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VOLUME 2:1 (2025)



This engraving made in France in 1724 depicts a meeting of representatives of the Five Nations Confederacy of the Haudenosaunee people, also known as the Iroquois.

The Iroquois Confederacy and the Great Law of Peace

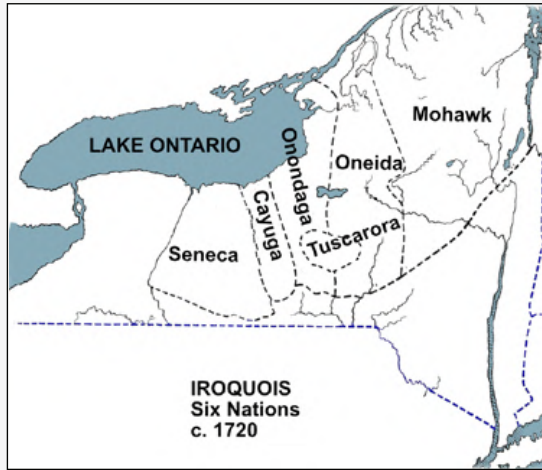
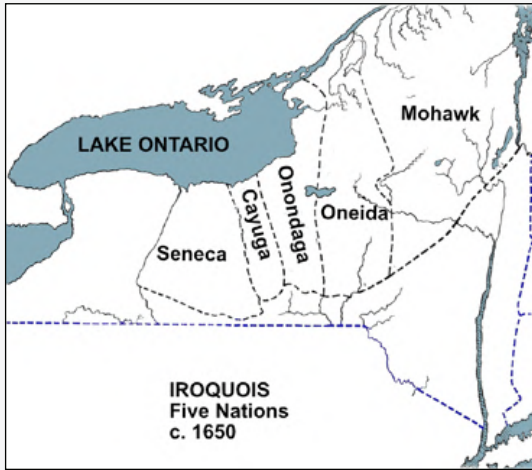
Long before European colonists reached North America, five related Iroquois Native peoples, or nations, formed a confederacy with a constitution called the Great Law of Peace. Some historians believe the Iroquois Confederacy influenced the writing of the U.S. Constitution, though that theory has not been conclusively proven and remains controversial to this day.

For many hundreds of years, a group of five Native peoples lived in a forested area south of Lake Ontario in

what is now New York state. This group called themselves the Haudenosaunee, meaning “Longhouse People,” after the large wood and bark structures they built for their family clans to live in. They also built fortified wood walls surrounding the longhouse villages.

Early French explorers used the name *Iroquois* for the Longhouse People. This was a hostile word from another tribe that meant “rattlesnake.” The Iroquois came to be known as the Five Nations: Mohawk, Oneida, Onondaga, Cayuga, and Seneca. Europeans mistakenly called the Native peoples in North America “Indians.”

MAPS OF IROQUOIS NATIONS c. 1650 AND c. 1720



Wikimedia Commons



The Iroquois had a matrilineal culture, meaning one's family would be traced through the mother's ancestry line, which involved the inheritance of property and titles. Iroquois women were in charge of growing crops and were the owners of the nations' common lands. There was no concept of individual ownership of land. Women also played a limited role in governing. The men hunted, fished, traded, and did all the final decision-making for the nation.

The Five Nations frequently fought one another and with other Native peoples over hunting grounds and trade routes. They also fought for wartime glory and revenge.

The Founding of the Iroquois Confederacy

Peace among the Iroquois Five Nations largely came from the efforts of a man from the Huron tribe. Known as the "the Peacemaker," Dekanawida had a message of peace for the nations of the Great Lakes area.

He struggled to spread his message but found success when he teamed up with an Onondaga chief named Hiawatha, who also believed in peace among the Five Nations. Together, they traveled among the Five Nations and persuaded them to stop fighting among themselves. They also persuaded them to form a *confederacy*, which is a group of people or countries joined together for a common purpose.

The resulting Iroquois Confederacy, sometimes called the Iroquois League, and its Great Law of Peace has lasted hundreds of years. The exact date of its founding has always been uncertain, but the time period is estimated before 1500 and before Europeans arrived in North America.

The Great Law of Peace

The clan chiefs of the Five Nations met at Hiawatha's Onondaga main settlement that became the capital of the Confederacy. There, under the Tree of Great Long Leaves,

they pledged peace among themselves and literally "buried the hatchet." They then agreed on a constitution. "I am Dekanawida," the constitution begins, and it was the Peacemaker who guided the negotiations for it, which was called the Great Law of Peace (sometimes the Great Binding Law). It includes over one hundred articles.

The Great Law of Peace centers around the Council (also called the Great or Grand Council). It includes most of the powers and procedures for governing the Iroquois Confederacy. The Council is ruled by consensus (no opposition voiced) and is the decision and lawmaking body for the Confederacy. Women had a significant role in the government but could not be Council members. The Great Law of Peace had no Confederacy president, independent courts, or a separate Bill of Rights, but it did have War Chiefs.

The Iroquois had no written language at the time of the Confederacy's founding. The Great Law of Peace was passed on over generations orally until it was published in English in the 1800s. To aid in the oral tradition of the Great Law, the Iroquois used wampum belts made of seashell beads. The belts were badges of authority and were used to record history and as money. Symbols on special Confederacy belts were memory prompts to help the Iroquois recall the contents of the Great Law of Peace.

The Great Law of Peace only stopped the fighting among the Five Nations. It did not stop fighting against nations outside the Confederacy. During the 1600s, the Confederacy fought in a series of violent conflicts with French fur traders and their Native allies for land where beavers — and valuable beaver pelts — were plentiful.

In 1722, the Tuscarora people, a related Iroquois nation from present-day South Carolina and Virginia, joined the Confederacy, making it the Six Nations.



EXCERPTS FROM THE GREAT LAW OF PEACE

The following excerpts from the Great Law of Peace are numbered articles as they appear in the transcribed version of the law, also known in English as the Great Peace or the Great Binding Law.

The Great Law mentions Dekanawida, the legendary leader credited with founding the Iroquois Confederacy. The Great Law is written in first person from Dekanawida's point of view.

The Great Binding Law

1. I am Dekanawida, and with the Five Nations' Confederate Lords I plant the Tree of Great Peace. . . .
14. When the Council of the Five Nation Lords shall convene they shall appoint a speaker for the day. He shall be a Lord of either the Mohawk, Onondaga or Seneca Nation.

Rights, Duties, and Qualifications of Lords

18. If any Confederate Lord neglects or refuses to attend the Confederate Council, the other Lords of the Nation of which he is a member shall require their War Chief to request the female sponsors of the Lord . . . to demand his attendance of the Council. If he refuses, the women holding the title shall immediately select another candidate for the title.

Election of Pine Tree Chiefs

35. Should any man of the Nation assist with special ability or show great interest in the affairs of the Nation, if he proves himself wise, honest, and worthy of confidence, the Confederate Lords may elect him to a seat with them and he may sit in the Confederate Council. He shall be proclaimed a "Pine Tree sprung up for the Nation" and shall be installed as such at the next assembly for the installation of Lords. Should he ever do anything contrary to the rules of the Great Peace, he may not be deposed from office — no one shall cut him down — but thereafter everyone shall be deaf to his voice and his advice. . . .

Names, Duties, and Rights of War Chiefs

37. There shall be one War Chief for each Nation and their duties shall be to carry messages for their Lords and to take up the arms of war in case of emergency. . . .
39. If a War Chief acts contrary to instructions or against the provisions of the Laws of the Great Peace, doing so in the capacity of his office, he shall be deposed by his women relatives and by his men relatives. Either the women or the men alone or jointly may act in such a case. The women title holders shall then choose another candidate.

Rights of Foreign Nations

73. The soil of the earth from one end of the land to the other is the property of the people who inhabit it. . . . The Great Creator has made us of the one blood and of the same soil he made us and . . . only different tongues [languages] constitute different nations

Rights and Powers of War

83. When peace shall have been established by the termination of the war against a foreign nation, then the War Chief shall cause all the weapons of war to be taken from the nation. Then shall the Great Peace be established and that nation shall observe all the rules of the Great Peace for all time to come
84. Whenever a foreign nation is conquered or has by their own will accepted the Great Peace their own system of internal government may continue, but they must cease all warfare against other nations.

Religious Ceremonies Protected

99. The rites and festivals of each nation shall remain undisturbed and shall continue as before because they were given by the people of old times as useful and necessary for the good of men.
104. Whenever any man proves himself by his good life and his knowledge of good things, naturally fitted as a teacher of good things, he shall be recognized by the Lords as a teacher of peace and religion and the people shall hear him.

Protection of the House

107. A certain sign shall be known to all the people of the Five Nations which shall denote that the owner or occupant of a house is absent. A stick or pole in a slanting or leaning position shall indicate this and be the sign. Every person not entitled to enter the house by right of living within it upon seeing such a sign shall not approach the house either by day or by night but shall keep as far away as his business will permit.

Source: Constitution of the Iroquois Nations. The Great Binding Law, Gayanashagowa, <https://cscie12.dce.harvard.edu/ssi/iroquois/simple/1.shtml>.





David C. Lithgow / New York State Museum

Detail from a thematic mural showing the Albany Congress of 1754, created for the 1939 New York World's Fair.

The Covenant Chain

The Covenant Chain was a series of treaty negotiations and meetings between the Iroquois Confederacy and northern English colonies. Following a brutal war in New England between Puritan colonists and the Iroquois, the first treaty in the Covenant Chain was established in 1677. The Iroquois became key allies of the English in their rivalry with the French.

The “chain” in the Covenant Chain was a metaphor for a strong, lasting bond between the Iroquois and the English. The three links of the silver chain represented the principles of “Peace, Friendship, and Respect.” From the 1677 treaty through the 18th century, the two sides met to “polish” the chain from time to time and reaffirm their commitment to its three principles.

The Covenant Chain brought peace and cooperation between the Iroquois and English colonists. Through it, the Iroquois Confederacy served as a buffer between the English colonies and French settlers moving into the Ohio Valley. The Covenant Chain also organized trade and enabled negotiations for colonial settlement of Iroquois land.

One of the most significant Covenant Chain treaty negotiations took place in 1744 in Lancaster, Pennsylvania. The Confederacy, now Six Nations, and three English colonies met to discuss the sale of Iroquois land and defense against French advances into the Ohio Valley. At the end of the conference, the famous Onondaga chief and orator, Canassatego, recommended the colonies join in a confederacy like that of the Iroquois to defend against the French.

“We are a powerful Confederacy,” Canassatego said, “and by your observing the same methods our wise forefathers have taken, you will acquire fresh strength and power.”

Benjamin Franklin was present at this negotiation. He printed the treaty and Canassatego’s words.

Ten years later, the French were building a fort in what is now Pittsburgh, Pennsylvania. This prompted the Iroquois and representatives of all the American colonies to meet at Albany, New York. At the meeting, Franklin led negotiations for the colonies to have a plan of union that was like the Iroquois Confederacy:

- a loose union for colonies’ independence but still under the King
- a president-general appointed by the King
- colonies would keep their constitutions
- consensus for most laws like raising taxes
- a one-house legislature with 48 representatives that varied by the size of the colony

The colonial delegates debated the Albany Plan of Union for two weeks and finally approved it for its importance in defense.

But the colonial legislatures were not ready to give up any power and rejected the plan. King George II also rejected the plan as too democratic.

Meanwhile, the French and Indian War erupted in North America, part of a larger war between England and France. Most of the Iroquois Confederacy fought with the British against France and its Native tribal allies. In 1763, France was defeated and expelled from Canada and the rest of North America except for the Louisiana Territory. Without a French presence in North America, the Iroquois no longer served as a buffer between Great Britain and France. The surging colonial population put pressure on the Iroquois to give up more land as their own population declined.

When the American Revolution began in 1776, the Six Nations divided. The Mohawk, Onondaga, Cayuga, and Seneca stayed loyal to the British, but the Oneida and

Tuscarora sided with the American Patriots. The Covenant Chain was broken and the Confederacy was suspended.

The Iroquois and U. S. Constitution

Did the Iroquois Confederacy's Great Law of Peace influence the writing of the U.S. Constitution? Historians debate this question today.

The Founding Fathers at the Constitutional Convention in 1787 abandoned the Articles of Confederation that governed the United States during the Revolution. Under the Articles, there was no president or national leader to enforce laws. The national government couldn't collect taxes. And changing the Articles required all 13 states to agree, which was nearly impossible. The U.S. Constitution was designed to solve these and other problems with the Articles for the new, independent government.

Some historians from the 19th to the 21st centuries have said that U.S. independence from Great Britain and the U.S. Constitution were modeled on the Iroquois Confederacy's governance. They have claimed that Canassatego inspired Benjamin Franklin and Thomas Jefferson to campaign for the American colonies' independence from Great Britain.

These historians have also claimed the delegates to the Constitutional Convention in 1787 borrowed the ideas of separation of powers and individual liberty from the Great Law of Peace. Based on these claims, the U.S. Congress issued a resolution in 1988 stating that the Iroquois Confederacy influenced the Articles of Confederation and the "democratic principles" of the U.S. Constitution. One historian in the 1990s wrote, "The Indians invented [the 'federal' system of government]."

But other historians today argue that there is no historical record showing direct influence of the Iroquois Confederacy on American independence or the Constitution. Benjamin Franklin was probably the Founding Father most familiar and appreciative of the

Great Law of Peace, but he never stated that it influenced the Albany Plan of Union.

John Adams wrote a defense of American constitutional government that was shared with delegates at the Constitutional Convention in 1787. In it, he wrote, "To collect the legislation of the Indians . . . would be well worth the pains." But the delegates to the Constitutional Convention, including Franklin himself, said nothing about the Iroquois Confederacy in their debates.

The delegates to the Constitutional Convention were, however, aware of democracy in ancient Greece, the Roman Republic, and the English Commonwealth that abolished the English monarchy for a while. They did mention these historical models of government, as well as European political philosophers like John Locke, in their constitutional debates.

Perhaps there was a silent influence of the Iroquois Confederacy on the Founding Fathers, as some historians claim. But without a record of its influence, we cannot be certain about whether the Iroquois' Great Law of Peace influenced the U.S. Constitution. We can be certain, however, that it was a form of representative governance indigenous to the New World.

Writing & Discussion

1. Was the Iroquois Confederacy a democracy? Why or why not? If not, how would you describe it?
2. Why do you think the confederacy idea worked for the Iroquois but not for the Americans?
3. How did the Covenant Chain benefit both the Iroquois and the English colonists?

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ACTIVITY: IROQUOIS DEMOCRATIC PRINCIPLES

In this activity, students work in small groups to identify democratic principles at work in the Great Law of Peace.

Form small groups. In each group, work together to identify at least one example from the *Excerpts From the Great Law of Peace* (see sidebar) that illustrates each of at least four of the following democratic principles:

- rule of law
- checks and balances
- federal division of power between central and regional governments
- representative government
- lawmaking
- individual rights
- qualifications for representatives
- veto power

The class will then discuss these questions:

1. What democratic principle in the Great Law of Peace do you think was the best? Why?
2. What differences do you notice between the Great Law of Peace and the U.S. Constitution?



Virtue and Terror in France's First Republic



King Louis XVI of France prepares to mount the scaffold where he will be executed in 1793.

On January 21, 1793, the French king, Louis XVI, arrived at the large square in Paris that is today called the Place de la Concorde. On this day, Louis was there as a criminal, not a king. Convicted of treason during France's raging revolution, he was to be executed.

Awaiting Louis in the Place de la Concorde was the guillotine. This new execution device consisted of a heavy metal blade suspended in the air between two tall wooden beams. When released, the heavy blade would fall upon the victim lying face down, with their neck between the beams. The blade would sever their head in an instant, dropping it into a basket.

Around 10:00 a.m. on this day, the blade fell upon Louis. The executioner picked up the king's head and held it up for the vast audience to see. As the blood flowed from Louis's neck, the audience cheered and danced.

Over a span of two years, many thousands faced the same fate as Louis. This period of the French Revolution was called the Reign of Terror. It was, without a doubt, horrifically brutal. But it was also astonishingly

progressive, introducing social reforms that were far ahead of their time.

From Moderate to Radical

By 1793, the French Revolution was already four years old. It began in the spring of 1789. France had been defined by its absolute monarchy and its profoundly unequal society. In the first few years of the Revolution, steady reforms — such as the creation of a constitutional monarchy and the end of feudal inequality — accompanied sporadic outbreaks of violence. Revolutionaries formed a new legislature called the National Assembly. This phase is often called the “moderate phase” of the French Revolution.

By late 1792, however, these accomplishments were vulnerable to challenges. Some regions of France opposed the Revolution, viewing it as already too radical. France's neighbors were invading in an effort to completely reverse the Revolution. The king and queen even tried to escape the country.

It was in this context, as the Revolution teetered on edge, that France's elected assembly abolished the French

monarchy, declared a republic, and executed Louis. The moderate phase of the Revolution was over. Under the new government, the First Republic, the radical phase of the Revolution was under way.

Within months, the republic became a fundamental contradiction: a democratic dictatorship. The leaders were elected by popular vote, but once in power, the dominant Jacobin party controlled all. By the spring of 1793, as the threats to France escalated, the Jacobins consolidated power in an all-powerful group of twelve representatives, called the Committee of Public Safety. The Jacobins used this power to shockingly progressive and shockingly harsh ends.

No man better reflects the contradictions of the First Republic than the de facto leader of the Jacobin party and the main leader of the Committee of Public Safety, Maximilien Robespierre. Robespierre was an unlikely leader. He was a small-town lawyer, just 34 years old and 5 feet 3 inches tall. But he encapsulated the complicated mindset of the republic in a speech in February of 1794:

The springs of popular government in revolution are at once virtue and terror: virtue, without which terror is fatal; terror, without which virtue is powerless... Subdue by terror the enemies of liberty, and you will be right...

“Indulgence for the royalists,” cry certain men, “mercy for the villains!” No! mercy for the innocent, mercy for the weak, mercy for the unfortunate, mercy for humanity... Society owes protection only to peaceable citizens; the only citizens in the Republic are the republicans. For it, the royalists, the conspirators are only strangers or, rather, enemies.

Indeed, the First Republic period featured a complicated mixture of virtue and terror.

Virtue

Maximilien Robespierre was not, by nature, a bloodthirsty man. He was obsessed with the Enlightenment

philosophy of the 1700s, which celebrated natural rights and freedoms, equality, and government of the people. Before the French Revolution, he was even in favor of abolishing the death penalty. These concepts comprised the “virtue” that he and the Jacobins aimed to impose upon France.

The First Republic made dramatic strides toward achieving these goals. In 1792, France became the first state in the history of the world to allow all men to vote, regardless of their wealth. The famous ancient Athenian democracy, the ancient Roman Republic, and the medieval Italian republics all had enforced substantial class restrictions on the right to vote.

The French elections in this period suffered from low voter turnout. But their universal male voting rights came long before the United States, which would not match this achievement until 1828 for white men and 1965 for black men. And the United Kingdom would not remove wealth restrictions on voting until 1918.

Even more radically, France became the first empire in history to abolish slavery. Slavery had been a constant feature of human societies around the world since ancient times. France’s valuable colonies in the Caribbean relied on African slavery to generate huge profits. But a slave revolt in the French colony in Haiti, as well as the Jacobin beliefs in freedom and equality, led the republic to ban slavery in February of 1794. The United Kingdom did not end slavery in its empire until 1833, and the United States did not follow suit until 1865.

Finally, the First Republic attempted to institute the first major social welfare programs in the world. With the Law of the Maximum in 1793, the government set limits on prices for basic goods in the hopes of alleviating the heavy cost of living for the poor. Furthermore, the government declared their plans to take the wealth of emigrated nobles and redistribute it to the poor.

Granted, these welfare reforms made little impact. They proved impossible to enforce. The Law of the

WHO WERE THE JACOBINS?

The Jacobin Club was a group of government deputies and other citizens who wanted to limit the power of the monarchy under the new revolutionary government. They got their name from the Monastery of the Jacobins where a group of National Assembly members as well as sympathetic nobles and clergy initially met in 1789. At first, the Jacobin Club met to discuss ways to involve more middle-class citizens in decision-making. Within just a few years, however, the club became the most powerful group within the National Assembly entirely opposed to the monarchy.





The French National Assembly in 1792.

Maximum led to food shortages across the country. Farmers ceased food production when the limits on prices could not compensate the farmers for their goods or labor. But these programs previewed other countries' efforts to prioritize the poor in the late 1800s. In the United States and United Kingdom, substantial welfare for poor people would not appear until the Great Depression of the 1930s.

The progressive achievements proved to be short-lived. One by one, they were reversed after the Reign of Terror ended. Voting rights were scaled back, slavery was reinstated, and wealth redistribution to the poor was abandoned. Nonetheless, these reforms during the First Republic were the first of their kind in the world. In some cases, they were more than a century ahead of their time.

Terror

To the Jacobins, terror was not a contradiction of their virtue, but a necessary tool to enforce it. By their logic, everyone who supported the republic could enjoy its virtues without fear. Anyone who opposed the republic was, in effect, opting out of their rights as citizens. By opposing the republic, these opponents were threatening the very survival of the precious virtues that the Jacobins planned to implement. For inhibiting this progress, the only punishment was terror.

The most memorable form of terror during the Reign of Terror was the guillotine. From the birth of the First Republic to the end of the Reign of Terror, at least 15,000

people died by the guillotine. There were guillotines in cities all over France, but the bulk of the executions were in Paris. By the summer of 1794, an average of 200 people met the guillotine in Paris every week.

Outside Paris, leaders devised other methods of terror. In Nantes, the Jacobin officials organized mass drownings of suspected rebels. Jacobins tied victims to heavy rocks and cast them overboard in the middle of the local river, or locked victims inside sinking barges. Perhaps 4,000 people died in these mass drownings.

In Lyon, Jacobin leaders felt that the guillotine was too slow to execute the prisoners from another rebellion. Instead, the leaders tied the prisoners together, sixty at a time. Then, they placed the prisoners at point-blank range in front of a cannon and fired. Hundreds died in these mass shootings.

Clearly, the Jacobin leaders did not value a fair legal process. In 1793, the government passed the Law of Suspects, which ordered the arrest of all suspected enemies of the Revolution. The Revolutionary Tribunal, which acted as a court, could imprison people indefinitely based on a single accusation of disloyalty, without any actual criminal charge. Around 500,000 people went to prison under the Law of Suspects, each fearing that they might be the next victim of the guillotine.

Finally, suspects did not even receive legitimate trials. Defendants were considered guilty until proven innocent.

Proving innocence was extremely difficult, however, because the Law of Prairial of 1794 eliminated evidence and witnesses from trials. Defendants simply had to try to convince the Jacobin court of their innocence. The only possible outcomes were acquittal or execution. In the summer of 1794, 80% of defendants were sent to the guillotine.

By this time, France was tired of the ever-escalating terror. The outside threats to the nation had subsided, leaving the Committee of Public Safety itself as the most significant danger. Fearing they might be the guillotine's next victims, some Jacobin leaders turned on Robespierre.

On July 27, these leaders denounced and arrested Robespierre. The next morning, Robespierre and 21 of his allies went to the guillotine, meeting the same fate to which they had sent so many others. Less than two years after the establishment of the First Republic, the Reign of Terror was over. Its reforms died with it.

A Polarized Society

In total, around 40,000 people were killed during the Reign of Terror, including 15,000 by guillotine and 25,000 by other means of execution, such as drownings and shootings. Five-hundred thousand others were imprisoned indefinitely as “suspects.”

But the Reign of Terror remains fascinating for its extreme contradictions. Alongside the arbitrary arrests, the suspension of rights for the accused, and the endless executions, the First Republic also granted universal male voting rights, abolished slavery, and attempted to institute welfare to alleviate poverty. These were all global firsts.

During the Reign of Terror, France was a polarized society. Most people were split between two strongly opposing political opinions (see sidebar on “Left and



The arrest of Robespierre on July 27, 1794.

Right”). Few were in the middle or what we might call the “political center” today. Many say that our own society is polarized in the 21st century.

In fact, how we remember this period today reveals how we view our own political culture. For example, was the First Republic right to harshly suppress opposition simply because their goals were worth it? Or was the First Republic wrong to treat their opponents so harshly, regardless of the value of their achievements?

LEFT AND RIGHT

Have you heard of the “left wing” and the “right wing” in politics? Our modern political terms of “left” and “right” began with France’s revolutionary National Assembly formed in 1789. The assembly elected its own president to organize the assembly’s debates.

One central question for the National Assembly was whether the king should have an absolute veto over the assembly’s decisions. The veto would represent the king’s traditional power at the top of the French hierarchy (a system where people are ranked by wealth or power). Those who believed the king should have an absolute veto sat on the president’s right. Those who opposed the absolute veto sat on the president’s left.

This seating arrangement defined the political terms to our present day. Those who identify with the Right tend to support tradition and hierarchy in society. Those who identify with the Left tend to support social change and challenging traditional hierarchies.



REIGN OF TERROR VICTIMS

Notable victims of the Reign of Terror included King Louis XVI, Queen Marie Antoinette (Louis's wife), Antoine Lavoisier (a scientist known as the "father of chemistry"), and Olympe de Gouges (a prominent women's rights activist).

Many other victims were politicians who fell afoul of the Jacobin leaders. Some were leaders of the republic who simply had policy disagreements with the Jacobins. Most victims of the Reign of Terror were regular people, including former nobles, Catholic priests, and unlucky commoners.

One of the unlucky Jacobin leaders was Camille Desmoulins, Maximilien Robespierre's childhood classmate and lifelong friend. Robespierre was the godfather of Desmoulins's child, but that didn't matter — he sent Desmoulins to the guillotine anyway.



To evaluate these questions, consider John Locke, a giant of the Enlightenment philosophy whom the Jacobin leaders admired. Locke argued that all humans are born equal, with natural rights to their life, their liberty, and their property. By treating their enemies differently than their allies, the Jacobin leaders ignored the value of equality. By imprisoning all perceived "suspects" and confiscating the property of certain former nobles, the Jacobin leaders violated these individuals' right to liberty and property. Finally, by executing so many thousands of people, often without legitimate trials, the Jacobin leaders disregarded their victims' right to life.

In the end, should France's First Republic be remembered for its terror rather than its virtue? The Jacobin leaders pursued virtue, rights, and equality, but they abandoned these concepts in dealing with their opponents.

Writing & Discussion

1. What progressive reforms did France's First Republic attempt to establish?
2. Why did France's First Republic arrest and execute so many of its own citizens?
3. In what ways did the government violate people's rights to a fair trial during the Reign of Terror?
4. How should we determine what rights a person has? Are people born with certain rights, or must rights be granted to people by laws that can change? Use an example from the article in your answer.

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ACTIVITY: FOR THE DEFENSE!

Each of the people listed below was a victim of the Reign of Terror. They were put on trial as enemies of the French Revolution, but they had no defense lawyers to represent them. In our alternative history, however, you have been appointed as a defense lawyer to represent one of the people on this list!

In a small group of no more than four, research one of the victims listed below. Some of these victims were executed, while others were merely imprisoned. After reading about the person's story, write a brief, informal argument to the Revolutionary Tribunal explaining why the person should not be executed and/or imprisoned.

In your argument, include as much specific evidence as possible in favor of your defendant. You may argue that the person was innocent of working against the virtues of the republic, or that they were guilty but deserve a penalty less than death.

Take turns presenting your group's argument to the rest of the class, who will act as the jury. After each presentation, the jury will discuss and then vote on each defendant's guilt or innocence.

Antoine Lavoisier	Camille Desmoulins	Charlotte Corday	Georges Danton
Josephine de Beauharnais	Louis XVI	Marie Antoinette	Olympe de Gouges
Philippe Egalite	Thomas Paine		

Assessment: Write your own defense argument of the person your group defended or someone else from the list.





Constantine: The First Christian Emperor of Rome

A statue of the Roman emperor Constantine in Milan, Italy.

Constantine was a military leader who spent most of his life far from Rome, but he became one of its most influential rulers and the first emperor to convert to Christianity. While he never made Christianity the official religion of Rome, he set the stage for it to happen and for the dominance of Christianity in medieval Europe.

Fragile Politics Before Constantine

Around 300 C.E., Rome was experimenting with a new way to organize and govern the empire. Emperor Diocletian had divided power among four regional leaders. Two senior emperors held the title of Augustus, and two junior leaders were known as Caesars. This Tetrarchy, or rule by four people, helped stabilize Rome. In the years before the Tetrarchy, invasions and breakaway provinces had troubled its frontiers. Epidemics, drought, and political assassinations had shaken its core.

Unfortunately, the stability brought by this four-way rule would not last. In the year 305, Diocletian made history again by stepping down from his role as one of the two senior emperors — the only emperor ever to give up the rule of Rome voluntarily. (Diocletian forced the other Augustus to resign at the same time.)

The Tetrarchy had rules for what was meant to happen next. The two Caesars were supposed to be promoted to the rank of Augustus and two successors would be designated as the new Caesars. But this orderly transition of leadership failed on its first attempt. Instead, a chaotic scramble for power involving many would-be emperors took place over the following 20 years.

One of the men seeking to rule was Constantine. He had spent nearly all his early life far from Rome. After he was passed over for one of the two Caesar positions, he joined his father, newly promoted to the rank of Augustus, and battled the Picts north of Hadrian's Wall, which today marks the border between England and Scotland. Constantine's father died not long after this reunion. Their army declared Constantine successor to his father, with the title of Augustus.

The Tetrarchy later granted him — and Constantine accepted — the lesser title of Caesar. Despite agreeing to this compromise, he would later consider his reign to have started on the day his army endorsed him. Many previous Roman emperors had been pronounced emperor by their armies. The fact that Constantine ultimately measured his rule from this date indicated a rejection of the rules of the Tetrarchy and a return to traditional methods of claiming power.

Christian Persecution under the Tetrarchy

Christianity was a minority religion, practiced by about one in ten Roman subjects, when Diocletian and the Tetrarchy tried to restrict its growing influence. A variety of religions were attracting followers during this time, but Christian leaders and believers received harsher treatment than most.

The motives for this persecution of Christians are uncertain. Diocletian had taken steps to revive traditional Roman religious practices, and sources show him growing increasingly irritated by Christians who resisted this





The Nelson-Atkins Museum of Art

This 17th century painting by Peter Paul Rubens depicts the final battle in 324 between Constantine, ruler of the western half of the Roman Empire, and Licinius, ruler of the eastern half.

program. One account tells of Diocletian becoming angry when a ritual sacrifice in a divination ceremony failed to reveal signs about the future. He blamed this failure on Christians in the room who had made the sign of the cross mid-ceremony. Afterwards, Diocletian purged the army and his palace staff of Christians who refused to sacrifice to the old Roman gods.

He also targeted church leaders and everyday people. Christians were forced to recant their beliefs and sacrifice to traditional gods and goddesses. Religious texts were confiscated and burned, and buildings were destroyed. Some complied with the demands, while others hid themselves or their faith, bribed officials, or outright refused. A few notable people, including at least one bishop, military veteran, and high-status mother, were executed for defiance.

Constantine's involvement in the early years of the persecution is unclear, but he was at the imperial court during the persecution of Christians. Some suspect he may have kept quiet to protect his political future. The crackdown was uneven across the empire. It was strongest in the East and less severe in the West, where Constantine's father, and later Constantine himself, had command.

Constantine's Rise and Vision

As a messy succession battle progressed, Constantine waited out much of the fighting in the modern-day city of Trier, Germany. He eventually led his army on a campaign to Rome to confront a key rival, Maxentius. The two armies would clash on the outskirts of Rome, near the Milvian bridge. At some point prior to this confrontation, Constantine and his army had adopted the Christian symbol of the Chi-Rho. The symbol, which looks like a P overlaid on an X, are the first two letters of "Christos" in the Greek alphabet.

Exactly when and why Constantine made the Chi-Rho his symbol is explained by several accounts that differ in the details. The future emperor either had a dream where he was told to mark this Christian symbol on his army's shields, or he saw a seemingly divine vision in the sky, or some combination of these two. In any case, his army was victorious in the Battle of Milvian Bridge, and Constantine would credit the Christian god for his success. He spent a brief period in Rome, where he refused to make a customary sacrifice to ancient gods.

While in Rome, he undertook a building campaign rich in symbolism of the new power he wielded. He built

on the ruins of his defeated rival's army headquarters, and completed large public buildings, Christian shrines and churches, and a triumphal arch celebrating his military victories. The arch has no Christian imagery and includes images devoted to Apollo, Diana, and Hercules. In what some historians see as a cautious embrace of Christianity, the shrines were mostly located on the outskirts of town.

Protection of Christians

Constantine now ruled the western half of the empire, and he officially ended persecution of Christians in the areas he controlled. He was also able to expand this policy of tolerance to the full empire in the year 313, with an agreement called the Edict of Milan. This new policy was worked out with a leader in the eastern half of the empire named Licinius, who would end up as Constantine's final rival to be sole emperor.

The conflict between Constantine and Licinius began in 316, with Constantine finally prevailing and taking control of the unified Roman Empire in 324. Their final battle took place in the city of Byzantium, where Constantine flew the Chi-Rho symbol while Licinius displayed icons of the old Roman gods.

Constantine became more openly supportive of Christianity in the years following his victory. He banned sacrifices at pagan temples, confiscated their treasuries, and shifted government support from maintaining those temples to building Christian churches. He increased state support for the poor, and empowered bishops to distribute these funds.

Centralizing the Church

Christianity influenced Constantine's life, but the first Christian emperor also influenced the religion in many ways. He made small decisions, such as picking Sunday to be the day of rest. He granted increased powers to bishops. He also convened one of the most far-reaching meetings of church leaders of all time.

Christianity, now a few centuries old, was far from a unified religion, and did not have the powerful centralized structure it would later attain. Practices varied widely based on the teachings of local bishops. Constantine, who had united the empire of Rome under a single ruler, also took steps to unite Christianity under one doctrine. In 325 C.E., he summoned some 250 bishops to Nicaea, in modern-day Turkey. He instructed them to spell out in detail the correct beliefs, or orthodoxy, that Christians should follow.



Artemis Fine Arts (used with permission)

This Byzantine silver ring from the 6th to 7th century CE shows the Chi-Rho symbol. According to ancient historians, Constantine had this symbol painted on his soldiers' shields so that they would win the Battle of the Milvian Bridge in 312.

The most controversial theological issue they addressed was the divinity of Jesus. One group taught that Jesus was created by God and was therefore a somewhat less divine being. Most viewed Jesus and God as equally divine. This latter belief was endorsed by the majority of the leaders at Nicaea and became the official doctrine.

The Council of Nicaea produced the Nicene Creed, an approved statement of the beliefs of the Christian faith. It also specified certain beliefs as excluded and heretical. While the words of the Creed have been edited in important ways by later councils, a version of this profession of faith is still spoken by Christians some 1700 years later.

Power Moves East

This momentous meeting did not take place in Rome, but in Nicaea, in the eastern half of the empire. Constantine, who had spent just a fraction of his life in Rome, would take other important steps to shift power to the East. He ruled from Byzantium, which he renamed Constantinople (modern-day Istanbul), after himself. The city, at a strategic spot between the Mediterranean and Black Seas and at the edge of Europe and Asia, would be his eastern capital and a "second Rome." Christianity, the increasingly favored religion of the empire, was an important part of this new city, but Constantine also kept space for other religious traditions.

Constantine built many Christian churches at locations that remain incredibly influential to this day. In Constantinople, he built a church at the site of today's Hagia Sophia. He sent his mother, Helena, on a church-building mission to Jerusalem and other parts of a region he would rebrand as the Christian Holy Land. The most important of the projects was the Church of the Holy Sepulchre, believed to mark the location where Jesus was resurrected. The focus on this part of the empire would



inspire pilgrimages, as well as the Crusades, and it would add a potent layer to conflicts in the region.

In Rome, his Christian churches were mostly situated far from the city center, perhaps in acknowledgment of pagan attitudes that were still strong in the capital. Even the first and largest Christian church building in Rome was nondescript on the outside. One of the churches he built on the edge of Rome was in the area that now houses the Vatican.

The Starting Point of Medieval Europe

When Constantine died, he was buried in a church in Constantinople dedicated to the Apostles, the first twelve disciples of Christ. Constantine was interred as the 13th Apostle. He was baptized a few weeks before his death. Some suggest that this timing as a sign that he was not fully committed to Christianity during his reign. Others point out that it was not unusual in this historical period for Christians to be baptized near death, since they believed it purified the soul of sins throughout life.

Constantine dramatically improved the standing of Christianity, but he never made it the official religion of Rome. That would happen decades later, under Emperor Theodosius I. Theodosius not only made it the official religion but also used state power and laws to define what a heretic was.

About 80 years after Constantine's death, the Roman empire would split in two, a fate perhaps only possible thanks to the existence of a new capital in the East. The Eastern half would continue to be ruled by an emperor who was also the leader of the church. In the West, civil rule was almost completely undermined by plundering invaders. What became the Catholic Church would fill the gap, providing stability and structure. Throughout the medieval period in Europe, monarchs and other rulers would have a complicated relationship with the Catholic Church.

Writing & Discussion

1. How did the status of Christianity change during the time of Constantine?
2. In what ways did Christianity influence Constantine, and in what ways did Constantine influence Christianity?
3. How does a government or a society show its priorities through what it builds and where it builds them? Find at least two examples from Constantine's reign to answer this question.

Author: Brad Scriber is freelance writer and researcher who spent 19 years as an editorial researcher at National Geographic.

ROLE-PLAY ACTIVITY: POLITICAL CONVERSION . . . OR NOT?

There is a debate among historians over whether Constantine's conversion to Christianity was sincere or merely politically useful. Evidence provides a variety of possibilities. One of the most important biographies of Constantine was written by a Christian who might have had reason to overemphasize his faith. Constantine promoted the religion but left room for other religions to practice. He wasn't baptized until close to his death. He built Christian churches in many places but kept them out of the city center in Rome. Before a pivotal battle, he adopted the Christian symbol of the Chi-Rho, but he included tribute to traditional Roman gods on his victory arch.

You are a tour guide at the British Museum showing a group this coin. The coin shows Constantine, who is known as the first Christian emperor, as the companion of Sol Invictus, a traditional Roman sun god, also considered the god of military victory. Someone in the group asks you if you think Constantine should be considered a Christian emperor. Respond to this question. In your reply, include at least two aspects of Constantine's biography and two of his actions as emperor.



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fyi CIVICS: Executive Orders

White House Photo

Have you ever made a “to-do list”? Presidents have “to-do lists” for their terms in office. Each president signs their name to tasks they want their government to accomplish. They don’t call these tasks “to-do lists,” though. They call them *executive orders*.

An executive order is an instruction to the executive branch of government. It is a written statement, signed by the president, in which the president gives tasks to some part or parts of the executive branch. The president might tell a federal agency to do something or not to do something. And if that federal agency is under the power of the executive branch, it would have to obey the order.

While an executive order is not a law like Congress would make, an executive order can have the *force of law*. That means that until the president or a future president ends the executive order, or until someone successfully challenges an order in federal court, the executive branch must obey the order.

If challenged in court, the U.S. Supreme Court can declare an executive order unconstitutional. If so, the government can no longer follow the order. This happens if the order violates some part of the Constitution, like the 14th Amendment’s guarantee of due process of law or equal protection of the laws.

An executive order can also be challenged if it goes beyond the authority of the president. For example, if only Congress or the judicial branch has the power to do what the president has tried to do, then the order is unconstitutional.

Why Do Presidents Use Executive Orders?

There are many reasons. Passing a law in Congress can take many years. With elections every two years in the House of Representatives, Congress can change quickly. Some years there are more Democrats. Other years there are more Republicans. And for most bills, a majority of the 435 members of the House of Representatives, or 218 members, must be persuaded to vote “yes” to pass the bills. And then there’s the Senate with 100 members, where many bills must pass with two-thirds’ vote. That’s 66 votes!

Issuing an executive order, however, can be done quickly. The president does not need Congress’s approval. The ease of issuing an order can be very helpful in times of national emergency, like a hurricane or earthquake. Relief and aid from the federal government can get to people faster with an executive order than with gathering Congress together for a possible majority vote.

New presidents usually have an agenda, or a set of broad policy goals they want to accomplish during their presidency. Once elected, they may issue a list of executive orders. Often, however, an executive order lasts only as long as the term of the president issuing it because the next president may choose to rescind (or undo) the order and issue new or different orders.

REMEMBER:

Executive orders apply to the executive branch of the federal government, not to ordinary people. However, they can have effects on people’s lives, as you’ll see from historic examples.



EXECUTIVE ORDERS BY PRESIDENT, AVERAGE PER YEARS IN OFFICE

President	Executive Orders	Average Per Year	Years in Office
Franklin D. Roosevelt	3721	307.0	12.1
Woodrow Wilson	1803	225.0	8.0
Calvin Coolidge	1203	215.0	5.6
Theodore Roosevelt	1081	145.0	7.5
Herbert Hoover	1003	251.0	4.0
Harry S. Truman	907	117.0	7.8
William Howard Taft	724	181.0	4.0
Warren G. Harding	522	217.0	2.4
Dwight D. Eisenhower	484	61.0	8.0
Ronald Reagan	381	48.0	8.0
William J. Clinton	364	46.0	8.0
Richard Nixon	346	62.0	5.6
Lyndon B. Johnson	325	63.0	5.2
Jimmy Carter	320	80.0	4.0
George W. Bush	291	36.0	8.0
Barack Obama	276	35.0	8.0
Donald J. Trump (1st Term)	220	55.0	4.0
Ulysses S. Grant	217	27.0	8.0
John F. Kennedy	214	75.0	2.8
William McKinley	185	41.0	4.5
Gerald R. Ford	169	69.0	2.5
George Bush	166	42.0	4.0
Joseph R. Biden	162	41.0	4.0
Benjamin Harrison	143	36.0	4.0
Grover Cleveland (2nd Term)	140	35.0	4.0
Grover Cleveland (1st Term)	113	28.0	4.0
Chester Arthur	96	28.0	3.5
Rutherford B. Hayes	92	23.0	4.0
Andrew Johnson	79	20.0	3.9
Donald J. Trump (2nd Term)	73	*	*
Abraham Lincoln	48	12.0	4.1
Franklin Pierce	35	9.0	4.0
James K. Polk	18	4.5	4.0
John Tyler	17	4.3	3.9
James Buchanan	16	4.0	4.0
Andrew Jackson	12	1.5	8.0
Millard Fillmore	12	4.5	2.7
Martin Van Buren	10	2.5	4.0
George Washington	8	1.0	7.9
James Garfield	6	11.0	0.6
Zachary Taylor	5	3.7	1.4
Thomas Jefferson	4	0.5	8.0
John Quincy Adams	3	0.8	4.0
John Adams	1	0.3	4.0
James Madison	1	0.1	8.0
James Monroe	1	0.1	8.0
William Henry Harrison	0	0.0	0.1

* Average for Trump's second term not computed because the large number of orders issued in January and February 2025 would produce an abnormal average.

Historic Executive Orders

During the American Civil War, President Abraham Lincoln issued an executive order called the Emancipation Proclamation in 1863. In it, Lincoln ordered that all enslaved people in Confederate territory taken over by Union troops "are, and henceforward shall be free." It was a *proclamation*, which is a special kind of executive order in which the president announces a new government policy.

In the 20th century, President Franklin Delano Roosevelt used many executive orders. With these orders, Roosevelt created the Works Progress Administration and other agencies as part of the New Deal to help people during the Great Depression. He also issued the infamous Executive Order 9066, which mandated the imprisonment of people of Japanese descent — without trial — in internment camps during World War II.

Roosevelt's successor, Harry Truman, issued an executive order to desegregate the U.S. military in 1948. No longer would any soldiers be segregated based on race — 16 years before the Civil Rights Act of 1964. Again, an executive order can speed things up when it takes years for Congress to act or when there is disagreement in Congress.

President Barack Obama issued an executive order in 2012 that allowed undocumented minors brought to the United States to apply for permanent residency and, eventually, citizenship. The order created the Deferred Action for Childhood Arrivals (DACA) program, which was challenged in federal court. In 2020, the U.S. Supreme Court held that President Donald Trump's attempt to end the program was not lawful.

In January 2025, a federal appeals court held that the federal government had overstepped its authority in creating DACA. Current participants may still benefit from the program, for now. But a re-elected Donald Trump has indicated he might try to end DACA again in his second term through an executive order.

Writing & Discussion

1. What are the main differences between a law and an executive order?
2. If you were president, what is one executive order you would issue? Why? What challenges might be brought against that executive order?

Author: Damon Huss is the director of publications for Teach Democracy.



Standards Addressed

The Iroquois Confederacy and the Great Law of Peace

Common Core State Standards: SL.11-12.1, SL.11-12.3, RH.11-12.1, RH.11-12.2, RH.11-12.10, WHST.11-12.10.

C3 Framework Indicators: D2.His.1.9-12. Evaluate how historical events and developments were shaped by unique circumstances of time and place as well as broader historical contexts. D2.His.3.9-12. Use questions generated about individuals and groups to assess how the significance of their actions changes over time and is shaped by the historical context.

California History-Social Science Standards: 8.1 – Students understand the major events preceding the founding of the nation and relate their significance to the development of American constitutional democracy. 8.2 – Students analyze the political principles underlying the U. S. Constitution. . . . 11.1 – Students analyze the significant events in the founding of the nation. . . .

12.1 – Students explain the fundamental principles and moral values of American democracy as expressed in the U. S. Constitution and other essential documents of American democracy.

Virtue and Terror in France's First Republic

Common Core State Standards: RH.9-10.1, RH.9-10.2.

C3 Framework Indicators: D2.His.4.9-12. Evaluate how historical events and developments were shaped by unique circumstances of time and place as well as broader historical contexts.

California History-Social Science Standards: 10.2 – Students compare and contrast the Glorious Revolution of England, the American Revolution, and the French Revolution and their enduring effects worldwide on the political expectations for self-government and individual liberty. 10.2.4 – Explain how the ideology of the French Revolution led France to develop from constitutional monarchy to democratic despotism to the Napoleonic Empire.

Constantine: The First Christian Emperor of Rome

Common Core State Standards: RH.6-8.4, RH.6-8.10; RL.8.10; WHST.6-8.10, SL.11-12.1, SL.11-12.3, RH.11-12.1, RH.11-12.2, RH.11-12.10, WHST.11-12.10.

C3 Framework Indicators: D2.His.3.6-8. Use questions generated about individuals and groups to analyze why they, and the developments they shaped, are seen as historically significant. D2.His.15.6-8. Evaluate the relative influence of various causes of events and developments in the past. D2.Rel.3.9-12. Describe and analyze examples of how religions evolve and change over time in response to differing social, historical, and political contexts.

California History-Social Science Standards: 7.1 – Students analyze the causes and effects of the vast expansion and ultimate disintegration of the Roman

Empire. 7.1.3. Describe the establishment by Constantine of the new capital in Constantinople and the development of the Byzantine Empire, with an emphasis on the consequences of the development of two distinct European civilizations, Eastern Orthodox and Roman Catholic, and their two distinct views on church-state relations.

California History-Social Science Framework: Ch. 11, pp. 189-190 (Grade Seven): The teacher focuses on the following questions: **How did the religion of Christianity develop and change over time? How did Christianity spread through the empire and to other cultures?** . . .

In the fourth century CE, Emperor Constantine legalized the religion of Christianity, and soon after, it became Rome's state religion. Constantine wanted the Christian Church to unify and support the now divided Roman Empire. As it became a state religion, Christianity changed. The bishops who had been leaders of semisecret, persecuted communities were now charged with supporting the Roman Empire. Constantine insisted that the bishops hold a council at Nicaea and agree on one set of Christian beliefs, summarized in the Nicene Creed. Church leaders selected certain texts (gospels and letters) for the official Christian Bible, which was translated into Latin. They organized the Christian Church with a Roman structure and gave their support to Roman authorities. Church leaders then vigorously tried to convert everyone to Christianity. As the Western Roman Empire shrank, Christian bishops often took over the administration and defense of Roman cities.

FYI Civics: Executive Orders

Common Core State Standards: SL.11-12.1, SL.11-12.3, RH.11-12.10, WHST.11-12.10.

California History-Social Science Standards: 12.7 – Students analyze and compare the powers and procedures of the national, state, tribal, and local governments. 12.7.5 – Explain how public policy is formed, including the setting of the public agenda and implementation of it through regulations and executive orders.

C3 Framework Indicators: D2.Civ.4.9-12. Explain how the U.S. Constitution establishes a system of government that has powers, responsibilities, and limits that have changed over time and that are still contested. D2.Civ.13.9-12. Evaluate public policies in terms of intended and unintended outcomes, and related consequences.

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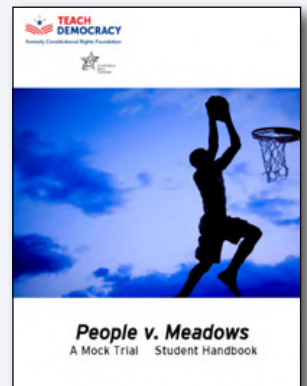
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