its-notion-democ/>

Annotation: An excerpt from this article is used to present the opposing argument that the Iroquois' Great Law of Peace did not influence the U.S. Constitution. It acknowledges both sides to the argument, but ultimately asserts that it is mostly false that the notion of democracy came from the Iroquois.

Rakove, Jack. (2005, July 21). Did the Founding Fathers Really Get Many of Their Ideas of Liberty from the Iroquois? *History News. Network* <http://historynewsnetwork.org/article/12974>

Annotation: An excerpt from this article is used to present the opposing argument that the Iroquois' Great Law of Peace did not influence the U.S. Constitution. The author responds to another historian's article to prove his reasoning inaccurate and instead discredit the connection between the two constitutions.

What other curricular materials do you plan to use to support the curricular project? (attach any student-facing documents and teacher resource documents needed to implement the lesson)

Student-facing documents can be located at the end of this lesson plan.

Reflection / Rationale

After teaching the lessons, what suggestions do you have for other teachers who might use this curricular project?

How does the content of this lesson plan clearly tie to perspectives gained from TNAH Institute? [e.g. How does it use resources provided during TNAH Institute in place of or to supplement existing resources? How does it analyze narratives and/or resources that would typically be used – how does the newly created lesson provide a counter-narrative to the accepted canon?]

These lessons seek to disrupt the Eurocentric framing of U.S. history. As Lorén Spear (Narragansett) emphasized, U.S. history is indigenous peoples history. There is an assumption in American society that progress and development did not occur until post-colonization; that these great ideals of democracy and freedom came from the colonists. I hope instead that our curriculum can consider the value systems embedded in indigneous peoples' language and culture. Students should realize the values of the U.S. Constitution did not come from a foreign European source--these ideas of representation come from the land we stand on. Whether or not the Iroquois influenced the U.S. Constitution is beside the point. Rather, the counter-narrative these lessons reinforce is to see indigenous nations in a more dignified light. Students should credit their contributions to society instead of their ideals and beliefs being erased.

Franklin and the Iroquois Foundations of the Constitution

By Cynthia Feathers and Susan Feathers, *The Pennsylvania Gazette*, 01/05/2007; adapted on 07/26/2019

In 1744, envoys from Maryland, Pennsylvania, and Virginia met in Lancaster, Pennsylvania, with delegates, or *sachems*, of the Six Nations of the Iroquois Indians. During the discussions, the Iroquois leader Canassatego advocated the federal union of the American colonies, urging the colonists:

“Our wise forefathers established an union and amity between the [original] 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 much strength and power; therefore, whatever befalls you, do not fall out with one another.”

When an Indian interpreter and old friend of Benjamin Franklin’s brought him the official transcript of the proceedings, Franklin immediately published the account.

Seven years later, he wrote a letter to James Parker, his New York City printing partner, on the importance of gaining and preserving the friendship of the Iroquois Indians. Arguing for a union of the colonies, he mused:

“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.”

Despite his use of the phrase *Ignorant Savages*, evidence shows that Franklin had a healthy respect for the Iroquois, and his language seems intended not as an insult to the Six Nations but as a backhanded slap at the colonists—who, in Franklin’s opinion, could learn a lot from the Iroquois about political unity.

The Iroquois Confederacy had been a functioning democracy for centuries by Franklin’s day. Sometime between 1000 and 1450, the Cayuga, Mohawk, Oneida, Onondaga, and Seneca Nations came together to become the Iroquois Confederacy, and in the early 18th century they were joined by the Tuscaroras. Referred to as the Six Nations by the English, and the Iroquois by the French, the Confederacy called themselves the *Haudenosaunee*, or “People Building a Long House.”

Under the Iroquois Constitution, known as the Great Law of Peace, each nation elected delegates, or *sachems*, who dealt with internal affairs. The Confederacy’s Grand Council met to discuss matters of common concern, such as war, peace, and treaty-making. Though the Council could not interfere with the internal affairs of each tribe, unity for mutual defense was a central concept. The oral tradition of the Great Law uses the imagery of a bundle of five arrows tied together to symbolize the complete union of the nations and the unbroken strength that such unity imparts.

The Great Law also provided that policies would be thoroughly debated. First the Mohawks and Senecas, or Older Brothers, debated, and when they reached consensus, the Oneida and Cayuga, or Younger Brothers, debated. If the two “houses” disagreed, the Onondaga could cast the deciding vote. If the two houses agreed, the Onondaga would implement the unanimous decision, unless they disagreed with the decision and referred the matter back to the Council. If the Council again agreed upon their decision, the Onondaga were overruled. With its two houses and the veto power of a quasi-executive branch, this system was similar to the bicameral legislature and executive branch later found in our state and federal governments.

By the time Franklin wrote his letter to Parker, the American colonists had developed significant diplomatic and trading relations with American Indian societies, and for most of the 18th century, they had relatively friendly relations with the Iroquois, whose territory comprised a large part of what is now New York State. Today many historians believe that Iroquoian ideas of unity, federalism, and balance of power directly influenced the United States' system of government.

Franklin carried the Iroquois concept of unity to Albany in 1754, where he presented his plan of union loosely patterned after the Iroquois Confederation. Several Iroquois leaders attended the Congress, convened at an Albany courthouse, to cement an alliance with the Iroquois against the French and to devise a plan for a union of the colonies. An aging Mohawk *sachem* called Hendrick received a special invitation from the acting governor of New York, James De Lancey, to attend the Congress and to provide information on the structure of the Iroquois government. After Hendrick spoke, De Lancey responded, "I hope that by this present Union, we shall grow up to a great height and be as powerful and famous as you were of old."

During the debates over the plan for union, Franklin pointed to the strength of the Iroquois Confederacy and stressed the fact that the individual nations of the Confederacy maintained internal sovereignty, managing their own internal affairs, without interference from the Grand Council.

When Franklin published his "Short hints toward a scheme for uniting the northern colonies," his Albany Plan proposed that each colony could govern its internal affairs and that a Grand Council consisting of a different number of representatives from each colony would provide for mutual defense. This proposed council closely resembled the Grand Council of the Iroquois nations. While the colonies and the Crown were not ready for a colonial union and the Albany Plan was not ratified, Franklin gained recognition as an advocate of colonial union and a place in history as an originator of the federalist system of government.

In 1775, treaty commissioners from the Continental Congress met with the chiefs of the Six Nations "to inform you of the advice that was given about thirty years ago, by your wise forefathers." While the Continental Congress debated, the visiting Iroquois chiefs were formally invited to attend.

In 1787, John Rutledge, a member of the Constitutional Convention and chair of the drafting committee, used the structure of the Iroquois Confederacy as support for the proposition that political power comes from "we, the people," an idea later expressed in the preamble to the Constitution.

Numerous scholars believe that the Albany Plan was a landmark on the road that led to the Continental Congresses, the Articles of Confederation, and the United States Constitution.

In 1988, the 100th U.S. Congress passed a concurrent resolution acknowledging the contribution of the Six Nations of the Iroquois Confederacy to the development of the U.S. government. This same spirit of acknowledging the influence of the ancient Iroquois on the new United States was captured poetically by Oren Lyons, chief of the Onondaga Nation, in an interview with Bill Moyers. Declaring Franklin a visionary who brought Indian ideas of democracy, freedom, and peace to America, Lyons said of the founding fathers:

"In North America at that time, they took an ember, they took a light from our fire, and they carried that over and they lighted their own fire and they made their own nation. They lighted this great fire, and that was a great light at that time of peace."

Cynthia Feathers is the director of pro bono affairs for the New York State Bar Association. Her sister, Susan Feathers C'83 G'83, is the assistant dean, public-service program, University of Pennsylvania School of Law. Research assistance was provided by Penn Law students Matt Erie and Jeff Nestler.

The Debate on the Iroquois' Influence on the U.S. Constitution

Warm Up: Review your classmates' responses on why people might be surprised by the Iroquois influence on the U.S. Constitution. What has influenced these mindsets?

Some historians refute the argument that the Iroquois nation influenced the framework for the U.S. Constitution. With a partner, read the two excerpts. Take notes on why some historians do not believe there is a connection between the two forms of government.

Reason against Iroquois Influence Hypothesis	Text Evidence

An excerpt from “Did the Founding Fathers Really Get Many of Their Ideas of Liberty from the Iroquois?”

By Jack Rove, History News Network, 07/21/2005; adapted on 07/26/2019

What's wrong with the Iroquois influence hypothesis? There are two principal and, I think, fatal objections to the idea that anything in the Constitution can be explained with reference to the precedents of the Haudenosaunee confederation.

The first is a simple evidentiary matter. The many records we have for the constitutional debates of the late 1780s contain no significant references to the Iroquois. It is of course possible that the framers and ratifiers went out of their way to suppress the evidence, out of embarrassment that they were so intellectually dependent on the indigenous sources of their political ideas. But these kinds of arguments from silence or conspiratorial suppression are difficult for historians to credit.

But, it is objected, there were no real European antecedents and sources for the institutions that Americans created, or for the democratic mores by which they came to live. Again, this is a claim that cannot escape serious scrutiny. All the key political concepts that were the stuff of American political discourse before the Revolution and after, had obvious European antecedents and referents: bicameralism, separation of powers, confederations, and the like...New England colonists managed to set up town meetings before they had made much progress creating vocabularies of Indian words.

None of this is to deny that prolonged contact between the aboriginal and colonizing populations were important elements in the shaping of colonial society and culture. Whether those contacts left a significant political legacy, however, is a very different question.

An excerpt from “Viral meme says Constitution ‘owes its notion of democracy to the Iroquois’”

By Louis Jacobson, Politifact, 12/02/2014; adapted on 07/26/2019

The case against Iroquois influence

The Iroquois government is in some ways radically different than the U.S. government. For starters, the Iroquois' federal system arguably bears more resemblance to the United Nations than the American federal system, focusing primarily on diplomacy. The Iroquois council "was particularly concerned with matters of alliance, with the continuing firm alliance of the five member nations and alliances with other nations. It did not concern itself with the internal relations of the constituent nations," late Temple University anthropologist Elisabeth Tooker noted in a 1988 paper.

More important, the Iroquois system is based on hereditary positions and clan-based leadership -- elements that are entirely foreign to the United States' system (and arguably seem more similar to the British system the colonists were trying to escape). The Iroquois League's governmental power was vested in a council of 50 chiefs known as sachems. Each sachem had a title that was essentially hereditary, and each of these titles belonged to a particular clan within a particular tribe. The successor to a League chief was chosen by the "clan mother," the senior woman of the clan. Furthermore, the council acted based on consensus, rather than by majority rule, as became the system under the Constitution of 1787.

Even if there was some Iroquois influence, it wasn't the primary shaper of the Constitution. This is where the Facebook meme really overplays its hand. You don't have to be a total denier of Iroquois influence to acknowledge that the meme goes too far when it says "the U.S. Constitution owes its notion of democracy to the Iroquois Tribes." The traditionally cited sources of inspiration for the drafters, including ancient Greek and prior European thought, played a significant role -- almost certainly a decisive one.

"Even if the Iroquois Confederation was similar to the Constitution, which it was not, and even if some Americans admired aspects of Indian culture, that does not mean the Framers emulated Native American systems," said Stewart Jay, a University of Washington law professor and author of *Mortal Words: A History of the U.S. Constitution: Volume 1, Origins to World War II*.

Jay added that more broadly, the democratic nature of the U.S. Constitution was greatly refined and extended by the civil rights amendments adopted after the Civil War, which were hardly conceived with Iroquois principles in mind.

Gautham Rao, an American University historian and author of the forthcoming *At The Water's Edge: Commerce, Governance and the Origins of the American State*, concurred. "It is a fairly important idea that a great many societies and networks influenced American constitutional thought, the Iroquois among them," Rao said. "But it is not true that the concept of 'democracy' embodied in the U.S. Constitution was directly suggested by the Iroquois."

