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Jeffersonian Diplomacy and the American Indian

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Abstract

In this thesis I attempt to bridge the gap between discussions of Thomas Jefferson's diplomatic policy and his interactions with the Native Americans. I argue that his idealism as well as his coercive tactics in foreign affairs heavily influenced his conduct with neighboring Indian tribes. With European nations, Jefferson articulated his goals in terms of natural rights of states and an idea of universal morality. At the same time, he often used seemingly Machiavellian tactics, like coercion, and threats of war to pursue these ends. Jefferson's goals in Indian affairs were very similar to those in the international arena. He wanted to promote peaceful trade, and prevent war, but above all, acquire as much land as possible. He pursued these aims with the same blend of moral justification and cunning tactics. I will demonstrate this through analysis of Jefferson's philosophical views regarding diplomacy, his ideas about Native Americans, and his role as president in carrying out both of these things in the real world. This will include examining Jefferson's writing about both foreign and Indian affairs, comparing treaties and negotiations Jefferson conducted with Europe as well as with the Native Americans, and his instructions to subordinates on these matters. This thesis will contribute to the discussion of the presidency of Thomas Jefferson as well as the treatment of Native Americans in the early American Republic.

Introduction

Thomas Jefferson is an iconic figure in American history. He is remembered as an idealist who challenged the established concepts about the nature of government. He advocated the creation of a republic based on the ideals of the Enlightenment, and his ideas contributed substantially to the philosophy behind the American government. His diplomatic philosophy was an extension of this concept of a new kind of state. Jefferson believed that while European monarchs placed personal and national glory over the wellbeing of their subjects, the true purpose of foreign policy was to serve the people. He also extrapolated enlightenment ideals of natural rights onto nation states. Enlightened states, he argued, had an obligation to uphold natural rights against less “civilized” powers.¹

At the time of Jefferson’s presidency, from 1801-1809, he was not solely dealing with European powers. The new American republic shared the continent with a multitude of Native American tribes whose interests were very different from Jefferson’s. The Native Americans constituted a challenge to Jefferson’s idealism. They were, in his mindset, “uncivilized.” They were not Christians, many did not derive their livelihood from agriculture, and some were nomadic. This lifestyle, in Jefferson’s opinion, was not suitable for the modern world. As Americans expanded west, the Indians had to live on smaller areas of land. To facilitate this Jefferson attempted to “civilize” as many of the natives as he could and push the others west. “Civilization” generally involved the conversion of Native Americans to an Anglo-American lifestyle. This involved reliance on agriculture, a shift from communal to personal conceptions of property, and adoption

¹ Paul A. Varg, *Foreign Policies of the Founding Fathers* (East Lansing: University of Michigan Press, 1963), 146.

of western gender roles, with men in the fields and women in the homes. While doing this, he also had to maintain peaceful relations with the tribes to avoid war or worse, native alliances with European powers. The goal of this thesis is to demonstrate that Jefferson's ideals about foreign relations as well as his diplomatic tactics applied to his relations with the Native Americans and were incorporated into his "civilizing" mission.

This "civilizing" mission presents the greatest challenge to the comparison between Jefferson's diplomacy and his Indian policy. I argue that his attempt at "civilizing" the natives was not based on race, however, but on the supposed moral superiority of Anglo-Americans. Jefferson believed that Indians were not fundamentally different. He wrote, "We shall probably find that they are formed in mind as well as in body, on the same module with the 'Homo sapiens Europaeus.'"² Since this same moral superiority justified his diplomatic tactics with Europe, parallels can be drawn between them and the "civilizing" mission.

This study will reexamine the relationship between the United States and neighboring Indian nations during the early years of American independence. This will illustrate that, although these relations eventually became something very different from foreign diplomatic relations, they did not start out that way. Differences that were present during Jefferson's era were primarily due to imbalances of power and lack of unity and organization on the part of the Indians. Jefferson made the same sort of coercive, unilateral demands with the Native Americans that he attempted when negotiation with European nations, but was far more successful with the natives who lacked the resources and unity to oppose him. Political schisms within tribes made

² Bernard W. Sheehan, *Seeds of Extinction: Jeffersonian Philanthropy and the American Indian* (Chapel Hill: University of North Carolina Press, 1973). 20.

claims to the land ambiguous and Jefferson took advantage of this ambiguity by treating with the pro-“civilization” factions whenever he could. The aim of American interaction with natives was to promote expansion to obtain land for republican farmers in the interest of ensuring natural rights in the same way that interaction with European powers was designed to secure these rights.

Jeffersonian diplomacy has attracted the interest of many historians. It had its roots in enlightenment ideals and was designed to promote America’s place in the international market. It also took into account America’s position on the world stage, avoiding wars he could not win and promoting the notion that America was a bastion of liberty. Historians tend to view Jefferson’s policies as a blend of idealism and realism. The idealism was the desire to secure liberty and other American values, while the realism was displayed through the avoidance of costly and unwinnable wars. Historians have also written at length about Jefferson’s ideas and policies regarding American Indians. These are usually presented as a conflict between “civilization” and the “savage.” Jefferson attempted to incorporate Natives into white society as part of a ‘philanthropic’ mission, while simultaneously manipulating them to get their land. Scholars approach the subjects of Jefferson’s diplomacy and his Indian policy as completely separate issues. Works about Jeffersonian diplomacy make little or no mention of his dealings with the Indians, and those about Indians do not describe the relations in terms of foreign relations or diplomacy. This is due to a combination of factors. The sovereignty of native tribes during Jefferson’s time was ambiguous, and

since eventually all aspects of sovereignty were taken by later presidents, historians tend to accord natives at this time less sovereignty than was the case.

Gene Smith summarizes Jefferson's diplomatic aims, writing, "Central to the Jeffersonian belief was that Americans had a natural right to fulfill their expansionist aims."³ This is one of the essential themes historians write about in terms of Jefferson's foreign policy. He had a vision of an expansive republic of yeoman farmers and America required more land to bring this to fruition. The landholdings of European powers in North America presented an obstacle to this. According to Gene Smith, the way Jefferson went about dealing with these other nations exemplified his blend of realism and idealism. Jefferson believed that control of the Mississippi River was essential to the survival of America. He claimed that America had a natural right to the Mississippi because oceans and rivers were free to all of their inhabitants. He also supported the idea of expansion by arguing that the availability of land to farmers was an essential part of the 'pursuit of happiness.'

Not only was Jefferson determined to expand America, he was determined to do so peacefully. Gene Smith describes the goal of Jefferson's expansion as "to conquer without war." Smith cites Jefferson's use of diplomacy to gain Louisiana without having to go to war as evidence for this claim. Jefferson was willing to resort to extortion and threats of war but was reluctant to act on those threats due to the high price of war. He threatened an alliance with Britain to intimidate the French, for example, but did so almost entirely as a diplomatic bluff. Robert Tucker and David Hendrickson supported

³ Gene A. Smith, "To Conquer Without War: The Philosophy of Jeffersonian Expansion in the Spanish Gulf Borderlands, 1800-1820," *Selected Papers: The Consortium on Revolutionary Europe, 1750-1850* 23 (1994): 422.

this aspect of Jefferson's diplomacy: "Negotiation was, indeed, Jefferson's true policy: to conquer without war or, if this proved impossible, to conquer without a costly war."⁴ The skillful avoidance of war contributed to the evaluation of Jeffersonian diplomacy as a blend of idealism and realism. Realistically, wars were expensive and the United States was militarily weak, but threatening war based on principles of natural right gave Jefferson a moral high ground. For example, he argued that French occupation of New Orleans would be crippling to America's ability to navigate the Mississippi and thus to its economy in general. He was therefore justified in doing whatever was necessary to preserve the natural right of America to participate freely in the international market. Similarly, Onuf and Sadosky emphasize the importance of free trade and neutrality in Jefferson's diplomacy. America's place in the Atlantic market, they argue, was essential to its survival, and Jefferson attempted to promote this. They describe the importance of "Jefferson's free trade vision, and its corollary, the rights of neutral, noncombatant powers."⁵ In dealing with European powers, it was most important to stay neutral and maintain trade.

In contrast, Jefferson's policy towards relations with the Indians has been described as "Jeffersonian Philanthropy."⁶ This consisted largely of what was considered a "civilizing" effort. The advance of "civilization" in America in this view necessitated the recession of "savagery." The primary means of doing this was the destruction of

⁴ Robert W. Tucker and David C. Hendrickson, "Jefferson's Risky Diplomacy of Watching and Waiting," In *Major Problems in American Foreign Relations, Volume 1*, edited by Dennis Merrill and Thomas G. Patterson (Boston: Wadsworth, 2010), 108.

⁵ Peter S. Onuf and Leonard J. Sadosky, "Jefferson's Blend of Realism and Idealism," In *Major Problems in American Foreign Relations, Volume 1*, edited by Dennis Merrill and Thomas G. Patterson (Boston: Wadsworth, 2010), 87.

⁶ Bernard W. Sheehan, *Seeds of Extinction*.

Native culture, and encouragement of Natives to adopt Anglo-American ways of life. Jeffersonian philanthropy encouraged Indians to adopt the idea of individually owned land that could be farmed for subsistence. According to historians, the desire to enforce this idea coupled with American expansion led to aggressive land treaties in which tribes were induced to sell their collective land to the US government.

In these interactions, the Native Americans are often depicted more as victims than as active participants in diplomacy with the United States. Historians argue that Jefferson and the government coerced and manipulated the Native Americans. All of the power rested with the Anglo-Americans and none with the Natives. This is probably why this relationship is not described in terms of foreign relations or diplomacy, even though official treaties and negotiations took place. Works on Jefferson's relations with Native Americans examine this relationship in light of events that happened long after. Anthony Wallace describes the "coming doom of the red race" and refers to the "noble but doomed savages."⁷ Although Wallace acknowledges negotiation for land cessions, trade and peace, he presents them in a primarily one-sided way. Robert Miller describes American policy toward Native Americans the same way. He writes, "'law' was used by Europeans, the American colonists, and the American state and federal governments to dominate Indian people and nations."⁸ Historians view this interaction not as a conflict between two cultures or two nations but as a matter of oppressive domestic policy.

⁷ Anthony F. C. Wallace, *Jefferson and the Indians: The Tragic Fate of the First Americans* (Cambridge, MA: Belknap Press of Harvard University Press, 1999), viii-ix.

⁸ Robert J. Miller, *Native America, Discovered and Conquered: Thomas Jefferson, Lewis and Clark, and Manifest Destiny* (Westport, CT: Praeger Publishers, 2006), xviii.

The historical analysis of Jefferson's diplomacy tends to conclude that he sought expansion and promoted trade based on ideas from enlightenment philosophy as well as the realities of the world he lived in. He promoted America's interests and brought new lands under her control while avoiding war whenever possible. Jefferson's Indian policy is seen as a failed "civilizing" mission and a tragic destruction of the Native Americans. Scholars describe Jefferson's government as dominating these people and stealing their land. The historical works on these two aspects of Jefferson's policy are written as two completely separate issues.

To date, the historiography demonstrates that Jefferson's diplomacy and his Indian policies have been thoroughly researched, but little effort has been made to examine the extent to which the diplomatic ideals shaped the Indian policy. This is evident because scholars writing on one subject do not mention the other, and the two ideas are approached using different methods and language. It is the goal of this thesis to bridge the gap between the discussion of Jefferson's Indian policy and his diplomacy in an attempt to further the discussion of both. In addition to analyzing these two philosophies, two Native American tribes will be examined in depth: Cherokees and Creeks. These tribes were selected because they were on the western frontier of the expanding American population and therefore central to Jefferson's attempts at expansion. These tribes were also heavily influenced by interactions with European culture and were, for a time, held up as an example of the success of the "civilizing" mission. Published government documents reveal Jefferson's thoughts on these issues as well as instructions given to Indian agents and transcripts of some of the negotiations that took place between the agents and the tribes. The extent to which the native leaders were

empowered and the instances when they refused to cede lands contribute to the discussion regarding tribal sovereignty and the diplomatic nature of the interaction. The understanding of Indian relations in terms of diplomacy in addition to Jefferson's "civilizing" mission helps to illustrate the distribution of power between natives and non-natives in the early American Republic. I argue that the Native Americans held a limited amount of power rather than just being passive victims of Jefferson's policies. Jefferson's diplomacy was justified by the supposition that America was a morally superior nation compared to any European power. This rationalization extended to dealings with the Indians, which were justified by the same moral superiority.

Jefferson's Diplomacy: Idealistic Aims Through Practical Means

Thomas Jefferson's diplomacy was a very shrewd mixture of enlightened ideals and practical methods. His end goal was always the preservation of American interests, which he articulated as "natural rights." In line with his enlightenment influences, he believed that the protection of his citizens' private property was one of the primary functions of government. In order to pursue these interests against stubborn and often more powerful European nations, Jefferson resorted to tactics that promoted his interests in the most practical ways. He frequently made threats and demands, but knew when to keep pushing and when to step back. He astutely kept America out of wars he knew it could not win, and used military force only when he knew he could do so effectively. This mix of enlightenment goals pursued via pragmatic strategy made Jefferson effective in his foreign policy.

Thomas Jefferson's idealism played a major part in his politics, and heavily influenced his diplomacy. He operated according to a philosophical and moral code founded on the ideas of enlightenment philosophers like John Locke. Jefferson's devotion to protecting natural rights is one of the most obvious examples of this. He tried to shape the government in such a way that it protected the natural rights of its citizens above all else. In international affairs he did everything in his power to defend the natural rights of the nation, as an extension of those of the individuals. Jefferson also developed very progressive ideas about where a government's authority came from. These conclusions were then applied to his diplomatic thinking.

Because Jefferson did not recognize a distinction between the relations of individuals and the relations of states, his ideas of individual rights factored into his diplomatic principles. He argued that in diplomacy, the entire nation constituted a singular moral entity. International affairs were not exempted from the system of morality that governed individual affairs. He wrote, “I know but one code of morality for men, whether acting singly or collectively.”⁹ Based on this ideal, Jefferson wanted to create a new system of international order rooted in morality to replace the old system that simply pursued aristocratic self-interest by any means available.

The philosophy of natural rights articulated by Thomas Jefferson in the Declaration of Independence displays the essence of his thinking on the subject. He wrote, “that all Men are created equal and independent; that from that equal creation they derive Rights inherent and inalienable; among which are the Preservation of Life, and Liberty, and the Pursuit of Happiness.”¹⁰ The protection of these rights, he argues, is the sole reason for government. The only legitimate government is one that upholds man’s inherent rights. Jefferson argued for the necessity of protecting civil liberties, writing, “God who gave us life gave us liberty at the same time; the hand of force may destroy, but cannot disjoin them.”¹¹ Many of these ideas regarding natural rights came from John Locke’s philosophy. The only thing that Jefferson acknowledged to supersede these laws

⁹ Thomas Jefferson to James Madison, Paris, August 28, 1789, in *Memoir, Correspondence, and Miscellanies, From the Papers of Thomas Jefferson*, ed. Thomas Jefferson Randolph (Boston: Gray and Bowen, 1830), http://www.gutenberg.org/files/16783/16783-h/16783-h.htm#link2H_4_0010.

¹⁰ Thomas Jefferson, “Jefferson’s Original Draft of the Declaration of Independence,” Library of Congress, <http://www.loc.gov/exhibits/declara/ruffdrft.html>.

¹¹ Thomas Jefferson, *A Summary View of the Rights of British America* (Williamsburg: Clementinarind, 1774), 23, <http://www.loc.gov/rr/rarebook/guide/ra008001.html>.

of nature was the right to resist self-destruction. He argued a nation's obligation to this code of morality was so binding that the only valid exception was when the performance of an obligation became impossible.¹²

An extension of these inherent rights was the right of revolution. A government that does not uphold natural rights is not a valid government, and its people have the right to replace it. In articulating this idea, Jefferson acknowledged that war was sometimes a necessary and valid means of securing one's rights. The Declaration of Independence was written "with a clear understanding that the natural right to revolution is quite likely to involve war, or at least the credible threat of war."¹³ The moral justification of war in defense of natural rights is something that Jefferson frequently used to his advantage in his diplomacy.

Jefferson was also influenced by Locke in regards to ideas regarding the protection of private property. This is essentially what "the pursuit of happiness" meant. In his *Second Treatise of Government*, Locke articulated the idea of property: "The labor of his body, and the work of his hands, we may say are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labor with, and joined it to something that is his own, and thereby makes it his property."¹⁴ Jefferson's devotion to the protection of the American farmer comes from this idea. The act of tilling the soil transforms nature into property. For this reason, Jefferson's ideal

¹²Adrienne Koch, *The Philosophy of Thomas Jefferson* (New York: Columbia University Press, 1943), 145.

¹³John Zvesper, "Jefferson on Liberal Natural Rights" in *Reason and Republicanism: Thomas Jefferson's Legacy of Liberty*, ed. Gary McDowell and Sharon Noble (Lanham, MD: Rowman and Littlefield, 1997), 21.

¹⁴John Locke, "Of Property," in *Two Treatises of Government*, section 27, <http://oregonstate.edu/instruct/phl302/texts/locke/locke2/locke2nd-a.html>.

republic was made up primarily of small farmers, and government protected their right to their property and their livelihood in the soil. Jefferson's admiration of the farmers went so far as to describe them as "the most vigorous, the most independent, the most virtuous, and they are tied to their country and wedded to its liberty and interests by the most lasting bond."¹⁵

This natural right of the farmer to take the land and make it his own is something that Jefferson extended into his international aims. One of the reasons for pursuing expansionist aims was to make more room for the American yeomanry to pursue its own happiness. Jefferson wrote of the American republic, "my hope of its duration is built much on the enlargement of the resources of life going hand in hand with the enlargement of territory, and the belief that men are disposed to live honestly, if the means of doing so are open to them."¹⁶ The determination to expand continuously for the prosperity of the farmers necessitated further acquisition of land from America's neighbors, namely European powers and Native American tribes. Negotiating for this land would be an international issue, requiring the use of diplomacy. This is one of the ways in which the pursuit of natural rights made its way into Jefferson's ideas about the international relations of his day.

Another fundamental concept in Jefferson's philosophy was that the authority of government comes from the people. In the Declaration of Independence, he wrote, "To secure these ends, Governments are instituted among Men, deriving their just powers

¹⁵ Jefferson to John Jay, Paris, August 23, 1785, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 5:93.

¹⁶ Jefferson to Monsieur Barre de Marbois, Monticello, June 14, 1817, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 15:131.

from the consent of the governed.”¹⁷ This notion also comes from Locke’s idea that government comes either from force or from reason. When there is conflict with no common judge, there can only be a state of war. The purpose of society and of government is to avoid this state of war.¹⁸ So government must be based on reason rather than force, and the reason must come from the people. In an enlightened society, this government by reason is a natural progression. European monarchies relied on force and halted the development of the people, but according to Jefferson, “laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times.”¹⁹ The Republican form of government based on the will of the people would naturally advance as the people grew and changed because it allowed for development and the free expression of ideas.

The will of the nation is something that Jefferson gave deference to in his diplomatic philosophy. In a letter to the minister to France during the French Revolution, he wrote, “We surely cannot deny to any nation that right whereon our own government is founded, that every one may govern itself under whatever form it pleases, and change these forms at its own will, and that it may transact its business with foreign nations through whatever organ it thinks proper, whether King, convention, assembly,

¹⁷ Jefferson, “Rough Draft of Declaration of Independence.”

¹⁸ Locke, “Of The State of War,” in *Two Treatises of Government*, section 19-21, <http://oregonstate.edu/instruct/phl302/texts/locke/locke2/locke2nd-a.html>.

¹⁹ Jefferson to Samuel Kercheval, Monticello, June 12, 1816, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 15:41.

committee, President, or whatever else it may chuse.”²⁰ This is an important principle when it comes to recognizing the authority of a government or government agent to make binding agreements internationally. Since just government can only come from the will of the people, any agent that represents the will of the people has this authority. This authority also comes with responsibility. Jefferson further explained, “all acts done by those agents under the authority of the nation, are the acts of the nation.”²¹ This applied whether the agent was the king or an elected official. An immoral act by a foreign government can be seen as an act of the foreign people as a whole because their government is their agent, as long as they have consented to that government. Furthermore, treaties made between two nations remain valid even if the government of one nation should change, because the treaties were made between the two nations, not between the two governments.

These ideals constituting the philosophical basis for Thomas Jefferson’s foreign policy and he always used them to explain the way he carried out his diplomacy in the real world. He articulated his stance on important issues in a way that reflected principles of enlightenment and natural rights. Throughout conflicts with foreign nations, Jefferson always claimed to be defending America’s natural rights, while also insisting that morality play a part in the diplomacy. He made it clear, at least in words, he had every

²⁰ Thomas Jefferson to Gouverneur Morris, Philadelphia, December 30, 1792, in Founders Online Archives, (Princeton: Princeton University Press, 1990), <http://founders.archives.gov/documents/Jefferson/01-24-02-0776>.

²¹ Thomas Jefferson, “Secretary of State Thomas Jefferson Defends the Treaty with France, 1793,” in *Major Problems in American Foreign Relations*, vol. 1, ed. Dennis Merrill (Boston: Houghton Mifflin, 2005), 57.

desire to maintain friendly and peaceable relations between the United States and the rest of the world.

Among the natural rights that Jefferson believed all nations had was the right to trade with foreign nations. The contemporary international system ignored these rights, but Jefferson argued they existed whether they were acknowledged or not. In describing the Louisiana territory's essential role in American trade Jefferson wrote, "There is on the globe one single spot, the natural possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass to market."²² If France were to set itself in New Orleans and cut off access for American goods to reach the market, it would be devastating to American commerce, and in Jefferson's opinion, a violation of American natural rights. In October 1802, Spain suspended America's right of deposit at New Orleans, proving that Jefferson's fears regarding threats to American commerce were justified. He believed the French to be responsible for this breach of American natural rights. According to Paul Varg, at this point, Jefferson's "attitude toward France changed from passive hostility to a belligerent demand for action."²³ This added aggression put more pressure on the French to sell New Orleans, and the threat of military action made France's continued possession of New Orleans less certain. That same year, when Robert Livingston, the American minister to France, was explaining his nation's concerns to Joseph Bonaparte of France, he made his argument along those lines. He reported to Jefferson, "I expressed to him the apprehensions of the jealousies that would naturally be excited from their vicinity, and

²² Jefferson to Robert R. Livingston, Washington, April 18, 1802, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:312.

²³ Paul Varg, *Foreign Policies of the Founding Fathers*, 153-4.

the impossibility of preventing abuses in a military government established at so great a distance from home...that all we sought was security and not extension of territory.”²⁴

Jefferson strengthened his claims in international affairs through these appeals to natural rights and claiming that he only sought his nation’s security.

During the conflict with France over possession of Louisiana, Jefferson also gave validity to his moral stance by assuring the French that he had no desire but peaceful friendship between their two countries. In his writings on the subject, Jefferson repeatedly appealed to the ideas of “mutual interest” and “friendship” between the two countries. He argued that he was doing everything in his power to maintain these things but if France would not cooperate it would not be possible. In one letter to Robert Livingston, Jefferson explained all of the possible negative repercussions that could ensue from the French maintaining possession of New Orleans, including losing American favor and probably New Orleans should war break out. As an enlightened nation, America was morally obligated to attempt the use of reason before it used hostility. By appealing to common interest and attempting to maintain good relations with France, a “natural friend,” Jefferson displayed his adamant desire for reason and morality to be the primary consideration in diplomatic affairs as they should be in all areas of enlightened, republican government.

Despite drawing on these high-minded ideals, Jefferson’s diplomacy also needed to produce results in the real world. In practice, he had to take into account America’s limited resources and influence in the international community. This realism was often

²⁴Robert Livingston to Thomas Jefferson, Paris, October 28, 1802, American State Papers, Foreign Relations vol 2, 525.

displayed through avoiding wars that Jefferson knew would be very costly and possibly unwinnable, particularly with powerful European nations. He instead opted for the use of veiled threats, coercion and economic measures to deal with these issues. When dealing with lesser threats, the Barbary pirates for example, Jefferson was more willing to use military force to support his ideals about natural rights. The use of different tactics for different situations shows the extent to which Jefferson was aware of his nation's position in the world and that, while he espoused ideas of enlightenment and morality, he was willing to use whatever means were available to him to achieve his desired ends.

When Spain ceded the Louisiana territory to France in December of 1802, Jefferson believed that this presented a threat to American commercial interests. Although Jefferson made arguments about natural rights and morality, the main reason for objection specifically to France holding Louisiana rather than Spain was that France was stronger and less likely to be induced to cede the territory. Jefferson wrote, "Spain might have retained it quietly for years. Her pacific dispositions, her feeble state, would induce her to increase our facilities there...Not so can it ever be in the hands of France. The impetuosity of her temper, the energy and restlessness of her character...render it impossible that France and the U.S. can continue long friends when they meet in so irritable a position."²⁵ Although France maintained friendly relations with the U.S. and had not yet taken any action to indicate they might use Louisiana in a way hostile to U.S. interests, Jefferson realized that they would be harder to coerce into cession of the territory and therefore objected to the transfer.

²⁵ Jefferson to Robert R. Livingston, Washington, April 18, 1802, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:312.

Jefferson knew the advantage of negotiating with a nation when it was at its weakest and used this to his advantage. He employed this tactic when negotiating with Spain over the boundaries of territory in Louisiana and the Floridas. He wrote, “These claims will be a subject of negotiation with Spain, and if, as soon as she is at war, we push them strongly with one hand, holding out a price in the other, we shall certainly obtain the Floridas, and all in good time.”²⁶ The desire to have the territory was based on its benefit to American commercial interests, but rather than make the argument of the natural right to trade, Jefferson was a proponent of waiting until Spain was weak and then exploiting that weakness. He used the same tactic with France to obtain Louisiana. Knowing that a war between Britain and France was very likely in the near future, Jefferson exploited that situation as well. He argued that French possession of New Orleans “seals the union of two nations who in conjunction can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation.”²⁷ An American alliance with Britain would have been very unfavorable to France in the event of war, especially for French possessions in North America. If this were to happen, France would likely be unable to hold New Orleans. In reality, Jefferson did not intend to pursue an alliance with Britain, but the threat took advantage of France’s weakness during a possible war. This sort of “strategic feint” was characteristic of Jefferson’s diplomacy.²⁸

²⁶ Thomas Jefferson to John Breckinridge, Monticello, August 12, 1803, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:409.

²⁷ Jefferson to Robert R. Livingston, Washington, April 18, 1802, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:313.

²⁸ Robert Tucker, “Jefferson’s Risky Diplomacy of Watching and Waiting,” 90.

Another tactic that Jefferson was particularly fond of was making veiled threats implying that he might be willing to use military force. He knew that a war with either France or Spain would be devastating to America because of its cost and the inevitable loss of commerce and lives. Nevertheless, throughout his attempts to gain Louisiana and Florida, he always hinted at the possibility in order to give some weight to his arguments. The minister in France was instructed to impress upon the French that their possession of Louisiana “must have an instant and powerful effect in changing the relations between France and the United States...if a possession of the mouth of the Mississippi is to be added to other causes of discord, the worst events are to be apprehended.”²⁹ This is clearly a threat, but by using vague terms, like “worst events,” it leaves things ambiguous and does not commit the U.S. to unfavorable military action. Jefferson always presented threats of war as an inevitable consequence that he did not desire but would be forced into if he did not get what he wanted. In February of 1803, as negotiations over Louisiana took place, the Senate provided some legitimacy to Jefferson’s threat of force by authorizing him to prepare 80,000 militiamen to use in protection of free navigation of the Mississippi.³⁰ Throughout the negotiations, Jefferson pointed out that Louisiana would be in a vulnerable position militarily if France should find herself at war. He then qualified his observations, “we do not bring them forward as a menace, but as consequences not controllable by us, but inevitable from the course of things...we

²⁹ James Madison to Robert Livingston, Washington, May 1, 1802, American State Papers, Foreign Relations vol 2, 525.

³⁰ U.S. *Senate Journal*. 1803. 7th Cong., 2nd sess., 25 February.

beseech a friend to look forward and to prevent them for our common interest.”³¹ This allowed him to maintain his image as a leader committed to the pursuit of peace and morality while still using the threat of war as a diplomatic tool.

Napoleon was swayed by the uncertainty of his hold on Louisiana, particularly during a war with Britain, but American threats may have also played a part. When explaining his decision to sell Louisiana to the United States, he mentioned that the British had taken many territories from France, including their holdings in Canada, and he did not want them to also get Louisiana. Referring directly to Jefferson’s arguments, Napoleon wrote, “They [America] only ask of me one town in Louisiana, but already I consider the colony as entirely lost, and it appears to me that in the hands of this growing power, it will be more useful to the policy and even the commerce of France, than if I should attempt to keep it.”³² In addition to his desire to keep New Orleans out of British hands, Napoleon believed Jefferson’s claims of desiring peace and friendship with France, so he ceded Louisiana to the United States on April 30, 1803.

Against weaker foreign powers, Jefferson displayed none of this same reluctance for war. In 1801, early in his presidency he took up the issue of pirates along the Barbary Coast. Ships from the Barbary Coast were capturing American merchant ships and interfering with American commerce in the region. Jefferson’s initial response contained his typical assertion of good intentions and his desire for peace. A letter to the Bey of

³¹ Jefferson to Robert R. Livingston, Washington, April 18, 1802, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:314.

³² “Napoleon Bonaparte, First Consul of France, Explains the Need to Sell Louisiana to the United States, 1803,” in *Major Problems in American Foreign Relations*, vol. 1, ed. Dennis Merrill (Boston: Houghton Mifflin, 2005), 84.

Tripoli said, “The assurances of friendship which our consul has given you, and of our sincere desire to cultivate peace and commerce with your subjects, are faithful expressions of our dispositions.” In this case however, the use of military force was also presented as a legitimate threat. Jefferson informed the Bey that, “We have found it expedient to detach a squadron of observation into the Mediterranean sea, to superintend the safety of our commerce there.”³³ Jefferson still justified his actions with natural rights. He mentions the safety of commerce, and in another letter he wrote, “the protection of our right to navigate the ocean freely has induced us to send a squadron into the Mediterranean sea.”³⁴ Intent on protecting America’s interests, Jefferson was willing to do whatever was necessary. In this case, more blatant aggression and a less formidable opponent allowed him to go to war in defense of America’s rights and national honor.

Jefferson always directed his diplomacy toward the ends of protecting American interests. He used idealism and belief in a moral law governing all areas of life, including the interactions between nations, to his advantage. He articulated natural rights for states as an extension of the rights individuals were believed to have within enlightenment thinking. Jefferson argued that every nation had a right to the sea and to commerce, and used these rights to justify his pursuit of these things for America in the international arena. The tactics that he resorted to in each situation showed the extent to which he was a realist in his diplomacy. He knew the strengths and weaknesses of each of his opponents. He quickly used military force when he believed it was to his advantage, but

³³ Thomas Jefferson to Bey of Tripoli, 1801, American State Papers, Foreign Relations vol 2, 348.

³⁴ Thomas Jefferson to Hamouda Bashaw, September 9, 1801, American State Papers, Foreign Relations vol 2, 358.

was very restrained when he saw that it would be destructive to his cause. When pushing his concerns with foreign powers, he very astutely pointed out how it would be in their interests to do what he wanted. He was also an opportunist who waited until an opponent was weakened, by being at war for example, and then took advantage of the situation. Thomas Jefferson claimed to be pursuing idealistic values while using pragmatic, opportunistic means to great success on the international level throughout his presidency.

Jefferson's diplomacy was designed to protect American interests in the "civilized" world, in dealings with European nations for the most part. The multitude of Native American nations sharing the continent with the United States occupied an ambiguous place within this diplomacy. Jefferson and his contemporaries manipulated native forms of government, making authority indefinite and often allowing Americans to decide who they felt had the authority to make binding diplomatic contracts. Jefferson's conviction of the universality of natural rights did not extend into this arena. He was unwilling to respect these rights when it came to dealing with his "savage" neighbors. To reconcile these philosophical problems, Jefferson and likeminded individuals created a separate set of ideals governing their interaction with the Native Americans, centering on the idea of "civilizing" them as an act of philanthropy. Despite this philosophical distinction between U.S.-international relations and U.S.-native relations, under Jefferson's leadership both were carried out for the unilateral promotion of American interest, using the same tactics of flattery, threats, bribery and occasionally war.

Indians and the Republic: The Mutual Benefits of “Civilization”

Thomas Jefferson’s views of Native Americans and their place in the changing landscape of his time were very complex and incorporated ambiguous and contradictory ideas. He took a particular interest in the nature of the Indian, drawing on ideas of universal morality, civilization and, natural law. While he generally concluded that Indians were not inherently inferior to Europeans, their place outside of “civilization” separated them from the ideal toward which he believed humanity was progressing. This conclusion labeled the natives as “savage” and almost part of nature, but Jefferson and many of his contemporaries still harbored a sense of admiration for the Native Americans as a noble though simple people. This analysis of the Native Americans opened the door to the possibility of their incorporation into the new American republic. If they could be civilized and taught to rely on agriculture rather than hunting, they could be productive members of society, but equally important, they could subsist on smaller areas of land. This would open up more space for the expansion of white settlers who were constantly trying to push further west. The “civilizing” mission was carried out in large part by religious groups hoping to convert the natives to Christianity, but the mission was as much about culture and way of life as it was about religion. The government played a significant part in attempting to convert the native population into permanently settled farmers. Jefferson posited that this conversion was the only way to ensure the survival of the native peoples. They could either be incorporated into America and maybe eventually become citizens, or they would be continuously pushed west until there was nowhere left for them to go. Thomas Jefferson explained his dealings with Native

Americans in terms of a moral philanthropy, but this philosophy served the same purpose as his rhetoric of natural rights and enlightenment in European diplomacy. With the Indians, he used different arguments, but his overall tactics and goals were the same.

The nature of the Indians themselves was a topic of importance for Jefferson, because whether or not they were fully human in the same way that Europeans were would impact what should be done with them. Jefferson himself was particularly interested in the origin of the Native Americans. He studied their languages extensively to that end. Noticing the amount of diversity present among their languages, he compared the natives to the “red men of Asia” writing, “a greater number of these radical changes of language having taken place among the red men of America, proves them of greater antiquity than those of Asia.”³⁵ This line of argument was meant to give the Native American tribes a place within the accepted narrative of world history by showing that they had developed in the same way as other human societies, and demonstrate the capacity for further development into a civilized people.

Explaining away differences between Indians and whites was part of the larger Enlightenment movement to preserve an idea of a perfect natural order, according to Bernard Sheehan. Thomas Jefferson accepted this and believed that nature was ordered and even “designed on a grand scale.”³⁶ He had such faith in the natural order that he wrote, “such was the economy of nature, that no instance can be produced of her having permitted any one race of her animals to become extinct; of her having formed any link in

³⁵ Thomas Jefferson, “Notes on Virginia,” 1782, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 2:141.

³⁶ Bernard Sheehan, *Seeds of Extinction*, 17.

her great work so weak as to be broken.”³⁷ The natives were part of this ordered chain of being, but they lived according to their circumstances, which separated them from the “civilized” culture of the white man. Since this separation was circumstantial, Jefferson concluded “we shall probably find that they [Indians] are formed in mind as well as in body, on the same module with the ‘Homo sapiens Europaeus.’”³⁸ This same fundamental formation opened the door for the eventual incorporation of the Native Americans into white society.

Another argument that supported the potential for Indians to become civilized was their sense of morality. Jefferson and many of his contemporaries believed in a universal morality. The possession of morality by all human beings was yet another form of evidence for the ordered nature of the universe. This morality was inherent in all human beings and could be strengthened through various means, but could not be learned. Indians possessed the same potential for morality as white men, in spite of their societal circumstances.³⁹ In his observation of Indian society, Jefferson noticed, “their only controuls are their manners, and that moral sense of right and wrong, which, like the sense of tasting and feeling, in every man makes a part of his nature.”⁴⁰ Jefferson believed there was an almost complete lack of government within native society, but they lived in an orderly way and crime was not common among them. He noticed, “Every

³⁷ Thomas Jefferson, “Notes on Virginia,” 1782, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 2:71.

³⁸ Thomas Jefferson, “Notes on Virginia,” 2:87.

³⁹ Sheehan, *Seeds of Extinction*, 28.

⁴⁰ Thomas Jefferson, “Notes on Virginia,” 2:128.

man with them, is perfectly free to follow his own inclinations.”⁴¹ He admired the extent to which civil liberties were preserved within these societies. He wrote, “I am convinced that those societies (as the Indians) which live without government, enjoy an infinitely greater degree of happiness than those who live under the European governments.”⁴² In America however, the potential for civilized life in addition to freedom had been realized.⁴³ Since the Native Americans had the same potential for civilization as the white men, Jefferson believed it was possible and desirable to absorb them into the republic.

Despite this potential, it was evident to Jefferson that the natives needed help to convert to civilized modes of life. For example, even though the Native Americans had lived on the continent for long enough to diversify and develop all of their different languages, they had not developed materially to the extent Europeans had. Jefferson wrote very critically, “I know of no such thing as an Indian Monument; for I would not honor with that name arrow points, stone hatchets, stone pipes and half shapen images.” Despite this claim, he studied Indian burial mounds, admitting them to be the most respectable remains of Indian labor. These mounds were still not, in Jefferson’s opinion, on the same scale as those of European civilization. After studying and excavating the mounds, he concluded that the burials he encountered were in “utmost confusion,” and “give the idea of bones being emptied promiscuously from a bag or basket...without any

⁴¹ Jefferson to Edward Carrington, January 16, 1787, quoted in Bernard Sheehan, *Seeds of Extinction: Jeffersonian Philanthropy and the American Indian* (Chapel Hill: University of North Carolina Press, 1973), 111.

⁴² Jefferson to Edward Carrington, Paris, January 16, 1787, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 6:58.

⁴³ Reginald Horsman, *Expansion and American Indian Policy: 1783-1812*. (Michigan State University Press, 1967), 106.

attention to their order.”⁴⁴ The inability or unwillingness to build permanent structures to memorialize the dead, in Jefferson’s opinion, demonstrated a deficiency in Native American development. America was seen as a vast untouched natural resource that could be transformed into something useful given the right circumstances. The Native Americans were part of this natural landscape and Jefferson believed that they too could be “developed.” This would be part of the ideal development of mankind as a whole, “this march of civilization advancing from the seacoast, passing over us like a cloud of light, increasing our knowledge and improving our condition...and where this progress will stop no one can say.”⁴⁵ According to this reasoning, it was a moral imperative to civilize the Indians, not only for their sake, but to contribute to the overall progress of humanity.

The means to bring about this transformation of the natives were a “civilizing” mission and the subtle use of coercive force to manipulate them into adopting a different lifestyle. The “civilizing” mission was the publically acknowledged effort to “save” the Indians from their own ignorance. It was seen as a moral duty and carried out by those who considered themselves philanthropists. Manipulation was the Jefferson administration’s more secretive attempt to simultaneously divest the Indians of their lands and induce them into a static farming lifestyle. This involved taking advantage of the reliance many tribes had developed on American goods in order to create debt, which could only be relieved through the cession of tribal lands. Jefferson conveniently

⁴⁴ Thomas Jefferson, “Notes on Virginia,” 2:134-6.

⁴⁵ Jefferson to William Ludlow, Monticello, September 6, 1824, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 16:75.

combined philanthropy and hunger for land into policies governing intercourse with the Native Americans.

The philanthropic push to save the Indians was partly motivated by the notion of the “vanishing Indian.” Many, including Jefferson, believed that the Indians were on their way toward extinction and that “the ultimate point of rest and happiness for them is to let our settlements and theirs meet and blend together, to intermix, and become one people.”⁴⁶ The only hope for the survival of the Indians, he believed, was as part of the American republic. The progress of civilization would not allow for their mode of living much longer. Jefferson argued, “I consider the business of hunting as already becoming insufficient to furnish clothing and subsistence to the Indians. The promotion of agriculture, therefore, and household manufacture, are essential in their preservation, and I am encouraged to aid and encourage it liberally.”⁴⁷

The incorporation of religion into this mission was a controversial element. Many of those attempting to bring civilization to the Indians were missionaries doing so primarily through religious conversion. Jefferson and other Enlightenment thinkers argued that the Indians should be brought to civilization gradually. They believed that there was a universal progression of humanity that began with keeping domestic animals, then farming, property, the use of money, then literacy, and only after that would religious sentiment develop.⁴⁸ This conversion should begin with simple skills and only introduce Christianity once the Indians were civilized enough to understand and accept it.

⁴⁶ Jefferson to Benjamin Hawkins, Washington, February 18, 1803, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:360.

⁴⁷ Jefferson to Hawkins, February 18, 1803, *Writings of Thomas Jefferson*, 10:360.

⁴⁸ Sheehan, *Seeds of Extinction*, 125.

This ambivalence regarding religion likely reflects Jefferson's own interpretation of Christianity. In his own religious life, he focused on the morality taught by Christ rather than the religious dogma of the church.⁴⁹ When it came to the Indians, he thought it would be far more useful to reinforce natural morals than to import a completely alien ideology to them. Jefferson wrote, "the missionary of supernatural religion appeals to the testimony of men he never knew, and of whom the infidel he labors to convert never heard...But the missionary of natural religion can appeal at all times and everywhere, to present and immediate evidence, to the testimony of sense and intellect."⁵⁰ Because of these convictions, official government civilization efforts during Jefferson's presidency emphasized adoption of American culture rather than religion.

Along with this conversion, land would inevitably be ceded to advancing white settlers as Indians became farmers and no longer needed as much land. This was almost entirely to the benefit of the United States, but Jefferson presented it to the Indians as an act of benevolence. He wrote to a Miami chief, Little Turtle, "I have...always believed it an act of friendship to our red brethren whenever they wished to sell a portion of their lands, to be ready to buy whether we wanted them or not, because the price enables them to improve the lands they retain, and...support them more plentifully."⁵¹ On the surface, this program with the Indians was shown as an effort to incorporate the Indians into white civilization, for the mutual benefit of improving their mode of living and freeing their lands for use by American settlers.

⁴⁹ Adrienne Koch, *The Philosophy of Thomas*, 22-23.

⁵⁰ Thomas Jefferson, *The Literary Bible* quoted in Adrienne Koch, *The Philosophy of Thomas Jefferson* (New York: Columbia University Press, 1943), 12.

⁵¹ Jefferson to Little Turtle, Chief of the Miamis, Washington, December 21, 1808, Sheehan, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 16:441.

In reality, the wellbeing of the Native Americans was not the highest priority for Jefferson. In a letter to Andrew Jackson in 1803, Jefferson admitted, “In keeping agents among the Indians, two objects are principally in view: 1. The preservation of peace; 2. The obtaining of lands.”⁵² Interaction with the Native Americans was meant to acquire their lands for use by white settlers as cheaply and peacefully as possible. And while he claimed to be “alive to the obtaining lands from the Indians by all honest and peaceable means,”⁵³ his commitment to “honest means” did not prevent the economic manipulation of the Indians. In 1803, he instructed William Henry Harrison, governor of the Indiana territory at the time, “we shall push our trading uses, and be glad to see the good and influential individuals among them run in debt, because we observe that when these debts get beyond what the individuals can pay, they become willing to lop them off by a cession of lands.”⁵⁴ Jefferson justified this kind of manipulation by his belief that the conversion of Indians into farmers was the only way to ensure their continued existence.

Jefferson’s willingness to allow Native Americans into U.S. society along with his fascination of their society, evident by his extensive studies, leave little doubt that he genuinely wanted to promote their wellbeing. His official policies and the way in which they were carried out also make it evident that Native American interests were never his top priority. Above all, Jeffersonian philanthropy was designed to acquire land for the United States. Reginald Horsman argues Jefferson wanted the Indians to benefit from

⁵² Jefferson to Andrew Jackson, Washington, Feb 16, 1803, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:357.

⁵³ Jefferson to Jackson, Feb 16, 1803, *Writings of Thomas Jefferson*, 10:359.

⁵⁴ Jefferson to William Henry Harrison, Washington, Feb 27, 1803, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:370.

“civilization,” but if they did not accept this offer, “they would be swept aside.”⁵⁵ In any instance when Jefferson was forced to choose between pursuing American interests and preserving Native American interests, he chose the former.

Native American resistance to his policies often challenged Jefferson’s determination to keep his methods peaceful. Many Native Americans were not willing to give up their way of life to adopt Western culture, which they deemed inferior. White society was plagued with problems and even many whites who lived with the Indians adopted the native lifestyle rather than return to the European one. Another complication was the involvement of European nations in Native American affairs. Jefferson and his contemporaries believed the Indians were inherently more corruptible due to their uncivilized state. This meant that despite the separation between the Native Americans and the United States, the government had to prevent Europeans from taking advantage of this corruptibility to the detriment of American interests. Tribes that would not adopt “civilized” modes of living could not simply be ignored or compelled through military force, because they might then turn elsewhere for aid, making the fight more costly.

Interaction with whites brought a significant decline in native populations to the point where some tribes were extinct or in danger of becoming extinct. The white men had also brought liquor to the Indians, which had a terrible effect. The sale of alcohol quickly became a contentious issue between natives and the government. Tribal leaders asked for legislation preventing the sale of alcohol in their territory. In 1802, Congress passed an act prohibiting the sale of alcohol to Indians. The determination of liquor

⁵⁵ Reginald Horsman, 111

traders to make money from the Native Americans rendered the good intentions of the act ineffectual. The act was only enforceable to a limited extent and white frontiersmen largely disregarded it. Jefferson wanted to use the act to build a better relationship between the two societies but the almost ungovernable interaction between whites and Indians on the frontier hindered this step in the civilizing mission and gave Native Americans yet another reason to be skeptical of government efforts to help them.

The uncivilized nature of the Native Americans made them easily corruptible in Thomas Jefferson's opinion. This brought about a fear that one of America's potential enemies, France, Spain or England, could use hostile tribes against the US in the event of war. To combat this, Jefferson argued, "The principles on which our conduct towards the Indians should be founded are justice and fear."⁵⁶ When the peaceful negotiations and attempts at cultivating friendship failed, something else was needed to keep the Indians from becoming a threat. The superior technology and comparative immensity of the American military filled that role.

Leading up to the War of 1812, the United States and Britain were each doing their best to win over the support of powerful tribes. The Shawnee prophet Tenskwatawa and his brother Tecumseh led a pan-Indian movement and had the support of the British. Few tribes ended up allying with the United States, mainly only pro-civilization factions in the Creek and Cherokee tribes. Americans were indignant at British influence over Indian tribes, because they did not hesitate to use them against whites. During the American Revolution for example, British commander Henry Hamilton used a force

⁵⁶ Jefferson to Benjamin Hawkins, Paris, August 13, 1786, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 5:390.

composed of Cherokees, Chickasaws, Shawnees, and Delewares to attack Virginians.⁵⁷ Jefferson argued that Indians should not be encouraged to attack civilized people writing, “we wish not to expose them [the British] to the inhumanities of a savage enemy...we would not have our national character tarnished with such a practice.”⁵⁸ Despite this noble sentiment, Jefferson was aware of the potential military use of tribes, and especially the confederacy of tribes forming around Tecumseh during the later years of his presidency. Engaging in the same kind of manipulation that he detested in the British, Jefferson wrote to his Secretary of War, Henry Dearborn, “could not [William Henry] Harrison gain over the prophet, who no doubt is a scoundrel and only needs his price?”⁵⁹ These attempts were unsuccessful though and the prophet and his brother Tecumseh ended up fighting against the United States during the War of 1812. Jefferson later told John Adams that he had left the prophet alone “till the English thought him worth corruption, and found him corruptible.”⁶⁰ Clearly the corruptibility of the Indians was a convenient diplomatic tool. Tribes that accepted American influence, like “progressive” elements of the Creek and Cherokee tribes, were becoming civilized and should be respected as noble peoples. The tribes that fought against America, the nativist factions of the Creek and Cherokee as well as the Shawnee and the rest of the tribes in

⁵⁷ Gregory Dowd, *A Spirited Resistance: The North American Indian Struggle for Unity* (Baltimore: John Hopkins University Press, 1992), 57.

⁵⁸ Jefferson to George Rogers Clark, Williamsburg, January 29, 1780, in *Envisaging the West: Thomas Jefferson and the Roots of Lewis and Clark* (Lincoln: University of Nebraska, 2006), http://jeffersonswest.unl.edu/archive/view_doc.php?id=jef.00021.

⁵⁹ Jefferson to Henry Dearborn, Monticello, August 12, 1807, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 11:325.

⁶⁰ Jefferson to John Adams, Monticello, April 20, 1812, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 13:141.

Tecumseh's movement, were only displaying their "savage nature." In many southern tribes, the Cherokee for example, use of "civilized" agricultural and domestic practices was common. These tribes were also the most friendly to American interests and Jefferson used them as proof of the merit of cultural conversion.⁶¹

This also removed any blame from Jefferson or his government regarding hostile tribes and created fear that could be used to justify action against them. Jefferson's willingness to use deadly force against Indians was made clear in a letter to William Henry Harrison. Jefferson wrote, "Should any tribe be foolhardy enough to take up the hatchet at any time, the seizing the whole country of that tribe, and driving them across the Mississippi, as the only condition of peace, would be an example to others, and a furtherance of our final consolidation."⁶²

Jefferson's ideas about the racial equality of Native Americans were well ahead of his time. He was able to articulate them convincingly using arguments that incorporated enlightenment ideas about the order of nature and the inherent morality of man. This humanity only meant that the Native Americans had the potential to become equals of Europeans though. Their "uncivilized" ways, resulting from their circumstances in the untouched American wilderness, set them apart from the march of human advancement. In order to save them from extinction and to improve the republic at the same time, Jefferson attempted to convert them to farmers. They could then sell their extra lands for

⁶¹ Francis Paul Prucha, *American Indian Policy in the Formative Years: The Indian Trade and Intercourse Acts 1790-1834*. (Cambridge: Harvard University Press, 1962), 217.

⁶² Jefferson to William Henry Harrison, Feb 27, 1803, *Writings of Thomas Jefferson*, 10:371.

the expanding nation. These goals were pursued with shrewd practical means in much the same way that Jefferson's diplomacy was. Obtaining lands, particularly near rivers and important trade routes was his top priority in both cases, as it was necessary to ensure the survival of the United States. Also, the idea that the plans he was proposing were of mutual benefit to both parties, which was ever present in his foreign relations, was the basis for his arguments for Indians to part with their lands. In the end, just like in diplomatic negotiations, when his efforts were persistently opposed, Jefferson threatened war by referring to it as an inevitable consequence of resistance.

The philanthropic claim of Jefferson's Indian policy is certainly questionable. The basis of the idea was that the Native Americans would be improved if they could be made more like whites. This comes from an unwillingness to challenge the idea that "civilization" was progressing and that the Europeans were at the forefront of that advance. Despite Jefferson's claims regarding the equality of man, he subscribed to an elaborate philosophical system that designated the natives as inferior to their white neighbors. Taking land from the Indian tribes was articulated as an incentive to get them to farm so that they could survive in the changing world. This was merely a justification for land grabs, which were always beneficial to whites while the payments given to the tribes in return were only occasionally advantageous. Also, the reason that hunting had to be replaced with agriculture as a means of supporting the tribe was that white settlers had taken the hunting grounds, sometimes with treaties and sometimes without. The "civilizing" program was designed to allow Native American tribes to live on less land. This was almost entirely to the benefit of whites that wanted the land. It is possible that Jefferson genuinely believed that there was an inevitable march of "civilization" and that

if the Native Americans were not induced to become part of it, they would become extinct. An examination of Jefferson's dealings with the Cherokee and Creek tribes, however, will demonstrate that these land cessions were part of Jefferson's larger plan for America and were motivated by a variety of factors that were not "philanthropic" for the Indians. Moral rhetoric was a convenient tool to justify his actions, but Jefferson dealt with the Native American tribes with the same adamant self-interest that was evident in all areas of his diplomacy.

Disputed Land Cessions from the “Civilized” Cherokee

The Cherokee were one of the larger, more important tribes with whom Jefferson negotiated in his attempts to expand the United States and “civilize” the natives. They constitute an interesting example because of the extent to which many among them had already adopted western modes of living. Another reason for their relevance is that the U.S. sought the land they occupied because it stood between American settlements. After the Louisiana Purchase, Cherokee territory was also an obstacle to expansion to the Mississippi. Jefferson’s diplomacy, as well as his Indian philosophy, shaped the way he interacted with the Cherokee and instructed his agents to treat with their chiefs. He assured the Cherokees that the goals he had in mind were for their own good as well as America’s, he used veiled threats, and he argued that he had a right to secure American commercial and agricultural needs. Jefferson used this pragmatic style of diplomacy, constructed to fit the specific circumstances that he encountered with the Cherokees, to obtain land from the tribe.

Jefferson’s philanthropy seemed to be a success among the Cherokee given the advancement of “civilization” among them and their rapidly shrinking land claims. As the tribe’s resources dwindled, the government continued to push for more cessions due to the insatiable hunger of white settlers for land. The end goals of the “philanthropists” were not the same as those of the expansionists. Jefferson’s philanthropy justified taking land only by arguing that it was the best way to preserve the Indians, but the destructive nature of deals made by American agents showed that the government had little regard

for the Cherokee's wellbeing, and that the needs of the American nation took precedence to those of the tribe.

The history of the Cherokee tribe influenced the way they responded to American attempts to obtain land in Jefferson's day. Historical traditions and a culture that traced its roots back to long before European arrival still shaped important parts of the Cherokee worldview. Anglo-Americans' ignorance of these traditions, or feigned ignorance, complicated diplomatic relations with the tribe. The pattern of interaction that had developed between Cherokees and whites since Europeans had arrived in the New World also influenced interaction. This gave the Americans a precedent for justifying violence and putting pressure on the tribe to cede lands. It made the Cherokees suspicious of treaties and American promises.

The origins of the Cherokee tribe are uncertain because there are many competing theories. One creation story that was popular among the Cherokee suggests that they were created in the traditional homeland of the tribe, in what became the southeastern United States. Other stories claimed that the Cherokee migrated from great distances, possibly from Asia or South America and then fought long wars to claim the land they later occupied. Either way, the Cherokees came to inhabit a vast area of land. The earliest known information stated that the Cherokee lived in modern North and South Carolina, Kentucky, Virginia, West Virginia, Alabama, Georgia, and Tennessee.⁶³ Whatever the origin of the tribe, this area had been their home as long as anyone could remember, and

⁶³ Robert Conley, *The Cherokee Nation: A History*, (Albuquerque: University of New Mexico Press, 2005), 5-6.

was a principal part of the Cherokee identity. Whether they were created there or had conquered the land, it belonged to them collectively, as Cherokee.

By the time Jefferson entered into negotiations with the tribe, there was a semblance of centralized government. Influential chiefs claimed to speak for the tribe as did a National Council. This centralization was relatively new, however, and developed mainly as a tool for dealing with European nations. At the time of European arrival, at least 80 autonomous towns composed the Cherokee “nation,” each with between 200 and 250 inhabitants on average. Every town had its own peace chief who dealt with domestic and ceremonial life, as well as a war chief who handled negotiation with outsiders, trade, and war. The tribe was divided into seven clans, each constantly battling the others and fighting for political power. They carried out responsibilities that were later left to a centralized government. When the tribe later negotiated with the United States, Indian agents chose small groups of chiefs whom they assumed to be representative of the entire tribe. Because of the decentralized nature of the tribal leadership, left over from the earlier, traditional system, the Cherokee people often contested the notion that a few chiefs represented the entire Cherokee tribe, which complicated negotiations.⁶⁴

Belonging within the clans was matrilineal, as were many things in Cherokee society. In their traditional towns, before European influence, women had their own councils and wielded political power along with the men.⁶⁵ Women were also providers, since agriculture was strictly a female occupation, except for certain male captives who were ritually adopted to replace dead women. This matriarchal society was very shocking to Europeans and was one of things that they attempted to change when they later

⁶⁴ Robert Conley, *The Cherokee Nation*, 6.

⁶⁵ Robert Conley, *The Cherokee Nation*, 7.

“civilized” the Indians. The established gender roles within the tribe persisted throughout early contact, however, as they were the “most profound social distinction” among the Cherokees.⁶⁶

According to the Cherokee worldview, maintaining balance and order was very important. Every being had a proper place within the order of the universe. This reinforced things like tribal leadership, clan belonging and gender roles. Religious ritual was an essential part of preserving balance. Cherokees believed that a number of ceremonies performed throughout the year brought spiritual favor to the tribe. As Americans later tried to “civilize” and Christianize the Cherokees, they viewed these rituals as an obstacle to the progress they hoped to make. The centrality of these rituals to maintaining balance, and therefore to Cherokee identity, drove a wedge between the two societies. One of the most important ceremonies was the Green Corn Ceremony. Cherokee believed a plentiful harvest was the gift of the Corn Woman, the spiritual mother of the Cherokee. The Green Corn Ceremony thanked her for this harvest. According to tradition, the Corn Woman told the Cherokee, “If you forget to think of me,...but make use of me without remembering my words, I will fling among you The Desolator!”⁶⁷ One of the American agents to the Cherokee, Return J. Meigs, noticed, to his disappointment, that this ceremony was still religiously observed during a visit to the Cherokees in 1801. He wrote, “In dancing their motions are slow, decent, graceful, & regular...hardly a smile to be seen on their faces. The appearance suggests the Idea of a

⁶⁶ Gregory Dowd, *A Spirited Resistance*, 8.

⁶⁷ John Payne, “Papers concerning the Cherokee Indians,” (1789-1839), I, 28-31, quoted in Gregory Dowd, *A Spirited Resistance*, 8.

religious dance.”⁶⁸ This and many other aspects of traditional Cherokee culture survived contact with Europeans and Americans and even attempts at “civilizing” the tribe.

Agriculture, which Jefferson believed inextricably connected to “civilization,” was part of Cherokee society long before his civilizing mission. The tribe principally supported itself through farming and hunting. The men hunted and the women grew corn, squash, pumpkins, beans and harvested wild berries, nuts, and mushrooms.⁶⁹ Their interest in farming made the Cherokees open to improved techniques and farming equipment introduced to them by the Americans. By the mid-18th century, the Cherokee had adopted many aspects of European life. Commercial hunting with guns had replaced subsistence hunting with traditional weapons; Cherokee abandoned traditional crafting methods for new technological ones and kept domestic farm animals. Their economy depended on trade with the Europeans as hunters began to focus on pelts rather than food. Elites even held slaves and experimented with the plantation system.⁷⁰ Meigs noticed that slaveholders among the Cherokee were “in favor of improvements and have very much thrown off the savage manners and habits of their ancestors.”⁷¹ Americans encouraged these practices, believing they would lead to civilization.

Ironically, the Cherokee religious tradition, which the agents tried to suppress, was one of the things that made even the conservative members of the tribe open to improvement of the agricultural system. Ceremonies like the Green Corn Ceremony were given to the tribe as gifts by outside forces to help with farming. New technology

⁶⁸ Return Meigs, quoted in Gregory Dowd, *A Spirited Resistance*, 173.

⁶⁹ Robert Conley, *The Cherokee Nation*, 11.

⁷⁰ Gregory Dowd, *A Spirited Resistance*, 153.

⁷¹ Meigs to Dearborn, Southwest Point, July 27, 1805, quoted in Gregory Dowd, *A Spirited Resistance*, 160.

brought by Europeans could be viewed in a similar light, as gifts given to help the Cherokee people.⁷² In a subtle act of manipulation, Americans were even able to shift some of the agricultural duties onto the men of the tribes. They accomplished this through the introduction of household arts to Cherokee women. Women adopted spinning, and weaving so agriculture was therefore increasingly left to the braves.⁷³

Jefferson and his contemporaries believed that the Cherokee had made great strides toward civilization, and that this was the result of their philanthropic efforts. While many eastern Native American tribes farmed, the Cherokee were very receptive to American technological advancements and in some cases changed their society to incorporate those advancements. One example was the successful transference of agriculture to the men in society through the introduction of spinning and weaving among the women. The provisions of treaties for land cessions provided some of the most compelling evidence of the “progress” of the tribe. In one treaty, signed in 1791, the Cherokee secured the promise of farming implements from the U.S. in addition to money in exchange for land. The fact the Indians themselves actively sought the agricultural advancement that the “philanthropists” wanted to provide encouraged them of the possibility of success. The Cherokee even reminded government officials on a visit to Philadelphia shortly after the signing of the treaty, “the treaty mentions ploughs, hoes, cattle, and other things for a farm, this is what we want, game is going fast away among us.”⁷⁴ Also, when passing through the Cherokee territory in 1796, Benjamin Hawkins

⁷² Gregory Dowd, *A Spirited Resistance*, 9.

⁷³ Bernard Sheehan, *Seeds of Extinction*, 166.

⁷⁴ Bloody Fellow to Secretary of War, American State Papers, Indian Affairs, vol. 1, 205.

noticed the Indians raised and sold cattle to whites, planted cotton and even fenced some of their fields, orchards and livestock.⁷⁵

This early acceptance of European technology and practices, relative to other tribes, made the Cherokee one of the more receptive tribes to Thomas Jefferson's "civilization" program. It also made him optimistic about the potential success of this mission. An examination of the pressure put on the tribe to obtain land demonstrates the hollowness of Jefferson's claim that American demands for land cessions aimed at encouraging Cherokee adoption of agricultural practices. The Cherokee were already adept at farming. But they were not exempt from the philanthropic loss of lands and, in fact, may have experienced greater pressure to cede lands than less "civilized" tribes. Jefferson's belief that eventually the tribe would be absorbed into American society may also have been a factor in pursuing Cherokee land, but this was not a conclusion that the Cherokee accepted. Even the accommodationists among the Cherokee simply wanted assistance with the economic development of the tribe. According to Meigs, in 1805, it was still a widespread belief among the Cherokee that Indians were not created in the same way or by the same Great Spirit as the whites. He wrote that they believed, "they are not derived from the same stock as the whites, that they are favorites of the Great Spirit, & that he never intended this people to live the laborious lives of the whites."⁷⁶ These views undermined Jefferson's agenda and presented an ideological obstacle to any attempts at "civilization" that sought to promote change on a fundamental societal level.

⁷⁵ Anthony Wallace, *Jefferson and the Indians*, 287.

⁷⁶ Meigs to Hawkins, Southwest Point, February 13, 1805, quoted in Dowd, *A Spirited Resistance*, 175.

In 1800, just before the start of Thomas Jefferson's first term as president, only 43,000 square miles remained of the Cherokee tribe's territory, a miniscule fraction of the lands occupied before European arrival. Chiefs whose leadership was no longer recognized bore responsibility for the cession of many of these lands. The remaining lands were located in what are today northern Georgia, Alabama and eastern Tennessee. As the U.S. expanded westward and acquired the Louisiana territory, the Cherokee had white settlers on both their eastern and western borders and faced pressure for roads connecting the two through Tennessee. By this time, in addition to traditional agriculture, the Cherokees had started growing peaches and potatoes and keeping bees. The lowland towns in the South were the most "civilized," with a large number of influential whites and Cherokees with mixed blood living in them. The upper towns in the north maintained a more conservative way of life.⁷⁷ This schism between north and south provided a convenient opening for land hungry Americans to exploit in their diplomatic dealings with the Cherokees.

The actual negotiations and treaties that occurred between the United States and the Cherokee tribes were fairly straightforward. The United States sought lands for settlers, roads connecting towns for trade and communication, and the use of rivers for commercial purposes. In principle, these were the same goals that drove Jefferson's diplomacy. Also like his diplomacy, Jefferson intended for these negotiations to secure American interests without costly wars and articulated his arguments in his idealistic, moral rhetoric, in order to preserve the reputation of the United States. Notions of

⁷⁷ Robert Conley, *The Cherokee Nation*, 81.

“civilization” did complicate this process, however, and make it unique. The ambiguity of tribal authority gave Indian agents the opportunity to find the chiefs most receptive to their aims and then act as if those chiefs represented the tribe. The limited resources of the Cherokee, economically as well as militarily, also allowed Jefferson to treat with them with less fear of a military backlash than a powerful nation like Britain.

Indian agents were responsible for carrying out the actual interactions with the Indians. Under Jefferson’s administration, these agents answered to Henry Dearborn, the secretary of war. Jefferson described Dearborn as a man “whose qualification and standing have possessed [him] of the public confidence, and whose wisdom may ensure our fellow-citizens the advantages they sanguinely expect.”⁷⁸ He believed that Dearborn was a man who would do what was in the best interest of the republic. Dearborn instructed the agents on behalf of the president and sometimes amended instructions in response to requests from Jefferson himself. The secretary of war carried out Jefferson’s wishes in Indian policy.

The instructions Henry Dearborn gave to commissioners appointed to treat with the Cherokees in 1801 display the clear-cut, practical aims of the administration. Dearborn laid out a list of objectives including obtaining lands in Northern Tennessee and securing permission to build a road across Cherokee territory. In these instructions, Dearborn wrote, “It is of importance that the Indian nations generally within the United States should be convinced of the certainty in which they may, at all times, rely on the friendship of the United States, and that the president will never abandon them... while

⁷⁸ Thomas Jefferson to Lieutenant Henry Dearborn, Washington, February 18, 1801, in *The Writings of Thomas Jefferson*, ed. Albert Ellery Bergh (Washington: Thomas Jefferson Memorial Association, 1905), 10:204.

their conduct shall be peaceable, honest, and fair.”⁷⁹ This rhetoric of peaceful intentions and desire for friendship is the same that appeared repeatedly in Jefferson’s diplomatic dealings with European nations. He presented the same qualification as well. The United States would be friendly with the Cherokee as long as they remained “peaceful, honest, and fair.” This implied that if Jefferson were to pursue military action against the tribe, he could appear to be doing so reluctantly, and only because the Indians had forced his hand. This was exactly the same tactic he used when negotiating for New Orleans in the following years.

An amendment to Dearborn’s instructions sent a few days later showed the subtlety and timing with which Jefferson pursued land cessions from the Cherokee. Dearborn explained that since there was a misunderstanding about the boundary between the Cherokees and the whites, “it is evident that the Cherokee have testified much dissatisfaction on hearing that the government were about to request them to cede more land.” Because of this, the president had instructed that the commissioners only negotiate for the road that was to go through Cherokee lands.⁸⁰ In only pursuing this objective, Jefferson was prioritizing the military and economic benefit of the road above the marginal advantage of gaining more land for settlers. This also exemplifies the prudent application of pressure on a diplomatic opponent, which Jefferson was very skilled at. He knew when to adamantly push his interests with unilateral demands and when to hold off and peacefully negotiate for smaller objectives. Dearborn thus instructed the

⁷⁹ Henry Dearborn, to William R. Davie, James Wilkinson, and Benjamin Hawkins, Washington, June 24, 1801, American State Papers, Indian Affairs, vol. 1, 649-50.

⁸⁰ Henry Dearborn to William R. Davie, James Wilkinson, and Benjamin Hawkins, Washington, July 3, 1801, American State Papers, Indian Affairs, vol. 1, 650.

commissioners to, “State none of [the desires of the government] in the tone of demands, but, in the first instance, merely mention them as propositions...their assent to which the Government would consider as new testimonials of their friendship.”⁸¹ Jefferson presented this to Congress as evidence that he respected the rights of the Cherokee.

The commission sent to the Cherokees delivered a speech explaining the president’s desires to the chiefs of the Cherokees on September 4, 1801. The commissioners presented the need for the road using ideas similar to the assertion of “natural rights,” but without using those words. They explained that current roads were, “narrow and obstructed by fallen timber, with rivers and creeks, which prevent them from pursuing their lawful business.” This could be seen as protecting the American right to commerce and to freely trade between the distant settlements. They did not use the term “natural rights” because of the assumed lack of civilization of the Cherokee. Instead, the “father,” the president, was trying to accommodate the needs of both his red children and his white children. The commissioners explained that this road would be of mutual benefit to the Cherokee. The request “is intended not to extinguish your rights, but to give value to your land, and make it immediately productive to you.”⁸²

After hearing these arguments from the Agents, Doublehead responded on behalf of the Cherokees. He began by saying, “it seems...that means have been provided, to take care of the red people; and the present President, it seems, cherishes the same good wish towards us...we hope his good disposition towards us will continue, that our

⁸¹ Instructions to William R. Davie, James Wilkinson, and Benjamin Hawkins, Washington, 1801, American State Papers, Indian Affairs, vol. 1, 656.

⁸² “Speech of the commissioners of the United States to the chiefs of the Cherokees, assembled at Southwest Point, September 4, 1801,” American State Papers, Indian Affairs, vol. 1, 656-7.

children will live in peace.”⁸³ He accepted Jefferson’s claim that he desired peace and wellbeing for the Cherokee, and used the same diplomatic tactic in return, claiming that the Cherokee also only wanted peace. He established his authority to treat with the United States, claiming, “in behalf of my nation, I am authorized to speak with you.” By acknowledging that his authority came from his tribe, he assumed the same role as any European diplomat addressing the United States, and claimed the ability to make binding agreements for his people. He rejected the request to make roads, arguing that it would encourage more white settlers and would bring extra traffic through Cherokee territory. He then used Jefferson’s own tactic and once again assured the commissioners of his nation’s friendly intentions, “We mean to hold fast the peace which is subsisting between you and us; to preserve this, we hope you will not make roads through our country.” In an act of pragmatism similar to Jefferson’s customary veiled threats, Doublehead made it clear that the United States would be breaking its own agreement by building these roads and that he would remain peaceful and give them no pretext to use force to do so. In his speech, Doublehead also used paternal rhetoric, referring to Jefferson as the father and to his tribe as the children, showing the effectiveness of this tactic. In this case, as with most diplomatic situations with European nations, the argument that America needed to do something to preserve its economic interests and natural right was not enough to convince the Indians to yield something of value. That these arguments were used and that the Cherokee were able to refuse the proposition shows the extent to which this was in fact a diplomatic interaction despite the hegemonic American ideas of “civilization” and the paternal rhetoric.

⁸³ Doublehead to Commissioners of the United States, Southwest Point, September 5, 1801, American State Papers, Indian Affairs, vol. 1, 657.

With the acquisition of the Louisiana Territory in 1803, Thomas Jefferson set his sights on the Mississippi. His determination to hasten the nation's westward advance resulted in increased pressure on the Cherokees to cede lands. In early 1803, Dearborn once more attempted to gain Cherokee permission for a road through their territory, and faced defeat once again.⁸⁴ Dearborn then instructed his agent, Return J. Meigs, to win over some of the influential chiefs by bribery.⁸⁵ After this, interactions between the Cherokee and the U.S. government went more smoothly, and the tribe agreed to the road later that year.

In 1805, Meigs returned to the Cherokee with the mission of acquiring the land north of the Tennessee River, which would allow the unification of eastern and middle Tennessee. The diplomatic parties signed two treaties in Tellico on the 25th and 27th of October, 1805. The treaties ceded more land to the United States and allowed for the building of several roads through Cherokee land.⁸⁶ These two cessions combined with another in the previous year ceded 8,000 square miles of Cherokee territory. Increased pressure to obtain these lands led to a change in tactics of negotiation. This time Meigs threatened to withhold annuities to the tribe unless they agreed to the cession.⁸⁷ He continued to use the rhetoric of maintaining peace and helping neighbors. The treaty itself claimed, "the Cherokees, being possessed of a spirit of conciliation, and seeing that this tract is designed for public purposes...cede to the United States said section of

⁸⁴ Reginald Horsman, *Expansion and American Indian Policy*, 125.

⁸⁵ Dearborn to Meigs, May 30, 1803, Washington, quoted in Horsman, *Expansion and American Indian Policy*, 125.

⁸⁶ Articles of a Treaty between the United States of America and the undersigned chiefs and headmen of the Cherokee nation, October 25, 1805, American State Papers, Indian Affairs, vol. 1, 697-8.

⁸⁷ Dowd, *A Spirited Resistance*, 161.

land.”⁸⁸ Doublehead explained the need to agree to the treaty to the other chiefs, saying, “we think that...we shall agree to the request of our Father, at least in part...the Agent had informed us that he could not be Justified in continuing the presents of wheels, cards, and implements of husbandry...as he had done before.”⁸⁹ Doublehead was convinced that the sale of the land was necessary because of these threats and informed Meigs of this. Meigs then wrote to another commissioner, “They appear convinced that it will not do to put off the business. They are assured from every quarter that the white people are irritated at their refusal to comply.” In this case the strong-arm tactics worked in forcing easily influenced chiefs like Doublehead to agree to the treaty. In return for this cession, the United States gave the tribe additional annuities and reserved some lands for the private use of Doublehead and Toluntuskee, two of the chiefs who signed the treaty.

Doublehead emerged as the leader of a faction of Cherokees friendly to the United States, and ceded lands on behalf of the tribe. During this time, the Indian agents continued using the same kinds of arguments justifying the necessity of the land cessions, namely that they mutually benefitted the United States and the Cherokees, and that they proved the good faith and peaceful intentions of the natives. After another cession of land in January 1806, Jefferson awarded Doublehead one thousand dollars, “in consideration of his active influence in forwarding the views of Government, in the arts of civilization among the Cherokee Nation.”⁹⁰ Even when it came to bribery, Jefferson

⁸⁸ “Treaty between the United States and the chiefs of the Cherokees,” *American State Papers, Indian Affairs*, vol. 1, 698.

⁸⁹ Doublehead to Black Fox, August 9, 1805, quoted in William McLoughlin, *Cherokee Renaissance in the New Republic*, (Princeton: Princeton University Press, 1986), 103.

⁹⁰ Dearborn to Meigs, January 8, 1806, Washington, quoted in Horsman, *Expansion and American Indian Policy*, 128.

continued to argue that he was helping the Cherokee people. He articulated Doublehead's actions as those of an enlightened individual acting for the benefit of his less civilized brethren. Now that the United States had the opportunity to expand to the Mississippi, Jefferson had more incentive to push the Cherokee off of their land and remove them as an obstacle to the march of civilization. This added motivation led Jefferson to use more aggressive tactics with the tribe.

Doublehead was recognized as a legitimate leader of the Cherokee tribe earlier in his life. During the Revolutionary War, he was among the leaders of the Chickamauga faction of the Cherokees, aiding the British and resisting American influence.⁹¹ He fell out of favor because of his willingness to give in to American demands during the later portion of Jefferson's presidency. It may be that he began to agree with Jefferson's argument that the "civilization" and incorporation of native society by the United States was inevitable. Also, with the mounting government pressure for Indian removal, and threats of annuities being withheld, he had little choice. It is also important to note the increasing factionalism within the Cherokee tribe at the time. What to do about land cessions and "civilization" was a highly contentious issue on which the tribe was deeply divided.

In 1806, a Cherokee embassy to Washington learned of the "gifts" that the government had given Doublehead. The more conservative upper towns immediately declared that land grants made by Doublehead were invalid because he did not have the authority to make them, or to accept the gifts.⁹² The councils of the upper towns informed Jefferson that Doublehead and his party did not have their support. James Vann

⁹¹ Conley, *The Cherokee Nation*, 67.

⁹² Gregory Dowd, *A Spirited Resistance*, 160.

was an influential chief in the upper towns and emerged as one of the leaders of the new faction. Vann declared that future cessions would only be valid if they were done under the authority of the National Council.⁹³ This new faction led by Vann had the support of much of the upper towns, but they by no means had the entire tribe behind them. Doublehead, Toluntuskee, Black Fox and other chiefs still led the opposing faction and had support from their respective towns.

An internal conflict within the Cherokee tribe ensued. The U.S. government was certainly aware that Doublehead did not speak for the entire tribe, and had heard James Vann's arguments against accepting future cessions from Doublehead. The issue at stake here was the authority of an individual to make binding contracts on behalf of the nation. Jefferson's based his rationale in holding the entire Cherokee tribe accountable for the deals of Doublehead on his idea that agreements made between leaders represented contracts not only between the leaders themselves but also between their respective nations. This was the same argument he used to hold the French Republic to treaties that Louis XVI signed with the United States.⁹⁴ The problem was that with the Cherokee, no chief could speak for the entire nation at this time. The authority was decentralized because of the large number of chiefs left over from earlier structure of the tribal government, and even within the centralized council, there was no consensus.

Jefferson took advantage of this decentralization by selecting the most favorable faction and treating with it. It was apparent that neither Doublehead nor Vann had the unanimous support of the tribe. Jefferson did as he always did in diplomacy and acted in

⁹³ Gregory Dowd, *A Spirited Resistance*, 162.

⁹⁴ Thomas Jefferson, "Secretary of State Thomas Jefferson Defends the Treaty with France, 1793," in *Major Problems in American Foreign Relations*, vol. 1, ed. Dennis Merrill (Boston: Houghton Mifflin, 2005), 57.

the way that he expected to produce the best practical results. After Doublehead was assassinated, Jefferson could not continue to deal with his faction. Doublehead's opponents went to Washington, declared that they had deposed Black Fox and Toluntuskee and all of Doublehead's other supporters. They claimed the support of all of the Cherokee towns and used "philanthropy" to support their argument. They said, "Father those men that wants to move...throw away the plow and pick up the gun and also throw away the wimmin Spinning wheles."⁹⁵ Jefferson had secured many of the lands that he wanted, and these chiefs had the support of much of the nation. They also promised to allow continuance of the "civilizing" mission, so he acknowledged their leadership.

Many among the Cherokee nation eagerly adopted aspects of American culture, particularly technological innovations. Jefferson and his administration viewed these things favorably and believed that the Cherokee were progressing towards "civilization." Their optimism in these efforts was not entirely justified, as many fought to preserve the old way of life and even among the most progressive Cherokees, few desired total assimilation into white society. Jefferson ignored these complications and used the tribe as an example of the potential success of the "civilizing" mission. If the motivation for Jefferson trying to take their land truly was the "philanthropic" service of "civilizing" the tribe, then one might expect less pressure on the already fairly "civilized" Cherokees than the more savage tribes. If Jefferson meant to force savages to turn to farming by taking land, it was unnecessary to do so with a tribe that had already adopted modern agriculture

⁹⁵ John Walker, John Meentush, Ridge, to the President, Washington, D.C., January 5, 1809, quoted in Dowd, *A Spirited Resistance*, 164.

to the extent that the Cherokee had. The reality was the opposite, almost immediately after each treaty ceding land, agents went to negotiate for more.⁹⁶ Jefferson was unrelenting in his efforts. Dearborn justified the intense pressure on the Cherokees explaining that as the U.S. took more land, the Cherokee “will be enabled to make still greater progress in the useful arts and will more and more rely on Agriculture and domestic manufactories for their support and of course become a happier people.”⁹⁷ In this case it is clear that Jefferson’s priority was obtaining land for the benefit of the United States. There was no reason to apply intense pressure with such urgency if “civilization” of the Indians was the principal goal.

The rhetoric of philanthropy was a useful tool in negotiating with the Cherokee because it reassured them that the government was looking out for their interests too. Jefferson warned the Cherokee in the same manner that he warned European nations. He claimed that he desired peace above all but if his people’s rights could only be protected with force then he would use force. He used whatever moral, idealistic argument suited his needs. In the case of the Cherokee this was mainly the idea of philanthropy, but in the end, his goal had little to do with the Cherokee at all. He simply wanted to gain land and protect American commercial and military interests, and philanthropy was a convenient excuse.

⁹⁶ Robert Conley, *The Cherokee Nation*, 82.

⁹⁷ Dearborn to Meigs, April 23, 1804, quoted in Horsman, *Expansion and American Indian Policy*, 126.

The Temporary Success of “Civilizing” the Creeks

Just to the South of the Cherokee’s territory was another powerful Indian nation: the Creeks. The Creeks were a diverse people made up of a variety of tribes that joined together over time and developed a shared cultural identity. Like the Cherokees, the Creeks were pressured for and agreed to several land cessions under Jefferson’s direction. The Creek’s territory bordered American settlements on the east, and after the Louisiana Purchase, on the west as well. This made the land increasingly valuable for American expansion. Much of the Creek land was within the borders of Georgia, and pressure from the state led Jefferson to pursue these cessions more adamantly than he otherwise may have. “Civilization” of the tribe was wrapped up in the cessions, with farming implements and education being offered as part of the payment for cessions but it was mostly used as a convenient tool to take advantage of the tribe. The agent for the tribe created a central tribal government to help the Creeks be more like a “modern” nation. This government facilitated land cessions because many of the chiefs were proponents of the “civilization” program. With this tribe, Jefferson operated with the same motives and using the same tactics as he did in other areas of diplomacy. He sought expansion and the protection of American economic interests. In order to obtain these things, he treated with the Creeks to gain lands both for use by white settlers and for the natural resources on the land. In negotiations, he emphasized the idea that the United States was morally justified in seeking these lands because they were helping to “civilize” their inhabitants. He also continued to make the argument that he only wanted peace between the nations and what he was doing was for the good of them both.

When the Europeans arrived in the new world, the Creeks inhabited modern Alabama and Georgia. Their territory bordered the Cherokee lands in the North, the Chickasaws and Choctaws in the West, and later the English colonies on the East and the Spanish in the South. At this time the confederacy was made up of fifty to eighty towns with a total population estimated between eleven and twenty-four thousand.⁹⁸ Creek territory was divided into two separate regions, the upper towns along the Coosa and Tallapoosa rivers and the lower towns along the Flint and Chattahoochee. The confederacy was made up of various tribes that were initially only loosely associated but in times of crisis or war, they came together. The confederate nature of the Creeks led to a unique experience when dealing with the early European colonization. Creeks often annexed tribes they conquered in war, but after European contact they began also to absorb refugees from white settlers, like the Natchez tribe, which was almost wiped out in fighting with the French. The Euchee people in the Tennessee River Valley joined the confederacy after being crowded out of their homeland by the English. Small groups of refugees, many of them Shawnee, came to settle in Creek lands as well.⁹⁹ This gave the tribe an especially diverse makeup and also meant that they had a wealth of firsthand experience of the destructive possibility inherent in European colonization.

Agriculture was an important part of Creek life, even before the Europeans, just as it was with the Cherokee. Each family had a small garden in front of their home where they grew corn, beans and tobacco, but there was also a large field for each town where

⁹⁸ Angie Debo, *The Road to Disappearance*, (Norman: University of Oklahoma Press, 1941), 3.

⁹⁹ Debo, *The Road to Disappearance*, 5.

the people farmed together. The people of each town all contributed and worked together to plant on this field and later to harvest the crops. This was central to the communal identity of the Creek Indians and helped form a spirit of unity in each town. When the crops were harvested, each family had its own storehouse, but there was also a public storehouse that kept food for public needs. In this way, the land itself was one of the things holding the Creeks together. Hunting also contributed to town identity, since each town had its own hunting areas, which other towns were not allowed to use. Hunting was also part of the communal identity of the Creeks because it was done in groups and often took place before a community celebration or feast.¹⁰⁰

The Creek confederacy had a centralized government similar to that which was later adopted by the Cherokee. Creek towns were either white towns or red towns, and matters of importance to the whole tribe were decided at councils in the leading white or red towns. White towns were used for internal affairs, making peace, and adopting new tribes into the confederacy. Red towns held councils declaring war, conducting foreign relations and diplomacy, and planning military action. It was rare that all of the towns were represented at these councils, but towns that were not included often provided input via messengers. The influence of each chief depended on the prestige of his town, and sometimes chiefs of important towns were allowed to speak for their entire region. Decisions were made by the most important chiefs, but the opinions of all of the chiefs and of the Creek people in general were taken into account.¹⁰¹ The structure of this early form of government was conducive to diplomacy with Europeans and later America because there was a precedent for one chief or a small group of chiefs to make decisions

¹⁰⁰ Debo, *The Road to Disappearance*, 21.

¹⁰¹ Debo, *The Road to Disappearance*, 8.

for the nation. This also shows that the desires of the tribe as a whole were important in making decisions, but ultimately the chiefs on the council spoke for the tribe.

In Creek society, the opinion of the majority was generally respected, but force was not used to compel dissenting towns to comply with decisions, so town councils were more of a forum for debate than anything else.¹⁰² In cases of intense disagreement between factions, they did not confront each other openly at councils. During a conflict, one side would simply not come to the council. This tradition continued even after the advent of the National Council when, during the time Hawkins pressured the council for land cessions, those opposing the sales refused to attend.¹⁰³

Ritual ceremonies were a major part of what it meant to be Creek. Other tribes that the Creeks absorbed adopted the Creek ceremonies in one form or another. Just like the Cherokee, the most important Creek celebration was for the corn harvest, and it was called the “busk.” A Creek described this ceremony to Benjamin Hawkins around 1790, saying, “It is our opinion that the origin of the Boosketau [busk] and our physics proceeds from the goodness of [the Master of Breath]; that he communicated them in old times to the red people, and impressed it on them to follow and adhere to them, and they would be of service to them.”¹⁰⁴ During the observance, the inhabitants of the town danced together to display their shared experience and their relationship to nature. The ceremony also marked the Creek new year when crimes were forgiven, marriages and divorces

¹⁰² Claudio Saunt, *A New Order of Things: Property, Power, and the Transformation of the Creek Indians, 1733-1816*, (Cambridge: Cambridge University Press, 1999), 26-27.

¹⁰³ Ethridge, *Creek Country*, 108.

¹⁰⁴ Benjamin Hawkins, “A Sketch of Creek Country,” quoted in Gregory Dowd, *A Spirited Resistance: The North American Indian Struggle for Unity, 1745-1815*, (Baltimore: Johns Hopkins University Press, 1992), 8.

addressed and other business taken care of. This ceremony showed the importance of agriculture to Creek communal identity, as well as their deep, religious connection with the land.¹⁰⁵ It also showed that the mythological origins of things like the corn ceremony were instances of the tribe being helped by some powerful outside force and may have made some more open to the innovations brought by the Europeans. The busk was of such importance to the Creeks that even in times of war, as when they were aiding the British during the American Revolution, the Creeks put aside all other business and attended the ceremony.¹⁰⁶

The Creeks had extensive relations with Europeans once they established a foothold in the south, something that shaped how they would go on to interact with the United States. The central location of the Creeks between the different colonizers gave them the opportunity to trade with whomever they wanted, but also meant that they experienced pressure for their lands on all sides. The Creeks interacted with the Spanish in Florida both diplomatically and through trade from the time they founded Pensacola in 1698. When the French settled in modern Alabama in 1702, the Creeks allowed them to establish a fort in Creek country, and both peoples agreed upon rules governing trade and other interactions. The English, settled in Charleston in 1670, were the main influence on the tribe. This was in part an economic decision by the Creeks, since the English paid more for Creek goods and charged less for European goods than their competitors. When English traders first arrived among the Creeks, they provided them with guns to use against enemy tribes that had already acquired them. The English also brought new and intriguing goods to the Indians, like bells and brightly colored cloths, which they had

¹⁰⁵ Debo, *The Road to Disappearance*, 22.

¹⁰⁶ Dowd, *A Spirited Resistance*, 62.

never seen before. The Spanish by comparison were not focused on trade and had few guns they were willing to part with.¹⁰⁷ The Creeks and English mutually benefitted from this relationship. The Spanish tried to prevent the English from trading with the Creeks, but the Creeks hid English traders from Spanish soldiers and continued to trade.¹⁰⁸

French, Spanish and English visitors to Creek country were all accorded the same courtesies, the Creeks remained more or less neutral with them all, but the English were most willing to adopt the Creek custom of gift giving and participating in formal Creek town meetings.¹⁰⁹ In this way, an early partnership developed between the Creeks and English traders.

The changing landscape of the American continent through the 18th century affected the relationship of the Creeks and the Europeans. After 1763, following the French and Indian war, the English were the strongest remaining power in the region. They dominated commerce and left the Creeks with little alternative to trading with them almost exclusively. The tribe actively participated in the American Revolution on the side of the British. They raided American settlements and attacked along the frontiers.¹¹⁰ After the war, feelings of hostility remained between the newly formed United States and the Creeks, who had not been considered in peace negotiations. Georgians attempted to use a Creek chief who had been friendly to their cause during the war to cede lands on behalf of the tribe in 1783. A council of Creeks denounced the cession, but when it was

¹⁰⁷ Kathryn E. Holland Braund, *Deerskins and Duffels: The Creek Indian Trade with Anglo-America, 1685-1815*, (Lincoln: University of Nebraska Press, 1993), 28.

¹⁰⁸ Braund, *Deerskins and Duffels*, 29.

¹⁰⁹ Braund, *Deerskins and Duffels*, 30-31.

¹¹⁰ Debo, *The Road to Disappearance*, 37-8.

made anyway, they burned down the renegade chief's house and destroyed his cattle.¹¹¹ The infuriated chiefs even went so far as to seek the assistance of the Spanish, signing a treaty that placed the tribe under Spanish protection in 1784.¹¹² Jefferson and many other Euro-Americans treating with the Native Americans later used the same tactic that Georgia had used, with other tribes, finding sympathetic chiefs to cede land on behalf of the tribe, but in this instance, the Creeks did not tolerate it. In addition to allying with the Spanish, Alexander McGillivray, a half-white, western educated chief, convinced Spain to allow the tribe to also trade with the British. He argued that, "the formidable Indian Confederacy of the late war against the Americans must always be a great check on the States in preventing their ambitious designs of possessing themselves of all the Western Countrys."¹¹³ This displays the diplomatic proficiency of tribal leaders in gaining European support against a common threat. Eventually a group of Creek chiefs came to an understanding with the United States and signed a treaty in New York in 1790, which ceded some of the land in question but also provided for an annuity for the Creeks and aided in "civilization." Shortly afterwards, some of the tribe denounced this treaty, and loyalty split within the tribe between chiefs loyal to the United States and those who still opposed it.¹¹⁴ The Creeks lost the aid of their English allies after Jay's Treaty in 1794, and they lost their Spanish friends after the Treaty of San Lorenzo the following year.

¹¹¹ Debo, *The Road to Disappearance*, 40.

¹¹² Reginald Horsman, *Expansion and American Indian Policy*, 28.

¹¹³ McGillivray to O'Neil, Little Tallassee, January 1, 1784, Dowd, *A Spirited Resistance*, 94.

¹¹⁴ Debo, *The Road to Disappearance*, 54.

With these treaties, the U.S. gained the lands surrounding the Creek confederacy and American influence quickly replaced the vacuum left by the Spanish and English.¹¹⁵

The emphasis on “civilization” as an essential part of interaction between Americans and Creeks illustrates Jefferson’s tendency to defend his diplomacy with moral arguments. He used his concept of philanthropy to justify attempted acculturation of this tribe. When Jefferson, and Dearborn and others praised the progress of “civilization” among the tribe, they were essentially making the argument that whatever they were doing was justified, because they were saving the Creeks from their eventual destruction. This was a different moral argument than Jefferson used to justify his conduct when negotiating with a nation like France, for example, but the presence of an underlying philosophical basis for his diplomacy shows continuity between dealing with the Creeks and with other nations.

The main agents of “civilization” to the Creeks prior to Jefferson’s program were the English traders who lived among them. These traders integrated themselves into Creek and often took Creek wives. The traders benefited immensely from this interaction and quickly became wealthy. On the eve of Jefferson’s presidency, traders among the Creeks had dozens of cattle, horses, and slaves and grew cotton in plantation systems. Elite Creeks emulated this lifestyle, keeping slaves of their own and experimenting with the plantation lifestyle.¹¹⁶ These “elites” tended to be the mixed-blood Creeks and many of them were so “progressive” that they could barely be distinguished from white settlers living on the fringes of Creek territory. They abandoned the matrilineal household for

¹¹⁵ Dowd, *A Spirited Resistance*, 116.

¹¹⁶ Anthony Wallace, *Jefferson and the Indians*, 188.

the western “nuclear” family, took European sounding names, and undermined communal land ownership by claiming the best lands for themselves.¹¹⁷ The presence of traders also changed the leadership of the tribe following the American Revolution. Many important leaders were killed during the conflict and the men who rose to take their places were half-Creek sons of white traders. These individuals were suited to deal with the increasingly important interactions with Anglo-Americans because they had grown up in Creek society but often had more European educations. They were literate, spoke English, and whites were more willing to treat with them.¹¹⁸

As the American agent to the Creeks, Benjamin Hawkins led the first federally supported mission to “civilize” the confederacy. Hawkins was a devoted Indian agent who did his best to help the Creeks while also carrying out his orders to support pro-U.S. factions and promote land cessions. He was criticized by land hungry southerners for not gaining land quickly enough. They accused him of undue sympathies for the natives, but he always had Thomas Jefferson’s support. Henry Dearborn was pleased and optimistic about Hawkins’s progress in civilizing the Creeks. He said, “The progress made in the introduction of the arts of civilization among the Creeks must be highly pleasing to every benevolent mind, and in my mind...may ultimately destroy all distinctions between what are called Savages and civilized people.”¹¹⁹ Just like the Cherokees, the Creeks were one of the tribes that were held up as an example of the success of philanthropy and “civilization” by their proponents.

¹¹⁷ Braund, *Deerskins and Duffels*, 184.

¹¹⁸ Braund, *Deerskins and Duffels*, 170.

¹¹⁹ Dearborn to Benjamin Hawkins, May 24, 1803, quoted in Francis Prucha, *American Indian Policy in the Formative Years: The Indian Trade and Intercourse Acts 1790-1834*, (Cambridge: Harvard University Press, 1962), 216-17.

Hawkins advocated for the Creeks to abandon hunting, fence their fields, and acquire the skills for domestic industry. Domestic industry provided an opening for change since this would involve introducing new pursuits specifically for native women. Hawkins found women willing to adopt western household pursuits, like spinning and weaving, and used them to subtly undermine Creek society.¹²⁰ The value of these new activities was immediately evident as clothing produced this way was much easier and more plentiful than skins obtained by hunting. Hawkins described male feelings on this matter, writing, “The chiefs, who were apprehensive at first, that if their women could clothe and feed themselves by their own exertions, they would become independent of the degraded state of connexion between them, have had proofs that the link is more firm in proportion, as the women are more useful, and occupied in domestic concerns.”¹²¹ Since women were the traditional keepers of the family garden plots and played an active part in the communal farming, these new duties left an increasing share of the agriculture to the men of the tribe. Through this transition, the Creeks realized that these new activities were less labor intensive and more stable than their previous reliance on hunting, especially with the shrinking hunting grounds resulting from land cessions.

Hawkins also encouraged this shift by introducing sheep and plows to Creek society.¹²² The effort to promote keeping livestock was very successful and Hawkins believed it was “more relished by the Creeks than any part of the plan devised for their

¹²⁰ Bernard Sheehan, *Seeds of Extinction*, 166.

¹²¹ Benjamin Hawkins, “A sketch of the present state of the objects under the charge of the principal agent for Indian affairs South of the Ohio,” *American State Papers, Indian Affairs*, vol. 1, 647.

¹²² Merritt B. Pound, *Benjamin Hawkins: Indian Agent*, (Athens: University of Georgia Press, 1951), 143.

civilization. They are now eagerly acquiring cattle, by every means in their power.”¹²³ Along with livestock, the Creeks also began fencing their fields. Between 1798 and 1802, 400 Creek settlements were fenced. Property was not traditionally considered to be of much importance, but under Hawkins’ encouragement, this was one of the fundamental ways that Creek society began to change. Another indication of the increasing emphasis on property by some Creeks was inheritance. Before the late 18th century, a dead Creek’s possessions were buried with him, but it became increasingly common for his sons to keep them and even to fight over them.¹²⁴ The method of Hawkins’ “civilization” was similar to that of the English traders who came before him. He operated a slave-run farm where he taught Creek women to spin, weave and keep house.¹²⁵ In this way, he encouraged the Indians to follow his example without having to force anything upon them. Because Hawkins shared Jefferson’s ambivalence regarding organized religion, Christian missionary work-and therefore formal education-was not part of this “civilization” effort among the Creeks.

In addition to this philanthropic effort, Hawkins also encouraged the formation of a centralized, western-style government for the Creeks. He put an end to the peace and war towns and placed most of the power under a central body.¹²⁶ He sought to create a Creek government with distinct legislative, executive and administrative branches that would be strong enough to unite the various political factions within the confederacy as well as to combat regional differences. He planned a central body called the “National Council,” which would meet yearly in the same place, a town on the Tallapoosa River.

¹²³ Hawkins, *American State Papers, Indian Affairs*, vol. 1, 647.

¹²⁴ Saunt, *A New Order of Things*, 171-2.

¹²⁵ Wallace, *Jefferson and the Indians*, 189.

¹²⁶ Debo, *Road to Disappearance*, 67.

At the Council, one individual from the Upper towns and one from the Lower towns were elected to be Speaker of the Nation. These were the men that the Americans treated with, but their authority was not absolute and, in theory, they could be thrown out of this position if their actions did not reflect public opinion.¹²⁷ This council could be used as a forum for Indian-white relations, and the decisions would be put in writing and regarded as the “will of the nation.”¹²⁸ From the philanthropist’s mindset, this form of government helped the Creeks by providing organization to their political system and adding a forum for debate about the future of the nation. But the concept was not entirely new and previous Creek councils had also provided structure and allowed debate. The National Council was different because of its regularity and incorporation of the whole Creek nation.¹²⁹

In order for this council to be effective in making binding treaties with the U.S., it needed to be able to enforce its decisions. Traditionally Creek councils did not have this ability, but this was something Hawkins sought to change. He appointed a warrior for each town to enforce laws by punishing thieves and making sure other warriors did not attack whites. He advocated violent, public punishment for those who violated the law. In one instance, a group of Creeks accused of interfering with an American land survey were brutally beaten to death by a group of warriors, on Hawkins’ orders. But even after this new “police” system, law enforcement remained rare and opposition to decisions of the National Council was common.¹³⁰

¹²⁷ Ethridge, *Creek Country*, 106.

¹²⁸ Wallace, *Jefferson and the Indians*, 304.

¹²⁹ Saunt, *A New Order of Things*, 179.

¹³⁰ Claudio Saunt, *A New Order of Things*, 181-5.

This new National Council was really for the benefit of the Indian agents. Hawkins informed Dearborn's predecessor, James McHenry, "An establishment of this sort appears to me indispensable to enable the nation to fulfill its engagements with us."¹³¹ The interactions between the Cherokees and the U.S. government show the difficulty of making treaties with a decentralized people and expecting all of the members of the tribe to adhere to the treaties. If Hawkins's plan worked, the decisions of this body would be respected by the Creek nation because this council was their official representation. This council also gave agents a convenient place to introduce their pro-civilization ideas. Benjamin Hawkins also wrote, "I doubt not, in a few years, it will be a useful instrument to approximate them to a more civilized state, and give the United States a more commanding influence over them."¹³² Hawkins met with some success until 1805 when followers of the Shawnee prophet Tenskwatawa and his brother Tecumseh spread anti-white sentiment through the Creek confederacy and the tribe's loyalty began to split between chiefs who supported "civilization" and those who opposed it. Ironically when Tecumseh visited the Creeks and shared his plan for an Indian confederacy, it was at the National Council.¹³³

Treaties negotiated between the United States and the Creek tribe were done through this National Council that Hawkins created. The first major treaty negotiated by the Council was the Treaty of Fort Wilkinson, which was signed June 16, 1802. Earlier that year, Georgia ceded some of its western lands to the federal government with the

¹³¹ Benjamin Hawkins to James McHenry, 6 January 1797, quoted in Saunt, *A New Order of Things*, 179.

¹³² Hawkins, *American State Papers, Indian Affairs*, vol. 1, 647.

¹³³ Ethridge, *Creek Country*, 107.

understanding that those lands would be cleared of their Indian inhabitants as soon as possible.¹³⁴ Despite the overarching claims of Jefferson that Indian lands were cleared for philanthropy, in this case, by far the strongest force in favor of the cessions was the pressure by Georgia and white settlers who wanted the lands. Because of this pressure for the lands, agents carried out these negotiations with more urgency and aggression than might have been necessary simply for the sake of “civilization.” Benjamin Hawkins, Andrew Pickens and James Wilkinson were sent to treat for this particular cession. James Wilkinson began the negotiations by attempting to intimidate the Creek leaders. He listed murders and other offenses that neighboring whites alleged the Creeks had committed. He told them that they needed to cede the land because soon there would be no game left for them to hunt, but their compliance would ensure their nation’s survival by turning solely to the plow. Wilkinson wrote that he intended to “excite a strong sense of humiliation and dependence” with his demands.¹³⁵ This tactic makes sense considering the extent to which the Creeks had become dependent on the United States at this point. In addition, Jefferson’s plan to encourage influential Indians to acquire debt added to the already sizable debt that the Creeks had built up through decades of trading with Americans and Europeans at a deficit.¹³⁶ When the chiefs agreed to the treaty, it involved the forgiveness of a debt of over ten thousand dollars to the American factory.¹³⁷ The incorporation of “civilization” into these negotiations and exploiting the Creek economic dependence shows how Jefferson always tried to show a diplomatic opponent that what he wanted was in their mutual interest. In this case, the

¹³⁴ Pound, *Benjamin Hawkins*, 177.

¹³⁵ James Wilkinson, quoted in Debo, *Road to Disappearance*, 72.

¹³⁶ Braund, *Deerskins and Duffels*, 137.

¹³⁷ Debo, *Road to Disappearance*, 74

Americans would get the land they wanted and the Creeks could prove themselves good neighbors, relieve their debts and continue their progress toward “civilization.”

The Creeks were not entirely submissive in these negotiations. They pointed out the white encroachment on their lands, which violated their previous agreements with the United States. One of the Creek chiefs, Hopoi Micco complained to the agents, “We find that houses are built on our lands, and fields are cleared and cultivated; we shall wait a reasonable time, to give an opportunity to the officers of Government, whose business it is to attend to such things, to move these people off...if they do not move off, we shall consider these things as our property.”¹³⁸ In response, the United States agreed to build military forts between white settlements and Indian lands. The Creeks then ceded one tract on the Altamaha River and part of another on the Oconee. In return they received an annuity, a yearly salary for the leading chiefs in the National Council and ten thousand dollars worth of goods.¹³⁹ Many of these goods were for farming and other “civilized” pursuits, which allowed agents to make the argument that the cessions had been philanthropic. Wilkinson and Hawkins reported to Henry Dearborn that, “A solid foundation has been laid for a salutary reform in the habits and manners of this people; and we have no doubt that...the great work of their civilization may be accomplished.”¹⁴⁰ The young warriors, who did not reap the benefits of “civilization,” objected to the treaty, and the inhabitants of the lands to be ceded boycotted it. More brazen Creeks even

¹³⁸ Hopoi Micco, *American State Papers, Indian Affairs*, vol. 1, 670.

¹³⁹ Debo, *Road to Disappearance*, 73.

¹⁴⁰ *American State Papers, Indian Affairs*, vol. 1, 670.

threatened to kill the representatives in the Council. None of this made any difference as the Council agreed to the deal and ignored the opposition.¹⁴¹

The purchase of the Louisiana territory from the French changed American relations with the Creeks just as it did with the Cherokee. This change led Jefferson to be more forceful with the Cherokees, but many of the Creek leaders supported the United States and trusted Hawkins, so their situation did not require the same escalation in the urgency of land cessions. In 1804, Jefferson wanted permission for roads across Creek land and the rest of the land tract on the Oconee River, which was withheld in the 1802 treaty. He instructed Hawkins to meet with the Creek council to treat for these things. Whites were settling in the newly purchased lands west and south of Creek country and needed a way across.¹⁴² Hawkins met with the chiefs and explained the necessity of ceding the lands. Hopoi Micco agreed with Hawkins that the sale was necessary for the survival of his people. Hawkins recorded, "He [Hopoi Micco] understood well what was said to them in the name of the President...and was very desirous of doing what might be agreeable to him; but his nation were yet in the dark, and foolish; and that, of all things, this of land selling was the most disagreeable to an Indian."¹⁴³ Hawkins continued to negotiate with the other chiefs who did not share Micco's views. They were mainly concerned with the value of the land and making sure that they were compensated fairly, and that the compensation was distributed to the whole tribe. At the conclusion of the negotiations, the Creeks gave Hawkins what he wanted and he agreed to pay in stock amounting to more than what he had been instructed to offer. He defended this, writing,

¹⁴¹ Saunt, *A New Order of Things*, 216.

¹⁴² Pound, *Benjamin Hawkins*, 184.

¹⁴³ Benjamin Hawkins to Henry Dearborn, Flint River, November 3, 1804, American State Papers, Indian Affairs, vol. 1, 691.

“I have done the best I could in this transaction, and I believe a delay to another year would not have benefitted us, and it would have greatly inconvenienced the views of Georgia, who have an undoubted right to these lands, whenever they can be obtained at a reasonable price, and the one given, in my opinion, is far from being unreasonable.”¹⁴⁴ In this instance, the Creeks used Georgia’s pressure to obtain the land quickly to their advantage. They knew the value of their land and used that knowledge to their advantage diplomatically. Jefferson’s general policy was to press and threaten force when he believed it would work, but hold back in other cases. In this case it was most important to obtain these lands for Georgia peacefully. If the cession was disputed, the Creeks might start making raids in the territory and then Jefferson would have to intervene further, costing more money and resources, and delaying expansion. This also gave credence to his claim that these cessions were supposed to benefit the Creeks as well as the Americans. Since the Creeks were rewarded for the cession with the ability to continue the progress of modernization, it was ultimately for the good of the tribe as well. The treaty was not ratified by the senate because of the amount of money promised to the Creeks. The next year Hawkins led six Creek chiefs to Washington where they signed a treaty with Henry Dearborn on November 14, 1805.

Before signing, they debated the value of the land with Jefferson. The “civilization” of the Creeks backfired in this instance as they explained to Jefferson the abundant resources on the land and the potential for sawmills and timber. The price they asked for was about ten cents per acre and at the time the United States paid an average of two cents per acre of Indian land. The chiefs knew that this was still less than the land

¹⁴⁴ Hawkins to Dearborn, American State Papers, vol. 1, 692.

was worth, and when the treaty was signed, the price amounted to over nine cents per acre, to be paid over eighteen years.¹⁴⁵ Hawkins' having offering more than he was authorized to was one reason he was accused of being overly sympathetic to the Creeks, but really simply shows that both he and the Creeks were aware of the real value of the land. He described the cession to Dearborn as "unquestionably the best land in this country."¹⁴⁶

In this treaty the signing chiefs served their own interests while ignoring the good of the tribe. The National Council told them not to agree to the establishment of a road through Creek territory but they did anyway. Two of the signers, Alexander Cornels and William McIntosh had plans to profit from ferries and inns that would be needed along the road. In addition, as each treaty was signed, the annual stipend paid to the tribe by the U.S. went up. This was supposed to be for the use of the whole tribe in pursuit of "civilization" but it was increasingly mismanaged and came to be viewed by most Creeks as little more than a bribe paid to their corrupt leaders.¹⁴⁷

After 1805, there were few land cessions of any significance until after the close of the War of 1812. In the coming years, the Creek National Council would be challenged by a nativist faction of the tribe called the Red Sticks. Influenced by the pan-Indian movement of the Shawnee prophet Tenskwatawa, this group advocated the formation of a confederacy of Indian nations and the development of a sustainable economic system that benefited the natives.¹⁴⁸ This backlash against the National

¹⁴⁵ Robbie Ethridge, *Creek Country: The Creek Indians and Their World*, (Chapel Hill: University of North Carolina Press, 2003), 201.

¹⁴⁶ Benjamin Hawkins, quoted in Ethridge, *Creek Country*, 200.

¹⁴⁷ Saunt, *A New Order of Things*, 216-18.

¹⁴⁸ Dowd, *A Spirited Resistance*, 148.

Council shows that there was a significant portion of the Creek tribe that did not respect the authority of this body. Council members were men who had amassed vast wealth through “civilized” pursuits like slavery and cattle. These men viewed this property as their own individual estates and passed it down to their sons when they died.¹⁴⁹ They had attained their prominence through support of Americans like Hawkins and benefitting from land cessions, and were therefore easily manipulated by Hawkins and other agents.¹⁵⁰ It became clear that these leaders represented a minority of Creeks when traditionalists among the tribe challenged the authority of this body. Most Creeks still maintained conventional Creek notions of property and law and therefore opposed the direction being taken by the “civilized” members of the council. The factionalism among the tribe also illustrated that Hawkins’ assumption that a single body could speak for the tribe and that all Creeks would comply with those decisions was erroneous.

With the Creek confederacy, Benjamin Hawkins astutely manipulated tribal government in a way that facilitated Jefferson’s “civilization” program. The U.S. created a Creek National Council and made sure that at least some of the chiefs on the council supported American programs. Jefferson justified this manipulation with the arguments of philanthropy. He argued the more “civilized” chiefs could understand his vision for the future of the Indians as civilized workers and farmers in white society, and it was his duty to work with these chiefs to save the rest of the tribe from extinction. Jefferson’s actions and aims in diplomacy showed a different goal. Benjamin Hawkins was sent to gain lands on behalf of white settlers. The state of Georgia put pressure on the

¹⁴⁹ Saunt, *A New Order of Things*, 185.

¹⁵⁰ Ethridge, *Creek Country*, 107.

government to clear Creek lands, and that is ultimately why Jefferson sought the cessions. Hawkins carried out the negotiations on Jefferson's behalf, using moral and practical arguments crafted to fit his aims. He asked for cooperation from the tribe for mutual friendship and peace and so that whites could better navigate and trade. In these matters, Jefferson conveniently neglected to consider the right to free trade, which he considered to be fundamental, with regards to the Creeks. In fact, even though he used this right as a justification to threaten war with France over New Orleans, he had no problem economically dominating the Creek nation and intentionally getting them into debt so he could manipulate them. This relationship with the Creeks shows the flexibility of Jefferson's morality in diplomacy and his tendency to pick and choose tactics and ideals to fit the situation.

Conclusion

During his presidency, Thomas Jefferson dealt with other nations, European and Indian, with a single-minded determination to promote American interests. He knew that in order to be successful, America needed to continue expanding and acquiring resources, and needed access to roads and rivers for transportation and trade. He treated with all of his neighbors to these ends, whether white or Indian. He was an idealist who justified his pursuits with complex moral philosophies that differed depending on the situation. When treating with Europeans he appealed to enlightened ideas of the natural rights of states, while with Native Americans he used ideas of bringing “civilization.” In both instances he tried to show that what he was doing was in the best interest of all parties and that he was morally justified or even morally obligated in his pursuits. He always argued that he wanted peace and friendship but was often willing to forsake these things if it helped get what he wanted. The reason for the striking differences between the two sets of relations was Jefferson’s keen understanding of his own resources. He was willing to bribe and manipulate the Native Americans because he could. He did not have this kind of power over European nations, so he resorted to threatening war and alliances with their enemies.

The “civilizing” mission was really just a way to organize diplomacy with Indian tribes. It was similar to European diplomacy in its aim to promote American expansion and the establishment of a farmer’s republic, but it went farther. It attempted to reshape Native American societies themselves in the image of the United States. This transformation was based on the notion that the U.S. had progressed further towards the ideal of “civilization” than the Indians had. Jefferson had similar ideas of American superiority with regards to European aristocracy and monarchical governments. He tried

to “civilize” the Native Americans because it helped fulfill his expansionist aims. This was the ultimate goal of both his Indian policy and his diplomacy.

This idea puts forward a new perspective from which to examine Thomas Jefferson. He is remembered for his enlightened ideals and articulation of fundamental human liberties, but an examination of his policies suggests that he was above all an opportunist. His arguments for natural rights fit very conveniently with his political agenda. The continuity in his goals and tactics in European and Native American interactions combined with the flexibility of his moral justifications shows another side of Thomas Jefferson. This larger picture of Jeffersonian diplomacy emerges when one takes into account both his European and Native American policies rather than viewing them as completely separate.

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