



KAYANERENKÓ:WA
THE GREAT LAW OF PEACE

Kayanesenh Paul Williams

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About Names

To name something or someone is an act of power. In Genesis, God gave Adam authority to name the animals. The naming confirmed dominion over them. European explorers all over the world renamed places, mountains, and waters after their own people, eclipsing original names and the peoples who gave them. The people who provided the information and inspiration for this book often had several names in the course of their lifetimes. For the Haudenosaunee, people's personal names have coexisted with their European names for more than three centuries. Today, it is common to refer to "real names" and "English names," using the former for some purposes and the latter for others.

To use only English names would disrespect people's identities. To use only their Haudenosaunee names would lead to confusion when it came time to cite their publications or quote from historical accounts of their deeds and words.

My solution has been to adopt the approach taken by the Haudenosaunee Documentation Committee for Haudenosaunee citizenship documents: that is, to place a person's Haudenosaunee name as that person's first name. This is consistent with the concept of the name being *ón:kwe*, first or original. The first reference in this text to any individual would follow this rule: Joagquisho Oren Lyons, for example.

Where a person has only a Haudenosaunee name or only a European name, there is no issue: Tekanissorens and Woodrow Wilson stand as they are.

Where an individual becomes a *royá:ner*, a Confederacy chief, I deliberately use his title, which replaces his original name. Thus, Hai:wes became Deskahe Steven Jacobs. Using both the English name and the title helps to distinguish individuals and at the same time to acknowledge the continuity of titles: there have also been Deskahe Levi General, Deskahe Alexander General, and Deskahe Harvey Longboat. When referring to people who are no longer living, I have not used the traditional suffix *-ken* after their names. It would have been correct, but it would have meant further confusing those unfamiliar with Haudenosaunee customs.

I had considered distinguishing between people who had been born Haudenosaunee and people who had received names through adoption. Since the law does not distinguish between them, I will not do so either. Warraghyhagey William Johnson and Dayodekane Seth Newhouse are named in the same way.

Treating Haudenosaunee names as “first names” provides a solution to the issue of citations in footnotes. When an individual is mentioned for the first time, I use his or her full name. Subsequent references to the individual will use only the surname, unless it is necessary to distinguish between several individuals with the same surname.

It’s complicated. It’s important. It’s right. You’ll get used to it.

Ohe'n:ton Karihwatékwen: Words Before All Else

The enduring legal systems of the world are the result of people bringing their minds together to foster order and peace. For the People of the Longhouse, the Haudenosaunee, giving thanks is the first step towards law and the beginning of any meeting of the people.¹ Words of thanksgiving, Kanonhweratonhsera, are spoken at the opening (and closing) of every council, whether internal or with other people or nations. Viewed through the lens of Kanonhweratonhsera, the world is an orderly place: every part of the natural world has been given instructions and responsibilities, and each continues to fulfill those instructions as well as it can. This gratitude reminds us, too, that we humans are no more important than the other living parts of the world. Kanonhweratonhsera is not a recitation of a hierarchy. It is not a prayer. Giving thanks as people gathered together is the beginning of being of one mind. As they come together, our minds are “bundled together” into one: entitewahwe’non:ni ne onkwa’nikonikon:ra.² Kanonhweratonhsera reminds us that order is the natural and intentional condition of creation, and that being of one good mind is the ideal condition of the people.

The Great Power came from up in the sky, and now it is functioning,
 the Great Power that we accepted when we reached consensus.
 So now our house has become complete.
 Now, therefore, we shall give thanks, that is,
 we shall thank the Creator of the earth, that is,
 he who has planted all the kinds of weeds
 and all the varieties of shrubs
 and all the kinds of trees;
 and springs,
 flowing water, such as rivers
 and large bodies of water, such as lakes;
 and the sun that keeps moving by day,
 and by night the moon,
 and where the sky is, the stars, which no one is able to count;

1 In the 1862 Council at Cattaraugus, it is stated “when our forefathers finished the law they in the first place would return thanks.” Parker 1916, 145.

2 The nations of the Haudenosaunee are also brought together into one family in the same way.

moreover, the way it is on earth in relation to which
 no one is able to tell the extent to which it is to their benefit, that is,
 the people who he created and who will continue to live on earth.
 This, then, is the reason we thank him, the one with great power,
 the one who is the Creator,
 for that which will now move forward,
 the Good Message and the Power and the Peace; the Great Law.³

3 Skaniatariio John Arthur Gibson 1912, 294–96. Ohe’n:ton karihwatékwen has been translated as “the words that come before all else.” The term is currently applied by many Mohawks to the Opening, or Thanksgiving Address, which, indeed, is spoken before all other business. Horatio Hale ([1883] 1989) uses Ohe’n:ton karihwatékwen to describe the Three Bare Words spoken to visiting nations or delegations when they are met at the woods’ edge, before being allowed into the clearing surrounding the village. Those are also words spoken to the visitors before all others—words of comfort and condolence.

KAYANERENKÓ:WA
THE GREAT LAW OF PEACE

Introduction

Several centuries ago, a new kind of law was born in the northeast of North America, or Turtle Island.¹ The Great Law of Peace—*Kayanerenkó:wa*²—is a message of peace, power, and righteousness. The message was carried, at first, by one inspired messenger. With immense courage, patience, and authority, he took his message of peace and law to five nations trapped in cycles of bloodshed and revenge. This Peacemaker found a way to break those bloody cycles, and to shape a legal system that would maintain peace for the future. The five nations are the Mohawk, Oneida, Onondaga, Cayuga, and Seneca, and once the law bound them together as one family in one structure, they began to call themselves Haudenosaunee, the People of the Longhouse.

In places shattered in the early twenty-first century by internal warfare, like Rwanda, Ethiopia, Northern Ireland, Congo, Syria, Afghanistan, and the Balkans, fostering harmony and stability for the future is at least as challenging as stopping the violence. If the causes of the bloodshed—the ill will, feelings, and factors that caused and promoted the wars—are still present, the cycles will start again as soon as the forces that restrain them leave.

The Peacemaker understood that, for peace to exist, people must not only be rational but must also accept that other people are capable of rationality, for

1 In the Haudenosaunee Creation story, the woman who fell from the Sky World spread the first land on the back of a sea turtle. Turtle Island can be North America, or it can be all the land in the world.

2 Hale ([1883] 1989, 33) wrote: “The name by which their constitution or organic law is known among them is *kayanerenh*, to which the epitaph *-kowa*, ‘great,’ is frequently added. This word, *kayanerenh*, is sometimes rendered ‘law’ or ‘league,’ but its proper meaning seems to be ‘peace.’ . . . Its root is *yanere*, signifying ‘noble’ or ‘excellent,’ which yields, among many derivatives, *kayanere*, ‘goodness,’ and *kayanerenh*, ‘peace’ or ‘peacefulness.’” The concept of moral goodness pervades the law: it reappears in the word usually translated as “chiefs”: one is called a *royaner*, from *ro*, “he is” *ianere*, “of goodness”: that is, “a man of the Good.” The Good Message of Peace, Power, and Righteousness, as we shall see, goes beyond “good is better than evil because it is nicer,” and into the very nature of human beings. A deeper root is *-yan*, meaning “way” or “path,” so that *ianere* would mean a proper or good way or path (which reverberates with Taoism). See Momaday 1997, 38: “I believe that her word *good* meant many things; for one thing it meant ‘right’ or ‘appropriate.’” The prefix *ka-* indicates something that was made, generally by people, as distinct from something that exists naturally. In the end, it is a “great good way of being that was made.” If, as Tehahenteh Frank Miller suggests, the root *ian* refers to the stride that, once it gains direction, becomes a path, then the root is in effect a way of walking or conducting oneself. It is a way of life or living—as opposed to the way of death and killing that it replaced.

rational minds will seek, create, and maintain peace. The story of the making of the Great Law is thus also about ways of restoring people to rationality. It charts a map for a healthy society, not just for healthy individuals.³ The makers of the Great Law of Peace assumed that good-mindedness is a natural and proper state for human beings, and that a person, a family, or a nation taken to antisocial conduct by grief, anger, pain, or greed can be brought back to the right path.

With the ceremony of Condolence, the Peacemaker created a compassionate way to break the cycle, clear the people's minds, and allow them to "put away the bones and blood that cried for revenge."⁴ It became sacred and honourable as well as logical to choose peace over war and to look to the future (and consider the welfare of future generations) instead of listening to the hurt and angry voices of the past. The Condolence opened the door to peace and harmony.

The Great Law also accomplished the necessary second step: it built the structure that maintained the peace. It realistically recognized that peace is never static or secure, but needs to be maintained, preserved, recovered, and spread. Peace is a process, not a state.⁵

The law was not made up completely of new ideas. It was deliberately designed for the people who embraced it. It includes many elements of the societies and governments that were already in place. Its symbols—the longhouse, the pine, the eagle—are things the people would have seen every day. For a people whose language is metaphoric, the law was a long set of metaphors. The new law was pragmatic. It kept, strengthened, and extrapolated what worked well. It discarded what was not working. It broadened useful concepts. It protected government and society against some of the people's unchangeable weaknesses and harmful tendencies. It created a democracy without the confrontations inherent in choosing leaders by voting. Some of its elements were profoundly new. It was indeed a message of peace, power, and righteousness.

If the Good Mind—Ká'nikonhrí:io—is a first element of the law, the next, pervasive one, woven throughout the law, is the idea of family. All the people are related.⁶ They are kin, living within a single extended longhouse. As family, they cannot shed one another's blood, and they cannot make war on one

3 Skén:nen, "peace," includes the sense that health—of the body and the mind—is a vital element of peace, for a person without health will not be at peace, and a people without health will also be without peace.

4 Among the Cherokees, as well, the dead called out for revenge: "crying blood" would haunt relatives who let a death go unanswered. Sturm 2002, 32.

5 Haudenosaunee languages are said to be made of verbs rather than nouns. This promotes understanding that things like "peace," "fire," and "treaty" are ongoing processes rather than objects or isolable events.

6 The sense of family is not restricted to human beings. The Haudenosaunee call the Earth "our mother," the moon "our grandmother," the sun "our elder brother," and the animals and birds "our brothers and sisters," out of a sense of true kinship, and in recognition of the shared life force of all aspects of the world.

another. As family, as well, they bear an obligation to help one another. Tribal peoples all over the world carry this sense of family. It can engender a strong, aggressive sense of ethnic identity, leading to blood vengeance when provoked.⁷ Instead, the Peacemaker transformed the nature of family, allowing it to break the bonds of blood and to generously embrace strangers, to take in outsiders by adoption and by welcome. The Great White Roots of the Tree of Peace not only spread the Great Law over the earth, fostering a landscape of peace: they also encouraged the people who were touched by them to become part of the family of peace.

The Great Law, despite its constant references to family terms, created a civic, not an ethnic, society.⁸ “Family” meant support, responsibility, and mutual aid. If humanity follows a path from band to tribe to nation to nation-state,⁹ one might say that most Indigenous (or tribal) peoples insist on family relationships as their identifiers, while most nations define themselves by bloodlines, without insisting on family relations between their citizens, and nation-states exhibit a spectrum from ethnic groups (like Serbs) to purely civic ones (like the United States). If it can be said that the Haudenosaunee moved from tribe to nation, it must also be said that, unlike other peoples in the world, they did away with the blood requirement while maintaining family as an essential element of society. Every Haudenosaunee citizen, according to traditional law, is so because he or she is a member of a family and a clan. Adoptees are brought into families and clans. Belonging to a family brings webs of reciprocal responsibility and relations—and a social support system. Within a family, people help one another.

-
- 7 Non-tribal peoples sometimes assert that tribalism has an inevitable primitive and violent streak (see, for example, Benjamin Barber’s 1995 book, *Jihad vs. McWorld*). Yet tribal societies need not be violent, and need not be unsophisticated, nor is technology a prerequisite to intelligence.
- 8 In *Blood and Belonging*, Michael Ignatieff (1994) thoughtfully considered the nature and consequences of nationalism, including the difference between ethnic and civic nationalism.
- 9 In the first theoretical anthropological expression of this thinking, Ta-ya-dao-wu-kah Lewis Henry Morgan wrote *Ancient Society* in 1877. He divided the stages of human social and political development into savagery, barbarism, and civilization. More modern anthropologists have mostly abandoned this linear model. The idea that some forms of social and political organization are far superior to others led almost inevitably to the idea that superior peoples have the right to colonize inferior ones, and in the process to take their lands and resources. The evolutionary theory of anthropology has since been discredited, though it found a home in British colonialist law with the case of *Re Southern Rhodesia* in 1919, followed by Canadian courts’ insistence that anyone claiming Aboriginal rights or title must show that they constituted, at the time of “first contact” with Europeans, an “organized society.”

Another crucial aspect of the Great Law is its constant closeness to the natural world.¹⁰ The obligation to help one another reflects how the Haudenosaunee see the natural world, as a balanced system that retains its balance through the efforts of all its components. The web and circle of life are maintained because each living thing is carrying out its own responsibilities. The natural world is a web of symbiotic relationships, of organisms that are partners, interdependent and mutually supportive.¹¹

Furthermore, the law, like the longhouse that is one of its enduring symbols, requires maintenance. The maintenance is cooperative and collaborative: there is no room in this legal system for institutionalized opposition, or for adversarial relationships. While the principles behind its architecture remain constant, inevitably the processes and relationships that sustain it will evolve as society changes. There is a strong sense that the law and the peace are constantly being made, and are not ever going to be completed.

Also constant within the law is the idea of balance. There is balance between the authority of men and that of women. There is balance in council between the “Elder Brothers” and the “Younger Brothers.” When sorrow affects people’s minds, the Condolence restores balance. In constitutional terms, such a system could be said to contain “checks and balances,” yet the Haudenosaunee would stress that the checks are less important than the balances. In this sense, balance can mean harmony, but it also evokes a sense of duality. In the natural world, examples of this duality abound: night and day; male and female; young and old; forest and meadow. The two sides of the longhouse, divided by the imaginary line down the middle of the building, reflect this, and so do many aspects of the law.¹²

10 Gonwaiannah Audrey Shenandoah (2006) pointed out that, in Haudenosaunee languages, “We have no word for nature.” When the law was made, there was no other kind of world. Today, we need to distinguish between the “natural world” and the world of cities and cleared lands, mines and forestry, just as we distinguish between an acoustic and an electric guitar, or an analogue or digital clock. At one time, for everyone, there was only the “natural world.”

11 Robert Venables (2010, 41) states that “since the Creator filled the world with symbiotic, equal souls who nevertheless carry out specific functions, the most logical premise upon which to base an organized human community was also communal.”

12 Haudenosaunee names also contain frequent reference to “two-ness”: Tekanawita; Tekarihoken; Tekanissorens; Tekahionhake; Thayendenega—all names of crucial or prominent people—contain *teka-*, the prefix meaning “two.” Haudenosaunee names contain fewer references to other numbers, while English names rarely refer to numbers at all. Many common Haudenosaunee words begin with *ta-*, signifying two-ness.

Several times in any account of the making of the Kayanerenkó:wa, tasks are assigned to two men—rarely to a single one.¹³ The great partners, the Peacemaker and Hiawatha, work together like the two sides, as well.

Since it draws part of its inspiration from the way the people understand the natural world and how it works, Haudenosaunee leaders often call the Great Law “Natural Law.”¹⁴ The inspiration from nature leads to an obligation: as a matter of responsibility, lawmakers must constantly consider the impact of their decisions on the natural world. This concern about the environment is not an aspect of most “modern” nation-state constitutions, and has only recently become a part of most administrative systems of government, now that climate change and the degradation of the global environment have made it urgent.

As people who lived and travelled by rivers, the Haudenosaunee understood that the world flows; that time and space both flow; and that relationships also flow. They sought constant relationships, ones that would remain true through change. Within that sense of flow, the Haudenosaunee see the people who are alive at any one time as simply part of a larger people, one that includes those who have gone before and those who will come after. The nature of Haudenosaunee names is a reminder of this: names belong to a clan family,¹⁵ were carried by many other individuals in the past, and return to the clan to be carried by other people in the future. In the law, this sense of flow also places an express responsibility on lawmakers to consider the impact of their decisions

13 “Hayewatha sent two men to summon Tekanawita”; “Thereupon the chief chose two men to send”; “Now you two will depart to go and look for smoke” (all in twenty pages of Gibson 1899). Why send two? Several pragmatic reasons. A single messenger is vulnerable. He can get lonely. The two can share tasks. If something happens to one, the other carries on. Often, one is younger, and is learning along the way, by carrying out the task with a mentor or companion. Sometimes, the two represent different sides or factions in the community. Sometimes, they can corroborate what happened, where a single envoy might not be able to: it is useful to have a witness.

14 “There is one law which prevails over all law—and that’s the universal law, the natural law. And it will prevail no matter what this government says, no matter what any government says. And we are all subject to it. Indians recognize this, so they base their law on the natural law. The natural law and the original Indian governments are intertwined and they rest on one another” (Joaguissho Oren Lyons 1982, v). This is not to be confused with the “natural law” discussions of Western ethicists and philosophers—whether there exists a *summum bonum*, a set of things that is always good (or, conversely, whether there are acts that are always wrong), as a matter of nature rather than man-made values. Haudenosaunee law does not distinguish between human beings and other parts of the natural world in its reference to “natural law.” It is not a matter of good and bad, but rather of reflecting the way the world was created and operates naturally. We as humans can choose to live within its rules or to constantly defy them.

15 Actually, a person’s name belongs to a family segment of a clan, an ohwátsi’re, but that detail will be addressed later. The important principle, for the purpose of this introduction, is that even names remind people of their place in a flowing, organic social and temporal environment.

- Sayenqueraghta, 298
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