

# NORTH AMERICAN GOVERNMENT

**Overview** North American governments have been, in many cases, grand social experiments that have served as the model for other nations and communities. However, the idealistic notions that went into the structure of governance has often led to conflict and eventual collapse. In this unit, we will take a look at the changing face of governance throughout the history of North America.

## ANCIENT PERIOD

### Prehistory

**Clovis culture (18,000 – 8,000 BC):** Small tribal units organized around sustainable levels of population; primarily hunters and gatherers, with a great dependency on turtles.

### Postclassical

**Southwest Pueblo (1200 BCE – 1300 AC):** There were 70 or more Pueblo villages before the arrival of the Spaniards. Each was politically autonomous, and they were governed by tribal councils. The heads of the councils were also religious leaders. Many of the activities were communal, including farming and rabbit hunts.

**Eastern Woodlands (1000 BCE – 1000 AD):** Clans were the smallest organizational unit, and they were grouped by village “bands.” Each village band had a Chief or Headsman, who was a part of the governing family lineage. The Iroquois formed confederacies with the different clans and village bands. The Eastern Algonquians maintained more autonomy. Ancestry was traced back through the females.

**Mississippian (800 – 1500 AD):** The governance was structured around a religious elite, who governed in conjunction with chiefs and chiefdoms. The highest rank was that of the “Paramount Chief,” who was able to demand tribute from the people. The lower-ranking elites were often related by blood to the Paramount Chief. Because the chiefdoms relied on authoritarian rule, they tended to dissolve or fragment when there were any threats to the Paramount Chief.

### Colonial (Early Modern)

**Native Americans:** Native American tribes or groups were those separated by language, tradition, culture, and leadership. The tribes were governed by different bands, usually related by family, and they were self-sufficient. Some tribes selected their chiefs through councils, while others selected them based on their prowess in war and raiding.

**French Colonial Empire:** The French colonies in North America were governed by the king of France, who was an absolute monarch, and also by a strict notion of cultural uniqueness, resulting in the imposition of Christianity (Catholicism) and French culture. The French were interested in protecting trade routes and the acquisition of furs and other exportable items, and so they were quick to establish a court system and a rule of law. The ultimate authority rested in the King of France. The French set up a system of fortifications along the Mississippi River that also served as protected trading posts.

**English Colonial Governments:** The British colonies were divided into separate colonies, and each had its Governor, court system, and systems of collecting taxes, as well as providing protection against attacks by Indians and the pesky French. The British government sought to encourage permanent settlements and the establishment of prosperous businesses that would result in increased wealth in Britain.

**Spanish Colonial Governments:** The Spanish monarchy was most interested in gold and silver, and so their system

of government had much to do with establishing Viceroyalties and “latifundias” that maintained connections to Spain. Most important positions were filled by “peninsulares” (people from the Iberian Peninsula), and they were required to maintain order as well as to collect “la quinta” or the 20 percent tax on all production.

**Dutch Governance:** The Dutch established cities and trading networks along the Hudson River in the state of New York. Their goal was to establish trade as well as a financial network, which included joint stock companies. Much of New York City’s unique character was shaped by a sense of identity that based itself on creating joint stock companies and supporting trade networks.

**Early Post-Revolutionary Government:** The breakaway colonies formed a Continental Congress and a Continental Army. When the final battle of the Revolutionary War was fought (the Battle at Yorktown), and the Continental Army, together with French military members, Prussian mercenaries, and other, the United States was formed, which was in essence, a loose confederacy between the 13 colonies, now states. They were united through the U.S. Constitution, but the States preserved their right to have maintain control over local laws and government, although Federal government would supercede it.

### Nineteenth Century

**The United States of America:** The early United States of America started with 13 states, but quickly grew as it added states. Unifying the States was often a messy affair due to the vastly different forms of economy and also the core values possessed by the framers of each individual State’s constitution. For example, the state of Virginia established itself as the Commonwealth of Virginia, and its legal framework is quite different than that of its neighbor, Maryland. Later, as some of the states prospered with new technologies allowing plantations to thrive, and other states started to become industrial, differences in the idea of labor, labor rights, the abolition of slavery, and competition for manufactured goods became very serious. The states eventually divided into the Union and the Confederacy.

**The Union:** The Union consisted of states above the Mason-Dixon line, and united by the idea of opposing slavery. In addition, Union core values tended to favor entrepreneurship, industrialization, employment for immigrants, and upward mobility.

**The Confederacy:** The southern states seceded from the Union in protest over what they considered to be an abrogation of states’ rights, which is to say that the states wished to maintain the ability to follow their own policies and laws over such items as taxation and slavery.

**Communism and Socialism / Utopian Settlements:** Independent communities have often set up their own governments within that of states and the United States as a whole. They have sought to establish their own mores, norms, and even laws. However, many have come in conflict with state and federal laws, usually in the rights of individuals (failure to protect minors, practicing polygamy).

**Indian Nations:** After a series of wars and then treaties, many Indian nations were removed to Indian Territory (now Oklahoma), where they were divided into separate nations and given sovereignty. The nations such as the Cherokee went as far as to develop their own constitution written in their native language. Later, as the United States government seized lands or polluted waterways, the nations sued the government for broken treaties and tortious damages to tribal property. Lawsuits stemming from injustices and damages inflicted in the 19<sup>th</sup> century have been the foundation of some tribes’ prosperity.

### Twentieth Century

**Federal Government:** The federal government expanded its influence in three important pulses in the 20<sup>th</sup> century. First, the anti-monopoly legislation and the breakup of the trusts into government-controlled smaller companies, in conjunction with the establishment of the Federal Reserve System streamlined and connected businesses in ways that had not been connected before. Second, the New Deal of the 1930s which was designed to combat the Great Depression resulted in social safety nets, such as Social Security. In the 1960s, the War on Poverty and the Civil Rights movement resulted in the creation of new agencies, which administered federal funds to states and communities, thereby further influencing communities.

**State Governments:** Each state has its own constitution, and also its own three-part government, with an executive branch, a legislative branch, and a judicial branch. There is a great deal of difference between the states. For example, the Louisiana judicial system is modeled after the French and is quite different than any other in the nation.

**Tribal Nations:** Indian nations are sovereign and have their own tribal governments, with an executive branch, a judicial branch, and a legislative branch. They are not subject to all the taxation or trade restrictions of the U.S. federal government, and so are able to sell tax-free cigarettes, establish casinos, and have other types of business. Individuals in the nations are often paid headrights.

**City Governments:** City and municipal governments are smaller units of government, tasked with providing infrastructure, protection, education, and the other services that a community wishes to fund through tax dollars, which could include hospitals, clinics, recreation centers, family welfare centers, and more. City governments have many different structures. Most have either a mayor as the chief executive officer or a city manager.

**Judicial Branch:** The judicial system is a system of courts designed to administer the law and to provide both punishment and protection under the law. The judicial branch is a part of checks and balances, designed to keep one group from dominating the others.

**Legislative Branch:** This is the law-making side of the government. In it, lawmakers pass laws. In the federal government, the bicameral system means that there is a House of Representatives and a Senate. In many states, there is only a single group of legislators, called, in some states, “assemblymen.” In other states, there are two houses: the House of Representatives and the Senate.

**Executive Branch:** In the early years of the United States, the Executive Branch was smaller than the other branches, and the President had limited power. However, in the 20<sup>th</sup> century, the Executive Branch has expanded to the point that it intrudes into the other branches of government because it is able, through its cabinets, agencies, and Executive Orders, to pass regulations (which are forms of legislation) and to enforce the regulations with fines, injunctions, and even prison sentences. The power and disproportionate size of the 21<sup>st</sup> century Executive Branch has set the stage for a dictator or autocrat to run the country, with only fragile and dysfunctional judicial and legislative branches to resist them.

### Discussion/Questions

1. The early societies in North America flourished when they had responsive systems of organization that allowed them to be flexible. For example, the clans and tribal groups in the northeast were able to establish confederacies that allowed them to trade with each other and also provide defense against common enemies. Discuss how and why having religious leaders made sense in their agriculturally-based economies.
2. The colonial governments were required to serve the needs of the imperial nations. For example, the French government benefited from trade networks that yielded very valuable furs as well as being able to establish control over waterways such as the Mississippi River. The British empire was dependent upon taxes to subsidize a series of very expensive wars. The Spanish relied on the quinta (20 percent tax) for their expenses at home. Describe how a dependency on funds from the colonies led to mistrust and poor relations between the colonists and the colonizing nations.
3. In the 19<sup>th</sup> century, conflicts over the right that the federal government had to exercise control over a state, community, or group of people led to profound differences and conflicts. The conflicts included those between the North and South states, conflicts with utopian communities, and also with Indian nations. Please select four examples of conflicts and describe the reason for the differences of philosophy, and what the ultimate outcomes were.
4. In the 20<sup>th</sup> century, populist and grassroots movements have had profound effects on the structure and rights of the government. Take a look at the following movements: Anti-Trust, the New Deal, Civil Rights Movement and the War on Poverty. Describe the impact that each had on the structure of the government, and the way it interacts with its people..

## Readings

Bastiat, Frederic. (2013) The Law. Creative Commons.

Encyclopedia Britannica. Ancestral Pueblo Culture. <https://www.britannica.com/topic/Ancestral-Pueblo-culture>

Fineman, Howard. (2009) The Thirteen American Arguments: Enduring Debates that Define and Inspire Our Country. New York: Random House.

Friedman, Milton. (2002) Capitalism and Freedom. Chicago: University of Chicago Press.

Mann, Charles C. (2013) The Clovis point and the discovery of America's first culture. Smithsonian.com  
<https://www.smithsonianmag.com/history/the-clovis-point-and-the-discovery-of-americas-first-culture-3825828/>

McCoy, Alfred W. and Francisco A. Scarano. (2009) Colonial Crucible: Empire in the Making of the Modern American State. Madison: University of Wisconsin Press.

ThoughtCo. (2016) The (Pre) History of Clovis – Early Hunting Groups of the Americas.  
<https://www.thoughtco.com/pre-history-of-clovis-the-americas-170390>