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Introduction

The twentieth century notion of the “vanishing Indian” has been a theme that has permeated Native American history for almost a century. Rooted in early cultural evolutionary theory and nineteenth century enlightenment rationale, Native Americans were seen as people who were “incapable of change” and according to former evolutionary theorists were believed to be “stuck in the past” unless they were motivated by an outside, more “superior” western force.¹ This tendency to depict Native Americans in previous scholarship as people who were incapable of change in recent scholarship has become an image of hot debate and has quickly found itself in need of remedy and rapprochement. Since culture is something that is now understood as being in a state of permanent flux, rather than static and incapable of melioration, the notion of the “vanishing Indian” quickly seems to be losing weight and serves only as a further impetus for scholars to rectify it.

This recent transformation of the concept of culture from a static to more fluid state is important for historians to understand due to the fact that in recent years culture has become the main unit of analysis in a fairly new discipline known as ethnohistory. According to James Axtell, ethnohistory can be defined best as, “the use of historical and ethnological methods and materials to gain knowledge of the nation and causes of change in a culture defined by ethnological concepts and categories.”² In other words, ethnohistorians try to understand the role of a particular group of people in a larger historical framework by attempting to understand the motivations, values, and meanings behind the actions which that particular group of people performed. As a result, ethnohistorians find that the best way to extract these particular meanings

is to study how people actually create meaning, or in simpler terms, how culture is created and displayed.

The challenge that ethnohistorians face however, when choosing to use something so intangible as culture as their main unit of study is the fact the ways in which people create meaning are always changing. Traditionally, culture has always been defined as, “socially learned ideas and behaviors.” A more recent definition of culture treats the topic as a more fluid, rather than categorical concept, where instead of believing that as Anthropologist James Clifford points out, “the culture concept accommodates internal diversity and an “organic” division of roles but not sharp contradictions, mutations, or emergences,” culture is now seen as, “a set of polyvalent practices, texts, and images that may, at any time, be contested.” The problem with previously limiting the concept of “culture” to “learned ideas and behaviors” is that it does not allow room for a people to grow and change. It locks a civilization to a specific moment in time, and like the idea of the “vanishing Indian”, it forces a group of people’s culture to be either “alive or dead”, rather than a, “historical process of appropriation, compromise, subversion, masking, invention, and revival.” As a result, students and scholars of ethnohistory are now faced with the challenge of not only attempting to not only place a certain group of people’s culture into a historical framework, but they must also account for the ability of these individuals to change.

The field of ethnohistory is fairly recent in the area of Native American History, and in the area of Creek history in particular there is still room for remedy and reevaluation. The first

scholarly accounts to attempt to document and describe Creek history can be seen in the
eighteenth century travel accounts of William Bartram and the early nineteenth century journals
of Indian Agent Benjamin Hawkins. Bartram and Hawkins, however, only document surface
details of what they believed to be the “ideas and behaviors” of the Creek people, but fail to look
beyond what they were able to see from the naked eye and attempt to understand the interaction
between the Creeks and the changing environment that was at hand.

The inability of these eighteenth century travel accounts and journals to properly
represent Creek history contribute lately to the popular misunderstanding and misinterpretation
of Creek history and culture today. The concept of the “Creek Confederacy” is an idea that has
long mystified scholars of Creek history and has recently been subject to continuous
reevaluation. Consisting of over fifty semi-nomadic, individual towns and made up of several
different linguistic and ethnic groupings, early European colonists and traders who encountered
the Creek Indians along the rivers located in present Georgia and Alabama were baffled as to the
organizational nature of the people they were interacting with. Eager to make sense of the
political structure and national identity that the Creek people seemed to lack, Europeans quickly
labeled all the individuals they encountered in the general vicinity of present Georgia and
Alabama as belonging to the “Creek Confederacy.” In the words of both historians Michael
Green and Theda Purdue, “too big and complex to be a tribe or a nation, the English thought
“confederacy” fit a Creek political reality that they believed was both organized and chaotic.”

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The problem that recent scholars who attempt to understand Creek history have with labeling the Creeks as a “confederacy” is that unity of this so called “confederacy” seems to collapse by the time scholars study Creek history in the early nineteenth and the outbreak of the Creek Civil War. Scholars of Creek history have long been puzzled how such a powerful confederacy could be so easily ripped apart, and as result scholars of Creek history within the past thirty years have attempted to understand the makings of the “Creek Confederacy” and what accounted for the factionalism that led to the outbreak of the Creek Civil War of the early nineteenth century.

Historian J. Leitch Wright was one of the first scholars of Creek history to attempt to display an accurate image of Creek history and discover the truth behind the label referring to the “Creek Confederacy” and the factionalism that broke this supposed “confederacy” apart. Using methods of ethnohistory, Wright discovered that to group the Creeks into the equivalent of a “confederacy” was to fail to acknowledge that the Creek people were far from what could be called a “confederacy” but were actually a group of people from different ethnic origins and linguistic backgrounds that merged together overtime to become what is known today as the “Creek Nation.” Moreover, Wright argued in his work, Creeks and Seminoles, that ethnic differences of pre-contact origins were what accounted for the later factionalism that took place within Creek society to serve as the driving force behind the Creek Civil War, and because of these differences rooted in pre-contact origins the Creeks were unable to live up to the label emplaced upon them by the early English as a united, “Creek Confederacy”.

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77 J. Leitch Wright, Creeks and Seminoles, The Destruction and Regeneration of the Muscogulge People (Lincoln: University of Nebraska Press, 1986). See chapter one for a summary of these ideas.
In the more recent period, however, historians Joshua Piker and Steven Hahn take a closer look at Creek factionalism and attribute the inability for the Creek people to unite as a whole “nation” to be due to past scholars failure to realize the importance of smaller scale political units. Steven Hahn explained the importance of smaller scale political unites by stating, “broad tribal distinctions such as “Creek”, “Objibwe,” or “Sioux” fail to capture the political complexity of loosely organized tribal peoples. For this reason scholars have rightly begun to turn their attention to smaller political units, discovering in the process the local political concerns and loyalties often superseded loyalties to an imagined ‘tribe’. As a result, scholars such as Hahn and Piker use ethno-historical approaches to replace this notion of a “confederacy” with the equivalent of a group of a “nation” that is governed by “local politics”, rather than on a larger, more “national” scale.

Around the same time, historian Claudio Saunt took a slightly different angle in attempts to understand Creek factionalism before the Creek Civil War by focusing on economic and social relations, rather than stressing ethnopolitical facts like Hahn and Piker. Saunt argued in his, A New Order of Things, that “Creek mestizos had a profound and disruptive impact on Creek society”, which according to Saunt consequently accounted for the tremendous gap of concentrated wealth that caused the gap between the rich and poor within Creek society to be the central cause of Creek factionalism during the late eighteenth and early nineteenth century.

Although recent historians in the past two decades have paid a significant amount of attention to Creek history, there is still work to be done in the area of understanding cultural change and using this understanding to apply Creek history to a larger historical framework. For

8 Steven C. Hahn, The Invention of the Creek Nation, (Lincoln: Nebraska, University of Nebraska Press, 2004) p.5.
example, Theda Perdue points out in the third chapter of her literary work, “Mixed Blood” Indians: Racial Construction in the Early South, that although Claudio Saunt book, A New Order of Things, did not mean to “imply that culture and biology are linked”, his analysis of economic values and material wealth in late eighteenth and early nineteenth century Creek society did imply that, “when the mestizo elite engaged in the market economy, bought slaves, and became wealthy, they ceased to be culturally Indian.”10 While Saunt attempted to explain Creek factionalism from gathering an understanding of the socio-economic factors that surrounded the Creeks at the time, Saunt failed to recognize the ability for Creek culture to change. Saunt ignored the fact that just because Creek mestizo elite may have participated in the market economy, this did not mean that they ceased to be “culturally Indian.” Many Creek mestizo chose to trade in traditional Creek ways of living in exchange for participation in the market economy not because they were no longer “culturally Creek”, but because they had found new ways to reinvent themselves and respond to the changing environment that was surrounding them.

Historian Greg O’Brien in his literary work, Choctaws in a Revolutionary Age, 1750-1830, expanded upon the idea of Native American elite finding new ways to reinvent themselves in response to their changing surroundings by exploring ways in which Native Americans maintained their position of elite social status, which can be none other than the source of power that enabled them to achieve such an elite social status. By studying power and authority, or “how individual elite status and for what purposes”, scholars are able to “visualize cultural changes in the stream of development, unfolding from a time when they were absent or incipient,

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10 Theda Perdue, “Mixed Blood Indians”: Racial Construction in the Early South, (Atlanta: University of Georgia Press, 2003)p. 101. To see where Perdue was getting her ideas from in regards to Saunt on this topic see chapters 3 and 9 of Saunt’s A New Order of Things.
to when they become encompassing and general.”¹¹ As a result, cultural change becomes clearer through the study of power relations because it exposes the motivation behind a group of people to change, which therefore allows scholars to gain a closer look at the reasons why a group of people chose to act in the ways in which they did.

Although previous scholars of Southeastern Indian history have begun to acknowledge cultural change in the past two decades and have now realized that since power relations is one of the best expose these sources of cultural change, I would like to go a step further and analyze what Native American individuals did with this power. According to the discipline of anthropology there are two ways in which individuals can express power, which are represented in either the agentive mode or the nonagentive mode. When power takes the form of the “agentive mode” it, “appears as the capacity of human beings to shape the actions and perceptions of others by exercising control over the production, circulation, and consumption over signs and objects, over the making of both subjectivities and realities.”¹² On the other hand, “nonagentive power” rests in “forms of everyday life” and “proliferates outside the realm of institutional politics, saturating such things as aesthetics and ethics, built form and bodily representation, medical knowledge, and mundane usage.”¹³ These expressions of human agency are important when studying Creek History during the American Colonial period due to the fact that colonization itself is a dialogue between the colonized and colonizer. Anthropologists Jean and John Comaroff explain the objective of the colonizer by stating, “colonizers everywhere try to gain control over the practices through which would-be subjects produce and reproduce the bases of their existence. No habit is too humble, no sign too insignificant…colonization always

¹³ Ibid.
provokes struggles—over power and meaning on the frontiers.” In short, colonization in general is the attempt to control the creation and production of cultural meaning, and the forms in which a group of people attempt to continue to preserve their own traditions can be seen as resistance.

This attempt for colonizers to control the means of cultural production is particularly key to understanding Creek history during the years of the early American Republic and the ways in which the Creek people responded to American colonialism. The main agenda of American Indian policy during the late eighteenth century and early nineteenth century was acquisition of Native American land. The American government planned to carry out this agenda by implementing what was known as the “civilization program”, where it was hoped that Native American people, specifically the Creeks, once introduced to the “proper implements of Anglo-American husbandry” would give up their positions as commercial hunters in exchange for the hoe and plough. As a result, the American government believed that once the Creeks became Anglo-American style farmers they would no longer have a need for their large hunting tracks, which as a result would allow American government access to Native American lands. However, in order to carry out this “civilization” plan the American government attempted to mold Creek people into the equivalent of Anglo American farmers, and they planned to do this by slowly stripping away Creek traditions and replacing them with American customs in hopes that by the completion of the “civilization” program the Native American would cease to be “culturally Indian.”

The American “civilization” program and American Indian policy of the late eighteenth century and early nineteenth century’s attempt to control and transform the production of Creek

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tradition can be seen as an issue of power relations that leaves room for resistance. In fact, I believe that historians’ failure to detect Creek resistance in the last few years of the eighteenth century and the early nineteenth century can be attributed to, as historian Joshua Piker points out, “the tendency to treat the Creek nation as a relatively homogenous entity,” where “small-scale units of sociopolitical organization-communities, clans, lineages-appear in these narratives, but they are rarely depicted as the driving force behind the action being chronicled.”15 This “tendency” to treat the Creeks as a “homogenous entity” failed to see that although the Creeks for the sake of formality referred to themselves as the “Creek Nation”, they actually consisted of over fifty individual towns, who although cared about the welfare of their fellow Creek man, still always put the personal motivations and concerns of their individual Creek town above everything else. Consequently, since the importance of individual town politics has long been overlooked in Creek history, the unity of Creek resistance has often been overlooked. Without a solid mass of Creek individuals uniting for once cause, such as the pan-Indian revival movement, scholars have failed to detect subtle forms of Creek resistance that were just as important as those displayed in the Creek Civil War.

Scholars of Creek history in the past two decades have been on target with their attempts to rectify the truth about the mislabeling of the Creek Indians as the homogeneous unit known as the “Creek Confederacy.” Where I believe Creek historians need to go a step further in their analysis of Muscogugle culture is to realize that even a group of people whose main agenda was local, rather than “national” politics could still come together and unite to preserve their culture in the face of change. Scholars need to recognize that late eighteenth century and early nineteenth century Creeks may have never united formally to resist American colonization, but

that does not mean that they were not unanimous in their recognition that they needed to respond to the changing environment that encircled them. In order for a specific action to be considered resistance, current scholars have concluded that the definition of resistance, “boils down to the problem of consciousness and motivation.”16 Comoraff points out that, “when a people can be shown to express some measure of awareness of their predicament as victims of domination—and better yet, can state the terms of their response—the matter is clear.”17 Since the culture that one creates is irrefutably personally motivated, the cultural meanings that a group of people create for themselves can therefore be considered a conscious, personal, decision. As a result, although the forms in which culture can be carried out may take on multiple forms, this does not change the fact that the culture one chooses to create can even in the subtlest of forms be an act of resistance.

Keeping this in mind, even though individual Creek towns chose to respond and adapt to American colonization and the “civilization” program in different ways, this did not mean that the Creeks were not simultaneously resisting with the same goal in mind. To deny that the Creeks as a whole were not able to recognize the need to reinvent themselves to adapt to a changing environment is to deny them of the ability of cultural change. As Greg O’Brien stated, one of the best ways to visualize culture change is through, “the study of power and authority.”18 What scholars need to then do after they begin to analyze power relations is to attempt to understand what individuals then did with that power. In the case of the Creeks in particular, power is important when understanding the early years of the American Republic due to the fact that it was through power that the American government tried to transform and mold the Creeks.

17 Ibid.
18 Greg O’Brien, Choctaws in a Revolutionary Age, 1750-1830
from traditional commercial hunters into commercial Anglo-American farmers. Scholars need to realize that although the Creeks may have had different agendas that allowed them to either preserve their traditions in their natural form or amalgamate certain aspects of American culture into their own, Creek people remained united due to the fact that all Creeks made sure that they dealt with colonization according to their own terms.
Chapter One: “The People of the Swampy Ground”

The Creek Indians were not always known as the Creek Indians. In fact, Creek people have been known by multiple names and labels throughout history, and just like any other rumor that eventually finds itself documented onto a piece of paper instantly becomes part of the historic record and consequently believed by most people to be true. Although the playing field of early America consisted of both Native Americans and Euro-Americans, scholars of American Indian history at the end of the day are left with only the written words of the Anglo-American, which leaves Native American history and culture subjected to the possibility of being forgotten, ignored, or more commonly, misunderstood. In fact, the name “Creek” given to the people of the southern backcountry during the late seventeenth century was not the only cultural encounter that left the Europeans at the time with a great misinterpretation of Creek history and culture. Up until the past twenty years scholars have continued to regard the Creeks to be part of a larger “Confederacy”, where just as the Europeans in the late seventeenth century assumed the Creeks to be a united nation, these scholars believed the Creeks to be a solid entity, functioning under the idea of a central and solid government. However, what these scholars failed to recognize as well as the Europeans of the past was that the Creeks were not a united “Creek Nation” but rather a collection of over fifty different towns that overtime united together to eventually live up to English created title, “Creek Confederacy.” It is key to understanding Creek history, as well as Native American history as whole, to recognize why seventeenth century Europeans made the mistake of treating the Creek people as one nation, and more importantly, the motivation behind the
Creeks’ decision to conform to this title and allow themselves to unite together to become what is known today as the Creek Nation.

One of the first misunderstandings that took place between the Creek Indians and European settlers that made its way into historic record is the origin of the concept that is today known as the Creek Nation. During the early eighteenth century, English traders who traveled throughout present-day Georgia encountered a group of Native Americans who lived on Ochese Creek, a tributary of the upper Ocmulgee River. These traders however, only remembering the second word “Creek”, began to apply the name to any indigenous person that they encountered throughout the Georgia territory. ¹ The problem with this term that English traders failed to recognize at the time was that the Ochese Creek was just one of the many rivers and streams that ran through the newly explored territories of the America’s deep South. The first two major rivers that ran through the homeland of the Creek Indians at the time were the Coosa and Tallapoosa rivers, which eventually converge to form the Alabama River that empties into the Mobile Bay. The third river that played a key role in the lives of both the English traders and indigenous population of the deep South was the Chattahoochee river, which cuts across the entire state of present day Georgia and eventually leaks into the Flint and Apalachicola rivers. Due to the multiple waterways that encompassed English trading paths throughout the southern backcountry, it is not a surprise that Anglo Americans at the time began to refer to their new trading partners by the easiest mnemonic device they could think of: Creeks.

The English being eager to make sense of the numerous native inhabitants European traders were encountering along the Georgia and Alabama waterways, the term “Creek” was soon applied to any Native American encountered on the Coosa, Tallapoosa, ¹ Claudio Saunt, *A New Order of Things* (New York: Cambridge University Press, 1999) p.13.
or Chattahoochee rivers. As time progressed, to make it easier on themselves, Euro-American traders began to split the Creeks by geographical location and refer to them as the “Upper” and “Lower” Creeks, the former being located on the Coosa and Tallapoosa rivers and the latter on the Chattahoochee. However, although Euro-Americans began to label the Creeks “Upper and Lower”, they still regarded the two groupings to be one people, and eventually began to refer to them as the “Creek Confederacy” or “Creek Nation”. It is not known at what point the Creeks themselves adopted their Euro-American title, but after years of continuous trade and close contact with Euro-American settlers, somewhere along the line the name began to stick. Indian Agent Benjamin Hawkins remarked about the Creeks puzzling unification that, “it is not possible to ascertain when the Confederacy was consolidated to that extent. It now consists of several tribes, speaking different languages.”

The answer to why United States Indian Agent Benjamin Hawkins was so perplexed about how such a diverse group of people were able to call themselves one nation when they did not all even speak the same language is that the Creeks adopted their European name by default, not by choice. The Creek Confederacy was a European construction, not a native construction. Therefore, as historian Joshua Piker put it simply, “Historians who rely on “Cherokee”, “Delaware”, or “Creeks”, to frame their narratives run the risk of mistaking the cover for the book, the shadow for the person, the surface of Indian politics for the substance of Native Life.”

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2 J. Leitch Wright, Creeks and Seminoles, The Destruction and Regeneration of the Muscogulge People (Lincoln: University of Nebraska Press, 1986) p. 3.
always remember that the term, “Creek Nation” was invented by Euro-American minds, and although over time the Creeks adopted this title, to place such a diverse group of people into one overarching category is to finish a book without hearing the entire story.

The first step to avoid mistaking “the shadow for the person” would be to trace the origins of the Creek people back to the late fifteenth century, where the roots of today’s Creek Nation lie in the ruins of the Mississippi Mound Builders. Spanish explorers were the first to explore the Creeks’ homeland in the early sixteenth century, but with their exploration they brought pathogens such as small pox, influenza, and measles that ripped through Creek territory and almost decimated the entire native population. It had been estimated that “nineteen out of twenty Native people died of epidemic disease within the first two centuries of contact,” which meant that, “perhaps two hundred thousand Creeks were alive in 1500.”

As a result of epidemic disease and hypothesized internal warfare, the Mississippi Mound Builders found themselves reduced from being a great civilization to fragmented tribes. Beleaguered and severely depopulated, these fragmented Indian groups then found themselves uniting with the few survivors they encountered along the way to eventually form what we can call today the ancestors of the “Creek” Indians.

These refugee Indian groups that merged together to become today’s Creek Nation consisted of several different ethnic and linguistic groups. Eighteenth century botanist and traveler William Bartram remarked after speaking with his informants that, “It appears to me pretty clearly, from divers circumstances that this powerful empire or
confederacy of the Creeks or Muscogulges arose from, and established itself upon, the ruins of that of the Natchez.” The Natchez were a group of people who lived along the Mississippi River in the sixteenth century at the time of De Soto’s exploration, whom before European contact were a great empire that consisted of temple mounds and large numbers. However, these Natchez people were severely reduced in number not only from the pandemics that swept through their empire during the sixteenth century, but also after the tremendous uprising the Natchez people led against the French in 1729, which left the Natchez severely depopulated and beleaguered. As a result, many of the remaining Natchez people took refuge among neighboring tribes in the area, which were the Cherokee, Chickasaw, and of course the Creeks. The term “Muscogulges” that Bartram speaks of is an Algonquian word of origin that literally means, “people of the swampy ground.” These “swampy ground people” consists of two main ethnic groupings that can be divided into two linguistic categories, Muskogee and Hitchiti. The “pure” Muskogee moiety is the dominant linguistic group within Creek society, which Hawkins’ refers to as, “the prevailing nation, accounting to more then seven eights of the whole.” Muskogee speaking Creeks can trace their ancestry back to four main talwas (tribes or towns) that existed at the end of the fifteenth century. These Muskogee founders of the Creek nation are known as the Kasihta, Coweta, Coosa, and Abihka. Beleaguered and depopulated from disease and warfare, these Muskogee speaking people adopted various other linguistic speaking bands over the years, who spoke either

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7 Wright, *Creeks and Seminoles*, pp. 10-11.
another dialect of Muskogee or a completely different language. Bartram’s Creek informants explained Muskogee expansion by, “The Muscogulges gradually pushing and extending their settlements on their North-East border, until the dissolution of the Natches empire...began to subjugate the various tribes or bands which formerly constituted the Natches, and uniting them with themselves, formed a new confederacy under the name of the Muscogulges.”11 Eventually, not only did the Muscogulges consist of Muskogee speaking people, but they soon incorporate other weak, non-Muskogee speaking people known as Hitchiti speaking tribes, which consist of the Hitchiti, Alabama, Yuchis, Natchez, Shawnee, Tuskegee, Muklasa, Okmulgee, Ocnee, Apalachicola, Sawkli, Tamalli, Chiaha, and many more.12 From this extensive list of the diverse linguistic and ethnic groups that made up what today is known as the Creek Nation, one can see how important it is not to gloss over the deep, multicultural heritage that lingers beneath the surface of the group of people Anglo-American traders once assumed to be just another “Creek”.

It is not impossible to imagine how early Euro-Americans overlooked Creek individuals’ ethnic and linguistic diversity if one is not familiar with the Creek kinship and organizational structure. Euro-Americans who first encountered the Creeks in the eighteenth century came from a world of structured government, with well established authority figures to carry out the well documented laws of the nation. The idea that the Creek Indians could consist of such a large number of diverse individuals and remain peaceful toward one another without some sort of central government could not be conceived by early Euro-Americans. When Indian Agent Benjamin Hawkins was charged

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with “civilizing” the Creek Indians in 1790 in order to incorporate them into the American Republic, he thought that by placing one Indian chief as, “head of the Creek National Council,” that particular chief would be able to act as the equivalent to an American president, where it would be assumed that he would have ultimate authority over the rest of the Creek people. Hawkins’ assumption that the rest of the estimated fifty towns would obey one chief was a great mistake. Creek chiefs had only the power of persuasion, not real authority, outside of their own town and that is why one must understand the concept of Creek kinship, clans, and town structure in order to know how such a loosely governed nation could live up to the unified name of “Creeks” placed upon them since the early eighteenth century.

The first concept that one must understand in order to realize how such an ethnically and linguistically diverse group of people could manage to call themselves by the same name for centuries without finding themselves at war with one another is the idea of the Creek town. The talwa, which is the Creek word for town, was the main governmental unit in Creek society. Originally, these Creek talwas were equivalent to the English concept of the word “tribe”, with multiple talwas consisting of people of various ethnic and linguistics backgrounds that were once independent, later merging together to form what was later recognized by the English to be the Creek Confederacy.\textsuperscript{13} Although over time these ancient Creek talwas eventually all began to call themselves “Creek” and acknowledged the existence of what the English coined as the term “Creek Confederacy”, the roots of these ancient independent “tribes” remained fresh in the minds of Creek oral tradition and contributed greatly to the formation of future talwa thought and action.\textsuperscript{14}

\textsuperscript{14} Ibid, p. 242.
The ancient concept of the independent talwa remained dominant in Creek affairs all the way up and through the period of first contact and American colonization. As a result, it is no surprise that instead of consisting of a national government, Creek politics ran on a local level. Creek towns consisted of their own governmental body and town square, allowing them to govern themselves independently as if they were equivalent to a mini city state. The Creek talwa consisted of multiple layers of chiefdom. The principle chief or head of the town was known as the *mico*. According to Benjamin Hawkins, the “mic-co of the town superintends all public and domestic concerns, receives all public characters, hears their talks, lays them before the town, and delivers the talks of his town.” Although theoretically the town mico was thought to have final executive power, the town mico had few distinctions from the rest of the Creek town council. William Bartram noted that the had mico “had not the least shadow of executive power” and that he was only “complimented with the first visits of strangers, giving audience to ambassadors, with presents, and he has also the disposal of the public granary.” The Creek mico may have had access to distributing Creek wealth or representing his Creek town as the primary spokesman, but there “is no record of a mico undertaking any important action without conferring with his council.”

In fact, the town mico never decided on any executive action without consultation with at least one of his many advisors on the town council. Every Creek town contained what can be considered a number of second chiefs or *mikagi*, who served as guardians to

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15 Ibid.
16 Hawkins, *A Sketch of Creek Country*, p. 69s.
the head mico and kept his decisions in keeping with the desires of the town or talwa. 19 In conjunction with the mikagi and town mico, a series of elders and war chiefs were also highly revered and given equal say in the affairs of the town. These isti atcagagi earned their position of honor in Creek society by having accomplished multiple achievements in war, peace, and political affairs. The Creek Indians greatly respected age, and the local and political affairs of the Creek talwa were never conducted without tapping the wisdom of the elderly. In conjunction with both the elderly council and the mikagi, the mico also received invaluable advice from chiefs of war. Creek warriors who had proved their worth by being great hunters or taking large number of captives, received the title of tastanagi. The most respected warrior, however, was given the title of tastanagi tako, which translates into English as “great warrior.” 20 Although the head mico may have had the title of being the “principal town chief”, the warrior class of counselors held just as much weight in public and political affairs. For example, William Bartram described the tastanagi tako in his travels as follows, “the next man in order of dignity and power, is the great war chief: he represents and exercises the dignity of the mico, in his absence, in council, his voice is one of the greatest weight, in military affairs; his power and authority are entirely independent of the mico.” 21

Due to the fact that war played such a tremendous part in Creek daily life and political affairs, the tastanagi tako and the rest of the tastanagi warrior class held just as much weight during the public town council’s as the head mico. Historian J. Leitch Wright stated that, “war was an integral part of the Muscogulges’ life. Without

underestimating the many conflicts with white neighbors, as often as not Indians fought

20 Wright, Creeks and Seminoles, pp.29-30.
with other Indians, either to satisfy vengeance or because of tribal rivalries.”22 Whether it was due to long standing tribal rivalries, such as the bad blood that existed between the Creeks and the Choctaws or participating in frequent raids or ambushes to seek tribal vengeance of lost loved ones the Creeks would often take up the war club. War had been a part of Creek society for centuries. In fact, the growth of the “Creek Confederacy” can be largely attributed to the early warlike nature of the Creeks, who at the end of the sixteenth century had greatly expanded their population through the conquest of neighboring tribes. Although it is not clear how many survivors from the Mississippi Mound Building culture voluntarily joined the “Creek Confederacy” or whether they were adopted into Creek society after first being conquered, it is known that the Creeks were desirous of expanding their population and war was a common way for these late sixteenth century Creeks to do it. However, as the “Creek age of conquest ended in the eighteenth century and was followed by a time of encroachment and intrusion by whites”, the new enemy for the Creek people became the “white man.” Historian Michael Green stated in regards to this topic the following:

“The Creeks’ age of conquest ended in the eighteenth century and was followed by a time of encroachment and intrusion by whites. The Confederacy continued intact, indeed it grew stronger internally, but the alliance took on a more defensive aspect. Creek warriors continued their business, but increasingly enemies were white men, and the purpose of the warriors was the defense of their frontiers. And while the Confederacy continued to absorb new tribes, they were more likely to be refugees from white aggression, not the defeated enemies of the Creeks.”23

As a result, whether the common enemy to the Creeks were neighboring Native Americans or the Euro-American, it is clear that war was an integral part of Creek society

22 Wright, Creeks and Seminoles, pp. 38-39.
and means of survival. Keeping this in mind, the fact that the warrior class in Creek society contributed so greatly to the discussion of political affairs on both the local and “national level, it then no longer appears to be a surprise that Creek tastanagi held such extensive influence in Creek affairs, but also a logical necessity to maintain survival.

In addition to the mikagi, tastanagi, and the tastanagi tako, the town mico could not make his final executive order without consulting the town medicine man. These medicine men, also known within Creek society as hillas hayas, kilas, or shamans, were believed to have great spiritual powers that would allow them to predict the future or speak in tongues sent to them by the spirit world. Creek shamans, who maintained, “great influence in the state, particularly in military affairs,” were highly valued by the town mico and his council due to the fact that the Muscolgugles believed that the spirit world played a large role in human affairs. In fact, Bartram’s informants describe one particular instance where, “these people generally believe that their seer has communion with powerful, invisible spirits, who they suppose have a share in the rule and government of human affairs, as well as elements, that he can predict the result of an expedition; and his influence is so great, that they have been known frequently to stop, and turn back an army, when within a day’s journey of an enemy, after a march of several hundred miles.” Creek shaman, not only vital players in spiritual affairs, but having the power to advise the mico on military affairs as well, were instrumental in shaping the town mico’s decision in all aspects of Creek society.

Besides having multiple layers of rule, the power to mediate and participate in local town affairs was distributed to every Creek citizen during the public square and

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24 Ibid.
25 Ibid.
great council house meetings. According to Benjamin Hawkins’, “the Micco, counselors, and warriors, meet every day, in the public square, sit and drink a-cee, a strong decoction of the cassine yupon, called by the traders, black drink, talk of the news, the public and domestic concerns, smoke their pipes, and play Thla-chal-litch-cau, (roll the bullet).”  

The public square is located in the center and highest part of the town, where it is easy for all Creek members of the talwa to hear the local news of the nation and have an equal voice in all affairs. On the same day, the town mico, chiefs, and warriors meet in another building known as the “council building” or “rotunda”, where more private political affairs are discussed with Creek individuals who have business affairs they needed to be attended to. Bartram describes the rotunda as a place where, “the mico, chiefs, and warriors, with the citizens who have business, or choose to repair thither, assemble every day in council, to hear, decide, and rectify all grievances, complaints and contentions, arising betwixt the citizens.” During the public square or rotunda meetings, every Creek citizen had an equal opportunity to speak directly to the mico and his advisors about grievances that she or he had within the limits of the talwa. Additionally, English called “the king” of the town, decisions made concerning the talwa were community-based.

Distribution of authority during the public square meetings was not the only way that Creek towns remained community-based. Although all members of the Creek Confederacy, Creek politics never reached a national level. When Indian Agent Benjamin Hawkin’s first arrived to the Creek Nation in 1796 to carry out the American “civilization plan” he remarked that, “The Creeks, never had, until this year, a national

26 Hawkins, A Sketch of Creek Country, p. 71s.  
government and law.”29 The Muscolgulge talwa, although allowing themselves to given
the adopted name “Creek”, never abandoned their autonomous roots as separate ethnic
and linguistic factions that merged together in order to salvage what minimal survival
chances they had left during the post-Spanish conquistador days.

Despite the obvious fact that Creek towns had a deep seated cultural history, one
cannot deny that people’s actions are often environmentally determined and economically
based. The Creek nation, consisting of approximately fifty-five towns, found itself
naturally divided into regional pockets that developed due to the many waterways that
split through Creek country, making navigation from one town to another rather
difficult.30 The swampy grounds which the Muscogulge people’s name derived, consisted of rocky ground, rivers, streams, and tributaries that regularly cut through the
Southern backwaters of the present day states of Alabama, Georgia, and the Florida
panhandle. Hawkins describes the Creek towns along the Coosa, Tallapoosa, and
Alabama River as follows: “margined with cane swamps…the swamps at the confluence
with the Tombigby and below on the Mobile, is low and subject to be overflowed every
spring. Above, it is of great width, intersected with lakes, slashes, and crooked drains,
and much infested with musketoes. The people who cultivate this swamp, never attempt
to fence it, as the annual freshes, always in the spring, rise from three to ten feet over
it.”31 Although theoretically united into one “nation”, Creek town affairs were often
environmentally determined by frequent rain, flood, or scarcity of game, causing
individual talwas to abandon their present locations and relocate without permission
from neighboring towns. One of Bartram’s friends, a trader of Apalachucla, inquired

29 Hawkins, A Sketch of Creek Country, p. 67s.
30 Bartram The Travels of William Bartram, p. 366.
31 Hawkins, A Sketch of Creek Country, p. 23s.
about the Creek’s semi-nomadic nature and looked for reasons why certain towns relocated and others did not. The answer he received was, “the necessity they were under of having fresh or new strong land, for their plantations, and new convenient and extensive range or hunting grounds, which unavoidably forces them into contentions and wars with their confederate and neighboring tribes, to avoid which they had rather move…than contend with friends or relatives or embroil themselves in destructive wars with their neighbours, when either can be avoided with so little inconvenience.” 32

Depending upon location, individual towns may have had to relocate to procure better hunting grounds, look for new planting grounds during the flood season, or avoid a developing friction that might have been increasing due to encroachment from nearby white settlers or a neighboring Native American nation. These environmental and social factors, however, were subject to change depending upon the individual region in which a particular Creek talwa was located, which therefore resulted in a town mico and his advisors to making decisions based upon their own needs, rather than letting overarching “national” affairs interfere with their own survival.

Creek town location also dictated particular trading paths that each town conformed to for both convenience and traditional purposes. The importance of Creek trading paths in regards to proving that Creek government resided on the local level, rather then national, has long been overlooked by historians. Joshua Piker points out the fact that, “scholars focused on Creek history generally gloss over the debate regarding paths. To some extent, the lack of interest in the subject can be traced to the tendency to

treat the Creek nation as a relatively homogenous entity.”

Muscogulge history has primarily been interpreted under the assumption that, “the people of the swampy ground,” whom early English traders began to call “Creeks”, where part of a larger confederacy that is known today as the Creek nation. This assumption that the Creeks were part of a homogenous entity guided scholars and actors in history to assume that would mean that the Creek nation would form unanimous decisions regarding national affairs. However, considering the fact that Creek government was a local, rather then national government, Creek trading preferences were formed according to town, not national, need.

There was a great trading path debate in the aftermath of the Seven Years War amongst the Upper Creeks which demonstrates that community needs rather then national needs took priority according to individual Creek towns. After the Seven Years War, Great Britain became the dominant imperial power on the East coast, expanding its trading ports to include former Spanish-controlled Pensacola and French Mobile. Although the British did not abandon their old trading ports located eastward in Charleston and Augusta, the primary focus of British trade began soon found itself shifting southward, which unintentionally began to offset the trade balance that had been implaced among Creek towns since the seventeenth century. Before the Seven Years War, the primary trading path that ran through Upper Creek country was known as the “Great Old Path”, or Chelucconene, which literally translates to, “The Big Deer Path.” This path, allowed Creek towns in the Northern half of Upper Creek country to have

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34 Piker, “White & Clean & Contested: Creek Towns and Trading Paths in the Aftermath of the Seven Years War, p.315.
direct access to British manufactures, flowing from Charleston to Augusta. When the British took control over Pensacola and Mobile, however, the British began to shift their focus to the southern part of the Upper Creek territory and Creek towns that resided in this area quickly rallied for a change of paths that would make them the center of British trade, a position long been denied to them being such a great distance from Charleston and Augusta. David Taitt, British Indian Agent John Stuart’s deputy, described the tension between the Upper Creek towns in letter to Stuart in 1772 stating, “The whole Chiefs of the Abeckas or upper towns were present, five of the Tallapusses and two Albamons but none of the lower Creeks, You will plainly observe by these answers that the Nation is divided one part against another which is caused by a jealously subsisting between the Abeckas and Tallapusses in regard of the respect that has been showed to Emistisiguo.” Tallassee Mico, also known as Emistisiguo, foreseeing the advantages of a southern trading path, put the interest of his own town first and challenged the rest of the Upper Creek towns to embrace the British in connection with the new Pensacola path. Emistisiguo knew that the southern Upper Creek towns had been at disadvantage for years being located quite a distance from both Charleston and Augusta, and that a well traveled trading path at Pensacola and Mobile would finally allow southern Upper Creek towns unmediated access to British trade manufactures.

Similarly, just as the southern upper Creek Towns had their own personal interests for creating a new trading path, the northern Upper Creek towns had their

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36 Ibid.  
individual agenda for preserving the Great Old Path. Not only was “The Big Dear Path” convenient to the location of the northern Upper Creek towns, but they also had traditional and spiritual value as well. Joshua Piker writes that, “For the northern Upper Creeks, Charleston was the ‘Great Town’, and Augusta was ‘our own Ground’. Relations with these places were sanctified by ceremony and tradition, and the path linking towns to these communities was a path of friendship and peace.”

Although towns relocated throughout time, certain land always remained sacred to them. Bartram described some of these ancient grounds in his travels where, “one day the chief trader of Apalachucla obliged me with his company on a walk to view the ruins and sit on the ancient Apalachucla…we viewed the mounds or terraces, on which formerly stood their town house or rotunda…the Creeks or present inhabitants have a tradition that this was the work of the ancients, many ages prior to their arrival and possessing this country.”

Although the “Great Old Path” may have started to take a back seat to British traders and proved to be less fruitful for the southern portion of the Upper Creeks, northern Upper Creek Towns still refused to give their consent to the new path. Local town tradition, rather than national interest, were the deciding forces when it came to trade relations among Creek towns. Consequently proving at the end of the day that Creek towns worked to further their own locally based agendas, rather then adhere to a general consensus agreed upon by the entire Creek nation.

The Great Path debate is relevant to Creek History exemplifies a particular event in history where Creek towns disagreed with one another rather then yield to a general consensus within the nation itself. During the Great Path debate, “upper Creek towns

39 Piker, “White & Clean & Contested: Creek Towns and Trading Paths in the Aftermath of the Seven Years War, p. 322.
were primarily arguing with the inhabitants of other Upper Creek towns, not with the British officials.”

This demonstrates that scholars who adopted the terms “Creek Confederacy” and “Creek Nation” when describing eighteenth century creek history need to take a step back, and remember that the ancient roots of the autonomous Creek talwa were the driving forces behind Creek actions.

In fact, trade preferences according to location and convenience were not the only explanations for Creek towns focusing on local agendas. Individual town nationalism was an inherent trait within Creek society since the formation of the “Creek Confederacy” in the days of the Spanish conquistadors. The categories placed upon the Creeks that labeled them as either “Upper” or “Lower” Creeks were made by Anglo-Americans who assumed the Creeks were one homogenous body, and with the exception of geographic location left no areas of gray in-between. Town nationalism and local politics, however, can be seen as the priority of Creek daily affairs, dating all the way back to Muscogulge creation and migration myths. In one migration myth, according to Ispahihtca, a former Kasihta chief, the ancient Creek towns of Coweta, Kasihta, and the Chickasaws were determined to move eastward in search of the sun, because they had “become so evil that they could find nothing pure in the world except the sun and were determined to travel eastward in to find the place from whence it came.” The Chickasaws halted their quest early after they “entered upon a beautiful country,” and decided to stop and settle since they no longer, “cared where the sun came from.” As the Coweta and Kasihta continued along the way, however, the Kasihta began to take the lead, and raging with jealously, “the Coweta sent word that they intended to cross and kill everyone in the place because

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41 Ibid, p. 331.
the Kasihta warriors had not waited to have them join in the expedition."\textsuperscript{43} The competitive nature of relations between the Lower Creek Towns Coweta and Kasihta in this myth mirrors the competitive nature of the Upper Creek Towns during the Great Path debate, where it was not uncommon for each town to “seek to protect their own interests at the expense of their fellow Creeks.”\textsuperscript{44} Although both technically members of the “Lower” Creek category, Coweta and Kasihta followed their own local agendas on their quest East for the sun, demonstrating once again that Creek history is at the heart of “community” history.

The competitive nature between Creek towns can also be seen through the tradition of Creek ball games. Instead of killing Kasihta for leaving them behind on their quest for the sun, Coweta decided to “whip them severely.” To seek revenge, Kasihta challenged Coweta to a ball game, and it is said that “the custom of having ball contests originated at this time and in this manner and has continued to the present day.”\textsuperscript{45} Creek ball contests always consisted of two different moieties, one was called “Hathagalgi” or “White people”, and the other “Tcilokogalgi” or “People of a Different Speech.”\textsuperscript{46} These “Tcilokoalgi,” were also known as the “bearer of the red sticks,” therefore creating what in eighteenth century Creek society was known as “peace” and “war” towns, where peace was represented by the color white and war by red.\textsuperscript{47} Each town usually referred to each other as “people of the same fire”, and would periodically enter in ball games with each other to settle and resolve issues that could not be solved at public square meetings.

\textsuperscript{43} Ibid.
\textsuperscript{44} Piker, “White & Clean & Contested: Creek Towns and Trading Paths in the Aftermath of the Seven Years War, p. 319.
\textsuperscript{46} Ibid, p. 156-157.
\textsuperscript{47} Ibid, p. 165.
Although members of the same “Creek nation”, these traditional moieties of “peace” and “war” caused an inherent factionalism that followed Creek towns up and though the eighteenth century. In fact, anthropologist John R. Swanton informant G.W. Grayson reported in reference to the peace and war towns that, “there was formerly little intermarriage between them, on account of the mutual jealousy which existed, though there no direct prohibition of such marriages. Towns did not invite those of the opposite fire to the busk ceremony, although usually calling in some of the same fire.”48 This “mutual jealousy” that existed between peace and war towns demonstrates that it was not rare for individual Creek towns to put their own agendas above the national interest at the “expense of their fellow creeks”. Creek history was about local politics, rather than national, and creek creation and migration myths proved this to be a natural characteristic of Creek towns dating back to the origin of the Creek nation.

If Creek government was based on local agenda, rather than national, it seems almost impossible to believe that the “Creek Confederacy” could live up to its adopted English name. The traditional way for the Creeks as well as many other Native American groups in the Southeast to unite was through intermarriage. Although according to anthropologist John R. Swanton, not much is known about the subject of clanship, “owing to the death of those persons who were familiar with them and the breakdown of the entire institution,” clans were traditionally groups of extended families who intermarried with each other within the limits of their own towns.49 However, Swanton’s informant G.W. Grayson reported that there was “little intermarriage” between different towns, the unity of the Creek Confederacy leaves many scholars perplexed, not only

48 Ibid, pp. 251-252.
about the time when Creeks began to call label themselves as “Creek”, but as to how this confederacy stayed together.  

Perhaps then, the mystery behind the unity of the “Creek Confederacy” that lasted up until the early nineteenth century lay in scholars’ failure to realize the importance of Creek local politics. The Creeks organized their government in such a way that in addition to discussing community affairs every day amongst themselves during the public councils, but each mico and his council also gave, “audience to ambassadors, and strangers; hear news and talks from confederate towns, allies, or distance nations.” Creek mico’s exercised their power by persuasion, not executive order. As a result, the Creek Confederacy did not need a national government to bind independent towns together. Instead, they met at annual public and rotunda council meetings and discussed affairs with neighboring towns orally. Additionally, just as ancient Creek towns united together to survive depopulation and disease in the sixteenth century, Creek towns in would unite together if it served their own survival purposes. For example, Bartram noted that, “their country having a vast frontier, naturally accessible and open to the incursions of their enemies on all sides, they find themselves under the necessity of associating in large populous towns, and these towns as near together as convenient, that they may be enabled to succor and defend one another in case of sudden invasion.” Up until the nineteenth century, the common enemy of the Creeks took the form of either neighboring Native Americans or encroaching Europeans. As a result, “it seems clear that military alliance remained the first principle of the Confederacy” and instead of making war on each other, the Creeks realized that it was within their best interest to stick together in

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50 Ibid, p. 251.
52 Ibid, p. 181.
order to preserve their territory and autonomy. Creek people may have had their own local agendas, but up until the nineteenth century the Creeks found themselves with no serious overarching threat, which allowed each town to retain its traditional autonomy and at the same time remain united together.

Up until the late eighteenth century and early nineteenth century, the Creeks were able to live up to the title of the “Creek Confederacy” that was given to them involuntarily by British traders in the early seventeenth century. However, scholars must not forget that the concept of culture is something that grows and changes over time, depending upon the circumstance surrounding it. Gregory O’Brien could not have stated it better when he stated that, “Indian societies certainly underwent dramatic political, economic, and cultural change as the Euro-American presence strengthened and became more pervasive over contact. Nevertheless, Indian people have demonstrated a remarkable resilience in the face of invasion by preserving and augmenting much of their pre-contact belief systems and cultural practices.” The American Revolution and the dawning of the American Republic placed the Creek Indians in the middle of a rapidly changing world. Muscogulges watched their homelands of Georgia, Alabama, and Florida several times over change hands between multiple imperial powers, and eventually come to be dominated by a new people who called themselves “American.” These Americans however, unlike the Europeans, were filled with an insatiable appetite for land and were eager to exercise their newfound independence through the outlet of expansion. As a result, the Creeks found themselves dealing with a country who made its capital in the heart of America, rather than a king miles away, which not only posed an

immediate threat to Creek autonomy but alerted the Muscogulge people that these Americans were there to stay. In the face of this rapid and inescapable change, the Creek people realized that they were going to have to make certain transformations of their own if they were going to survive in a world opposite of their own. It was this decision to change at the dawn of creation of the American Republic that the Southeastern Muscogulges finally broke away from the title of the “Creek Confederacy” and followed their own individual town intuition to battle their newfound enemy called change.
Chapter Two: United States Indian Policy and a “Civilization” Plan

Principal Indian Agent Benjamin Hawkins began his residency within Creek territory in the year 1796 and remained there until his death in the year 1816. During Hawkins’ twenty year period among the Creeks he kept a journal that documented his interaction with the Creek people themselves, their Georgian neighbors, and the American government. In this journal there are two words written in the Muskhogean tongue that Hawkins’ interpreter Timothy Barnard certified to be, “faithfully translated from the Creek.” The first word, Ecunnaunuxulgee, is a Creek expression that literally translates to, “people greedily grasping after the lands of the red people,” and the second, Chessecuppetunne, which means, “always asking for land.”1 When documenting these two expressions, however, Hawkins seemed to be more focused on the grammatical accuracy of Barnard’s translation, rather than on the expressions’ origin. Expressions, like all language, can be seen as cultural mirrors. They reflect the thoughts and feelings of the people creating them which then subsequently reveals not only valuable information about the individuals who created these expressions, but also sheds light upon the acting forces that gave birth to the expression originally. Although Hawkins recorded these words in the Creek tongue with the intentions of preserving and understanding the Muskhogean language, he subconsciously at the same time was documenting a reflection of what would later become the dominant theme in American Indian policy for years to come. This dominant theme is land and the circumstances and

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motivation surrounding America’s acquisition of this land can be attributed to the goals of the American Indian policy during an era known as none other than Manifest Destiny.\(^2\)

After the American Revolution, the United States found itself hungry for land and itching to exercise its newfound independence. America had just been awarded the fruits of victory over the British by obtaining the Mississippi River as the western boundary and the thirty first parallel as the southern boundary of the recently liberated American Republic. During the Revolutionary war period the United States also acquired the former British colony of South Carolina and Georgia territory, and between 1795 and 1821 the American Republic slowly absorbed the Spanish Floridas as well. Additionally, in 1803 President Thomas Jefferson made what today can be considered one of the greatest land grabs in the history of the United States, when he was awarded all the territories of the Midwest including present day Louisiana, Arkansas, Missouri, Iowa, Oklahoma, Kansas, Nebraska, parts of North Dakota, South Dakota, Texas, and during the Louisiana Purchase. \(^3\) Manifest Destiny was in the air, and the American Republic was restless to exert its newfound independence and satisfy its appetite for expansion.

The problem with America’s insatiable hunger for land was that the territories they wanted to explore and claim were already inhabited. From the first discovery of the New World, European explorers believed that the act of discovery automatically gave them the right and sole title to the land that they claimed they were the first to find. According to the early European mindset, the Native Americans had the right of “occupancy” to the land they inhabited, but the exclusive title belonged to the Europeans.

In 1810 the Supreme Court tried to clarify this fuzzy issue of “Indian titles” by ruling, “that the nature of the Indian title, which is to be certainly respected by all courts, until it is legitimately extinguished, is not such as to be absolutely repugnant to seisin in fee on that part of the State.” Chief Justice John Marshall further explained this ambiguous claim in regards to Indian titles in 1823 by stating that, “since discovery gave title to the government by whose subjects, or by whose authority it was made,” then the, “rights of the original inhabitants were, in no instance, entirely disregarded; but were necessarily, to a considerable extent, impaired.” Marshall continued to clarify what he meant by “impaired” by explaining further that the Native Americans were, “admitted to be the rightful occupants of the soil, with a legal as well as just claim to retain possession of it, and to use it according to their own discretion, but their rights to complete sovereignty, as independent nations, were necessarily diminished, and their power to dispose of the soil, at their own will...was denied by the original fundamental principle that discovery gave exclusive title to those who made it.” Although European colonists and Euro-Americans admitted that the Native Americans were “the rightful occupants of the soil,” their thirst for land overpowered their respect for the Indian title. The Supreme Court created laws to in attempts to recognize Native American occupancy of the land, but these laws left open loopholes, which the American Republic later used to its advantage to satisfy its hunger for land.

The loophole that presented the greatest challenge to Native American society was the Supreme Court’s failure to clarify what exactly constituted American Indians’ “right to the soil.” Although the United States was burning with a desire to expand and

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4 Schmeckebier, p. 3.
5 Ibid, pp.3-4.
6 Ibid.
settle new territories, to disposes the Native Americans simply because they were seen by many Americans as a barrier to expansion would have been to contradict every principle laid out in Declaration of Independence that the American Republic fought so long to achieve. According to historian Theda Perdue, “Europeans had an intellectual tradition that supported the unity of humankind and their fundamental equality, ideas embodied in the Declaration of Independence and countless other documents stretching back for centuries.”7 If the United States bluntly ignored Native American’s “right to the soil”, they would not only have been contradicting the principles on which their own Independence was achieved, but they would also be denying Native Americans the right to the same liberties mapped out for all other American subjects in the literature of the founding fathers.

Steps were taken by the American government to protect Native American rights to the soil, but these steps left loopholes that allowed this safety net to be abused. Secretary of War Henry Knox summed up the ambiguity involving federal law in regards to “Indian right to the soil” by stating, “The Indians being the prior occupants, possess the right to the soil. It cannot be taken from them unless by their free consent, or by the right of concept in case of a just war. To dispossess them on any other principle, would be a gross violation of the fundamental laws of nature, and of that distributive justice which is the glory of a nation.”8 Knox held an incredible amount of power and influence over United States Indian Policy due to the fact that on August Seventh, 1789, Congress passed an Act that provided that the Department of War should be in charge of Indian

affairs as well as other primary military affairs. Consequently, his attempts to uphold the “fundamental laws of nature,” can be seen as a fair attempt to respect Native American “rights to the soil”, but his failure to provide a clear definition of what actually guaranteed these rights left American Indian policy in regards to the “Indian rights to the soil” dripping with ambiguity and open to assault.

The first mode of assault to attack “Indian right to the soil” was Henry Knox’s failure to describe what constituted a “just war.” The second statute of the act of August 7th, 1789 referred to Knox’s concept of a “just war.” This article stated that, “the utmost good faith shall always be observed towards the Indians; their land and property shall never be taken from them without their consent; and in their property, rights, and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress.” In this particular statute, it is clearly stated that Congress has the power to authorize these “just wars” that could lead to the dispossession of Native American lands without consent, but what would actually constitute as a “just war” was still left without a lucid definition.

Consequently, these ambiguous terms surrounding what actually constituted a “just war” led those hungry for Native Americans’ land with free reign to create their own definitions of what allowed for a “just war” against the original occupants of the American soil. Given the fact that the American Revolution had spawned the roots of Manifest Destiny, it is no surprise that the individuals who were seeking ways to eliminate the Native American “barrier” to expansion were none other than the occupants of America’s newly acquired territory of Georgia, which had recently achieved statehood.

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10 Ibid, p.69.
in the year 1788. During the post-Revolutionary War years, the immediate and perhaps the most aggressive threat that inflicted itself upon the Creeks Indians was oddly enough not the American government, but their primary neighbors; the Georgia settlers. As the Creeks would describe the Georgians themselves as, *Ecunnaunuxulgee,* “people greedily grasping the lands of the Red people,” the inhabitants of the state of Georgia believed that they had the right to the land that lay within the perimeters of their newly ratified state. Originally, according to the Articles of Confederation, paragraph 4 of article 9 stated, “The United States, in Congress assembled, shall also have the sole and exclusive right and power of…regulating the trade and managing all affairs with the Indians, not members of any of the states; provided that the legislative right of any state, within its own limits, be not infringed or violated.” However, after the United States Constitution was ratified, Congress passed an Act in the year 1790 that clearly defined the United States Congress to have the sole right to buy and sell Indian land, not individual states. This article proclaimed, “that no sale of lands made by any Indians or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or any state, whether having the right of pre-emption to such lands, unless…at some public treaty, held under the authority of the United States.”

An example of this tension between states rights and the Federal government regarding American Indian Policy can be seen in the disagreement that occurred between the United States Indian Commissioners and the citizens of Georgia during the proceedings of the upcoming Treaty of Coleraine of 1796. The main purpose of the Treaty of Coleraine was to confirm three previous treaties that were made with the

12 Cohen, p. 69.
Creeks, beginning with the Treaty of Galphinton, which was supposedly ratified by the Creek Nation in 1785 to mark the new boundary line between Creek territory and the state of Georgia to be at, “the forks of the Oconee and Oakmulgee Rivers, until it should intersect the most southern part of the stream called Saint Mary’s River.” However, this treaty was only recorded to have been, “signed by the Tallassee, and several other kings, on the part of the Indians,” which therefore allowed the United States government to find this treaty null and void due to the inadequate Creek showing. Finally, with the signature of Creek Chief Alexander McGillivary, the Treaty of New York was ratified in 1790, which led the United States to believe that they finally had Creek “consent” to run the boundary line along the forks of the Oconee and Oakmulgee Rivers. Once again, however, other Creeks protested the validity of this treaty, claiming that many towns knew nothing of the agreements that were made with Mico Alexander McGillivary and the President in 1790. Fusatche Mico expressed his frustrations at the meeting of Coleraine in 1796 in regards to the Treaty of New York by saying that the Creeks, “are not familiar with the concept of General Washington. They cannot conceive it…and have fears and jealousies.” As a result, the United States was forced to respect the Creeks, “right to the soil”, left the lands along the Oconee and Oakmulgee river out of the boundary line that was conceded at the Treaty of New York, postponing the marking of the Georgia forks to a later date when a sufficient body of Creek representatives was present to formally give their consent to the cession of such a large tract of land.

13 Extract from the talk of the Commissioners of Georgia to the Kings, Headmen, and Warriors, the Creek Nation, 2 July 1796, in the New American State Papers: Indian Affairs, 6:156.
14 Ibid.
15 Report by Secretary of War Henry Knox, 6 July 1789, NASPIA, 6:17.
16 Extract from the talk of Fusatche Mico to the Creek Indians, 27 June 1796, NASPIA, 6:145.
The state of Georgia bitterly resented the American government’s failure to include the lands along the Oconee and Okmulgee rivers in the Treaty of New York. Georgians saw their right as a state infringed upon and were bubbling over with jealousy at the respect the American Republic was showing for Creek “right to the soil.” Georgia expressed its disapproval towards the American government by proclaiming, “we protest against any cession of land within the territorial limits of the State of Georgia, by the Creek Indians, to the United States…without the consent of the State of Georgia.” Georgia then further expressed their dissatisfaction by explaining to the Creek that, “the boundary line settled at New York, did not please the State of Georgia,” and in reference to the land along the forks of the Oconee and Okmulgee rivers, state that, “no commissions of Georgia were present, and this land was left out of the boundary line, without the consent of the state. Now, even on your own ground, until you comply with this treaty, this land must be considered ours. You cannot expect us to be bound by the treaty of New York, when you do not comply with it yourselves.”

The State of Georgia was angry that they were being denied the right to decide the boundary lines marked within their own state, and violently protested that the United States grant them the right to the soil, blatantly ignoring the fact that the Creeks never gave their consent to for Georgia to have the power to exercise that right as a state to begin with.

It was the American government’s decision to give in to the demands of the state of Georgia at the Treaty of Coleraine that exposed the underlying motives of the United States Indian policy in the late eighteenth century. Succumbing to the pressures of

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17 Extract from the State of Georgia’s protest to the Board of Commissioners by Thomas Robertson, 28 June 1796, in NASPIA, 6:153.
18 Extract from the State of Georgia’s protest to the Board of Commissioners by Thomas Robertson, 28 June 1796, in NASPIA, 6:155.
Georgia, the United States held several meetings with the Creeks to investigate the validity of the Treaty of New York, where finally commissioner Thomas Robertson concluded that, “the said treaty of Augusta of 1783, the treaty of Galphinton of 1785, and the treaty of Shoulderbone of 1786,” which were all forerunning treaties to the Treaty of New York, “were all conducted with as full and authorization and representation as Indian treaties have usually been conducted.”\(^{19}\) As a result, the United States government proceeded to ratify the Treaty of Coleraine, against the protests of the Creek people, which finally granted the United States, with permission from the State of Georgia, to mark the boundary line as far into Creek territory, “beginning at the forks of the Oconee and Oakmulgee rivers, thence, in southwest direction, until it should intersect the most southern part of the stream called St. Mary’s River.”\(^{20}\) The Georgia protest of July 1796 and the following Treaty of Coleraine speaks volumes about American Indian policy at the time. On the surface the United States respected, as Knox stated, “The Indians being the prior occupants, possess the right of the soil,” and in theory believed, “It cannot be taken from them unless by their free consent…to dispossess them on any other principle, would be a gross violation of the fundamental laws of nature.”\(^{21}\) In practice, however, the American government’s failure to guarantee Native Americans’, “right to the soil”, proved that the ambiguity lurking among the Supreme Court laws marked an underlying motive of American Indian policy. This hidden motive was acquisition of land, but the way that the United States planned to carry out this subtle motive was through a gradual processes, which when carefully analyzed can be discovered to be none other than through the American Civilization Plan.

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\(^{19}\) Ibid, p.156.
\(^{20}\) Ibid, p.155.
\(^{21}\) Henri, p. 85.
The American Civilization Policy was brought on by two factors revolving around the issue of land. These factors consisted of both the pressures inflicted upon the federal government to give in to Georgia’s pressure for land and the cultural difference between the Native American and Euro-American concept of this land that Georgia was so hot to acquire. Frontiersman, who saw the purpose of land to be products of Euro-American husbandry, saw the large tracts of Creek hunting grounds to be wasteful. Georgian settlers saw Creek plantations, as Naturalist William Bartram noted to be, “only a small garden plot at each habitation, consisting of little Corn, Beans, Tobacco, Citruls, &c.,” as a gross misuse of farmland and an example of idle behavior. 22 What the Georgian’s failed to understand, however, was that the Creeks had a different idea of what constituted productive verses wasteful land. Bartram described the Creek concept of farming by the following passage:

“This plantation is one common enclosure, and is worked and tended by the whole community; yet every family has its particular part, according to its own appointment, marked off when planted; and this portion receives the common labour and assistance until ripe, when each family gathers and deposits in its granary its own proper share, setting apart a small gift of contribution for the public granary, which stands in the centre of the plantation.”23

Within Creek society, there was no concept of private property. Land was something that was communal, not individually owned or fenced in. Creeks utilized portions of the land according to their own survival needs, and whether this segment of the land was used for farming or hunting, the fruit of Creek labor was equally shared by all. Georgians as well as the rest of the American Republic did not understand this concept of communalism, and saw portions of land that were not being worked at the time using the proper

instruments of husbandry as wasteful. John Sevier, governor of Tennessee proclaimed, “By the law of nations, it is agreed that no people shall be entitled to more land than they can cultivate. Of course, no people will sit and starve for want of land to work, when neighing nation has much more than they can make use of.” Since land was believed to be communal, not something that could be bought or sold, Sevier’s claim that land was to be used for private cultivation was a concept that was nonexistent within Creek society, whom were a people Bartram noted to be, “free from wants or desires.” The American Republic, a stranger to the idea of land as something “communal,” took the side of the Georgians when it came to an individual’s “right to the soil,” eager to cultivate the future plentiful cotton fields of the American Southeast and ready to formulate a plan to foil those who did not fit the mold for America’s new plan of “progress.”

The underlying goal behind the Civilization plan, which began in 1796 and later became law in 1819, was to convert the American Indians from being a, “semi nomadic group of hunters and gatherers,” to independent Anglo-American style farmers. Theda Perdue writes, “Converting Indian hunters into Indian farmers, a goal of the ‘civilization’ program promised to free thousands of acres of ‘hunting grounds’ for white purchase and settlement.” The American government reasoned that if the Native Americans were introduced to Euro-American forms of husbandry, then subsequently, they would begin to cultivate small private plots of property for commercial profit, which would therefore cause them to abandon their traditional hunting lifestyle and leave Native American

24 Henri, p. 85. John Sevier was governor of the state of Tennessee from 1796-1801 and 1803-1809. He was also governor of the State of Franklin territory for four years, which later became part of the state of Tennessee.
25 Bartram, p. 182.
26 Cohen, p. 72.
27 Perdue, p. 79.
hunting tracks fee for the taking. In fact, Secretary of War Knox remarked that, “the love for exclusive property” was what “civilization” rested upon and the acquisition of Indian lands depended.\textsuperscript{28} The planners of the “civilization” program sincerely believed that once introduced to “superior” modes of husbandry, the Native Americans would recognize the benefits of a commercial agriculture lifestyle, and quickly abandon their traditional ways paving the way for American progress.\textsuperscript{29}

The origins of American thought behind the “civilization” plan rested in early theories of cultural evolutionism, that contrary to the United States Indian policy carried out in the latter half of the Nineteenth Century, believed that America’s indigenous population was capable of change. Evolutionary thinkers believed that humans fell into three basic categories, which consisted of \textit{savagery}, \textit{barbarism}, and \textit{civilization}. Each category rested in one’s level of technology, \textit{savagery} containing the bow and arrow, \textit{barbarism} the advent of pottery, and \textit{civilization} which contained knowledge of a phonetic alphabet and literacy.\textsuperscript{30} However, these early social evolutionists believed that those who rested in a category below \textit{civilization} had, “only to wait an indeterminable length of time before eventually (and inevitably) rising to the top.”\textsuperscript{31} Architects of the American “civilization” program were strong advocates of these ideas, and believed that American Indian, “barbarism” was simply due to lack of technological knowledge, but with “proper training” Native Americans they proclaimed could, “become culturally

\textsuperscript{28} Perdue, p. 52.
\textsuperscript{29} Ibid. p. 74.
\textsuperscript{31} Ibid.
indistinguishable from their non-Indian neighbors.”32 Henry Knox further supported Native American capabilities of change by firmly stating:

“That the civilization of the Indians would be an operation of complicated difficulty; that it would require the highest knowledge of the human character, and a steady perseverance in a wise system for a series of years, cannot be doubted. But to deny that…it could not be accomplished is to suppose the human character under the influence of such stubborn habits as to be incapable of melioration or change— a supposition entirely contradicted by the progress of society, from the barbarous ages to its present degree of perfection.”33

Based upon the belief that Americans believed that the American Indian was “capable of change”, the “civilization” plan’s immediate goal was to integrate Native American’s into “civilized” American society by making them independent farmers, which would then subsequently serve to meet their underlying long term goal; the acquisition of Native American lands. 34

Unfortunately for the Creeks, the American “civilization” plan did not allow the Native Americans to decide how and what type of change they were believed to be capable of. Late eighteenth and nineteenth century thought revolved around the concept of the “vanishing Indian”, where in the latter half of the nineteenth century Carlisle Indian School developed the motto of, “There is no good Indian but a dead Indian. Let us by education and patient effort kill the Indian in him and save the man.”35 Although education was not seen as the tool for “civilization” until it became a law in the year 1819, the idea of the “vanishing” Indian still played a key role in the early years of the “civilization” plan. Advocates of the plan, such as Thomas Jefferson, believed that if

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32 Perdue, p. 74.
33 Schmeckebier p. 18.
34 Henri, p. 92
35 Brian W. Dippie, Representing the Other: The North American Indian., p. 136. It is important to note here that Richard Pratt and the founders of the Carlisle Indian school had good intentions with their aims to mold Indians into the modern American. Based upon the belief at the time that hunter-gatherers were doomed to extinction, the founders of the school believed that one of the only ways they could assist Native Americans was by assimilating them.
Native Americans remained in their hunter-gather state they would never be able to survive in the more “advanced, civilized” nation known as the United States of America, and therefore were believed to be, “doomed unless they abandoned their “savage” ways and became “civilized.”  

As a result of being thought of as “doomed” to fail unless instructed in the arts of husbandry and Anglo-American style government, the “civilization” plan dictated to the Creek people what sort of “changes” they needed in order to survive in the rapidly expanding American Republic. The sole individual to carry out the American “civilization” plan among the Creek Indians was Benjamin Hawkins. Hawkins was appointed by President George Washington in 1796 as, “Principal Temporary Agent for Indian Affairs South of the Ohio River”, which would later become a permanent position after being promoted to, “Principal Agent,” by President Thomas Jefferson in 1801. Hawkins lived among the Creek Indians along the Flint River in Georgia for twenty years and remained there dedicated to “bettering the Indian” until his death in 1816. Based upon the shared ideas of George Washington, Henry Knox, and Thomas Jefferson, Hawkins stated the first goals of his “civilization plan” to secure Creek “survival” were as follows:

“The business of hunting has already as you suggest become insufficient to furnish clothing and subsistence to the Creeks. Stock raising, agriculture, and household manufactures are essential to their preservation and must be resorted to. I have encouraged them by all means in my power, as well as private and pubic. I intend next year to introduce letters. By turning their minds to things useful and by teaching them to rely upon their own exertions and resources for support, they will become honest and peaceable neighbours. They will seek the necessaries, then, the Luxuries of life and in this way they can and will spare their superfluous land.”

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36 Perdue, p. 74.
37 Foster, Introduction.
Introducing the Creeks to Anglo-American style husbandry and transforming them into commercial farmers, rather than commercial hunters, was the first tenet of Hawkins’ “civilization plan.” Agreeing with Secretary of War Henry Knox’s former statement that the “acquisition of land” rested on the “civilization” of the American Indian, Hawkins believed that once the Creeks were introduced to the “proper instruments of husbandry” that they would then realize that they could no longer survive on the scarce game left within Creek territory, and as a result would trade in their “superfluous” hunting grounds for a self sufficient agricultural way of life. Americans rationalized that if the Creeks gave up their large hunting tracks in exchanged for smaller, individualized, plots of farm land, then this would leave room for American homesteaders to settle the American Southeast, and at the same time allow for the United States to respect the Native Americans’ right of “occupancy.” As a result, the “civilization” plan formed a paradox that allowed for the American government to achieve two goals at once; the appeasement of Georgian frontiersman as well as maintain an element of “humanity” by respecting Native American “right to the soil.”

The Architects of the “civilization” plan, however, failed to understand that what Hawkins believed to be a simple transformation from hunter to farmer, from the Creek’s point of view, he was asking them to radically transform their entire way of life. Theda Purdue states that, “Advocates of “civilization” were confident that, with education, Indians would recognize instantly the fundamental superiority of Anglo-American culture and abandon their own ways of life for it.” “Civilization” plan architects, like early Evolutionists, believed that the level of “civilization” a person achieved was due to their

39 Perdue, p 52.
40 Ibid, p. 75.
level of or absence of technology. The thought never occurred to these early thinkers that it was quite possible that the Creeks, if given the choice, might have preferred their traditional hunting habits over the tools of Anglo-American husbandry. Hawkins’ himself admitted that, “I have had much difficulty in preparing the Indian mind for the new order of things.” This “new order of things” which Hawkins speaks of, is the civilization plan, and Hawkins’ only spoke the truth when he expressed his difficulty in “preparing the Indian mind” to adhere to the strict guidelines of that plan. The demand for the Creeks to trade in their beloved hunting grounds to become private commercial agriculturalists was in the words of Efau Haujo Mico, “like asking us to cut ourselves in two, and take one half one way, and the other half the other way,” or complete reversal of Creek tradition and culture. The American “civilization” plan did not ask the Creeks if the tenets of the “civilization” plan adhered to his or her own lifestyle, and just like the land beneath their feet, American policy makers attempted to sweep Creek tradition under the rug as quick as possible.

The first way in which the “civilization” program planned to transform the Creeks into commercial farmers challenged Creek tradition was through gender roles. In Creek society, as well as among most of the Indians of the Southeast, it was common custom for women to farm, and men to hunt and trade. Creek town consisted of individual garden plots and one large common field, where corn, beans, squashes, pumpkins, and melons were planted by women only. Creek men, on the other hand, hunted, traded, and were

41 Ferraro, 68.
42 Foster, p. 288.
43 Efau Haujo’s response to Henry Dearborn, 8 June 1801, in NASPIA, 6:191.
44 Perdue, p.63.
trained to be warriors. Creek men achieved respected positions within the Creek town council by proving their manhood by being excellent hunters or skillful warriors, and as a result were awarded honorable positions within Creek society. Claudio Saunt states that, “Warriors…whose masculine identity rested heavily on the pursuits of hunting and warring, accused the Indian agent of wanting, ‘to make slaves of them and their women and children’.”46 From the Creek point of view, farming was women’s work, and to ask a Creek male to farm was to reclassify his gender and severely insult his masculinity, which was extremely important in Creek society. Hawkins on the other hand, entering Creek society from an Anglo-American perspective saw, “plow agriculture as practiced by men,” completely unaware of the challenges that the simple introduction of a plow could create within Muscogulge society.47

Not only did Anglo-American agricultural practices challenge Creek gender roles, but it also asked them to give up their life as hunters, which was practiced within Creek society for centuries. Anthropologist John R. Swanton remarked in regards to the importance of hunting within Creek society that, “hunting and the ball play were close rivals for second place after war in the esteem of the ancient Creek.”48 Originally, hunting was not only a way to achieve warrior status, but a necessary survival activity. Over time, Creek traditional hunters slowly found themselves slowly evolving into commercial hunters, after the arrival of the British in the late seventeenth century and the introduction of British trading goods. After a century of trade with British colonists, the Creeks found themselves dependent on European trading goods, and the easiest way for them to access these necessary manufactures while at the same time maintain their

48 Swanton, p. 444.
traditional warrior culture was to enter the commercial deerskin trade. To ask the Creeks to give up this way of life entirely, however, was to ask the Creeks to give up a practice that had been interwoven into Creek society for centuries. In fact, commercial hunting had been so integrated within Creek society that even in the year 1802, when game was extremely scarce and the Creeks were forced to cede more hunting grounds in exchange to pay more hunting debts at the Treaty of Fort Wilkinson, Creek Efau Haujo expressed his dedication to hunting by stating, “it was what we have been brought up to do, it is an old custom, we cannot lay it aside.”49 The Architects behind the “civilization” plan assumed that once Creeks were introduced to the tools of husbandry, they would automatically realize the superiority of an agricultural way of life over a hunting culture. However, these framers of the “civilization” plan failed to take into account the deep traditional history that hunting played within Creek society, and the rich cultural history they were asking the Creeks to give up.

The last major tenet of Creek culture that Anglo-American agricultural practices assaulted in Creek society was the idea of private property. As Bartram previously noted, the Creeks were a people, “free from wants and desires,” and farmed “communal” plantations, rather than private, independent ones.50 The concept of private property was nonexistent within Creek society, where land was believed to belong to everyone, and worked according to the needs of society. Any superfluous agricultural wealth was always deposited in the public granary, located in the public square, and was equally shared among Creek families.51 Hawkins, however, in order to conserve space, wanted to concentrate the Creek people into the equivalent of “mini homesteaders”, and introduced

49 Efau Haujo’s response to Henry Dearborn, 8 June 1801, in NASPIA, 6:191.
50 Bartram, p. 182.
51 Ibid.
the Creeks to the concept of private property. Hawkins noted quite frequently in his journals that, “that we are progressing slowly but regularly in the plan of civilization.” Hawkins, who defined the concept of private property to be enclosed with fences, judge the progression of Creek idea’s of private property by their ability to fence in their lands. However, most Creek towns promised Hawkins to, “begin and fence in their fields,” this task was easier said then done due to the fact that the idea of fences was literally nonexistent within Creek culture, and even the largest town of Ocfuskee was reported to, “have no fences around the town.”

In addition to introducing the Creeks to commercial agriculture, Benjamin Hawkins believed that in order for the Creeks to become completely, “civilized” they needed a centralized, Anglo-American style government. Although the Creeks had been governing themselves for centuries in their own local town councils and square meetings, Hawkins interpreted the Creek’s government of persuasion as being no government at all. Hawkins wrote:

“The Creeks, never had, til this year, a national government and law. Everything of a general tendency, was left to the care and management of public agent, who heretofore used temporary expedients only; and amongst the most powerful and persuasive, was the pressure of fear from without, and presents.”

Although Hawkins was accurate when he described the linchpin of Creek government to be persuasion, he failed to understand that the Creeks did not have a “national” government because there simply was no need for one. Hawkins failure to see Creek local government, can be seen as Joshua Piker points out, “the tendency to treat the Creek nation as a relatively homogenous entity. Eighteenth-century Creek history is often

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52 Letter from Benjamin Hawkins to John Milledge, 4 August 1805, in Grant, 2: 496.
53 Foster, in Hawkins’ A Sketch of Creek Country, , 44s.
54 Ibid, p. 45s.
55 Ibid, p. 67s.
written from the point of view of the nation or confederacy…smaller-scale units of sociopolitical organization-communities, clans, lineages-appear in these narratives but they are rarely depicted as the driving forces behind the action being chronicled.’’56 Unfamiliar with government ruled by persuasion and misunderstanding Creek social organization, Hawkins thought the best way to “civilize” the Creeks besides making the Creeks commercial farmers, was to provide them with a central, national government. Building on the idea of a “town council” that already existed with each individual town, Hawkins constructed a national council, where he appointed one Creek Mico to be the head spokesperson for the Creek Nation. Hawkins describes the purpose of setting up his National Council as, “believing it might be made a useful instrument to approximate them to a more civilized state and give the United States a more commanding influence over them besides the opportunity it would afford to manage in an economical manner all business relative to the nation.’’57 By establishing a National Council, Hawkins planned not only to able to handle economic affairs regarding the Creek Nation much easier, but he also believed that it would serve the United States’ underlying motive in regards to American Indian Policy, which was to gain a “more commanding influence” over the Native Americans themselves. As Knox had said, the “acquisition” of land rested upon the “civilization” of the American Indian, and Hawkins believed his plan for a centralized government would achieve just that.

Hawkins’ plan for a centralized, national government among the Creeks presented a great cultural misunderstanding revolving around Hawkins own interpretation of the power invested to Creek chiefs, and the Muscolgulges own understanding of the limits of

57 Letter from Benjamin Hawkins to Henry Dearborn, 2 January 1805, in Grant, 2: 488.
this power. Hawkins thought that by appointing a speak of the nation, or head of the National Council, that they would intern be able to carry out his individual orders for the Creek Nations by using his power and influence over all individual Creek towns.

Considering the fact, however, that Creek chiefs only held substantial influence over their own individual towns without the consent of their councils, Hawkins’ idea of a speak of the nation was useless. During a conference between Hawkins, General Meriwether, and the Creek “speaker of the nation” Efau Haujo, Meriwether expressed his aggravation about the chiefs failure to carry out orders by stating the following:

“…it was not our business to be running after thieve and mischief makers and to be influenced in our conduct by that of a people that act like spoiled children. If these people will not attend on the orders of their Chiefs, we must make them, our warriors must make them, and if it is necessary, your father, the President, will aid you in men and money.”58

General Meriwether and Benjamin Hawkins did not understand that although appointed by the Americans to be, “speaker of the nation”, his power to influence other Creek town was slim to none. Efau Haujo could try to persuade other Creek towns to control their mischief makers and adhere to Hawkins’ demands, but the power to control these mischief makers Meriwether spoke of rested on the backs of the chiefs of that particular town, not the speaker of the nation. Benjamin Hawkins’ plan for a National Council was asking the Creeks to create a form of government that had no equivalent within Creek society. Agent Hawkins misinterpreted Creek ideas of a “town” council verses a “national” council, and by asking the Creeks to conform to a centralized government, was asking them to finally live up to the title of “Creek Confederacy” given to them during

58 Conference between Benjamin Hawkins, General Meriwether, and Efau Haujo, 30 June 1804, in Grant 2: 473.
the era of first contact with the British, a title that they had been able to escape in practice up until this point.

The era following the American Revolution was a time of great change and turbulence among Creek society. The United States struggled to maintain Native Americans’, “right to the soil”, but at the same time were hungry to appease their appetite for land during the era of Manifest Destiny. The “civilization” plan, architected with the paradoxical goal to respect “Indian right to the soil”, by allowing them to remain in their homelands, but at the cost of trading in their traditional hunting culture for small plot of individualized farming land. The framers of the “civilization” planned sincerely believed that once America’s indigenous population was introduced to Anglo-American style husbandry they would realize the superiority of American commercial agriculture, and quickly abandon their hunting tracks, in exchanged for a more “civilized” lifestyle. What these “civilization” plan founders failed to realize, however, was that just because Benjamin Hawkins asked for the Creeks to convert to the “new order of things”, this did not mean that the Creeks had to comply. The American government may have dictated the United States Indian policy in the post-Revolutionary war years, but the Creeks themselves decided whether they were going to carry out this plan and if so, how.
Chapter Three: Delay, Absence, and Resistance

The closing years of the eighteenth century and the beginning of the nineteenth century was a time of great change for the indigenous populations of the deep South. Eager beliefs of manifest destiny engulfed the infant United States of America during the post-revolutionary war period who was eager to expand its borders and governmental powers. In order to carry out this power of expansion, however, the United States needed a practical plan through which they could annex new territories but at the same time would still allow them to guarantee and protect Native American rights to the soil. As a result, the ultimate goal of the early American Republic was expansion, and the means to carry out this expansion constructed the American Indian policy at the time, which was none other than the “civilization” plan.

Although at the time the United States sought to loosely protect “Indian rights to the soil”, the ultimate goal of American expansion stemmed from out the shaky Indian policy that was formed by the Supreme Court to protect Native American rights to the soil. Henry Knox’s shakily constructed ideas that Native American land, “cannot be taken from them unless by their free consent, or by the right of concept in case of a just war,”\(^1\) left loopholes in the system for the American government opportunities to seize Native American land or aid sovereign states such as Georgia in a similar process. Cries for “just war” against bloody savages from Georgia and Carolina settlers were frequent in the American Southeast, where American settlers waited impatiently for one act of clan revenge by the Creeks that would be seen through the eyes of the president as a call for a “just war” against the Creek people in exchange for their lands. As Knox stated himself, “the acquisition of land” rested on the “civilization” of the American Indian, which allowed for the American government to solve the problem of the Native American

“barrier” to expansion by convincing them through “civilization” to trade in their vast hunting grounds for a small independent homestead. Retaining social evolutionist theory, Americans believed that once introduced to the proper modes of “superior” Anglo American husbandry, the American Indian would willingly drop his bow and arrow for the horse and plough, eager to enter and cooperate with American “civilized” society. During the onset of Manifest Destiny land was America’s ultimate goal, the “civilization” plan was just the vehicle to carry it out.

When studying the American “Civilization” plan and the American colonial period at this time, scholars and readers must avoid making the mistake that the founders of the “civilization” plan made, which was to automatically assume that the Creeks would agree to carry out the terms of American Indian policy that were being placed upon them at the time. I use the term, placed in this particular case for a specific reason, mainly because it is important to remember that the civilization was involuntarily introduced to the Creek people, rather than presented in form of a question, where the Creek people could negotiate and discuss the terms of how or if at all, this plan was going to be carried out. Looking back in hindsight, however, this evolutionary mode of thought believing that the Creeks would recognize and welcome what Americans believed to be “superior” forms of culture is both an oversight on the judgment of the Americans at the time, and an insult to the intelligence of the Creeks and the rest of the Native American population of the Southeast at the time. The thought never occurred to the architects of the “civilization” plan that the Creeks may have decided that they preferred their own traditions to Anglo American husbandry, seeing “little reason to abandon fulfilling practices and beliefs for

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2 I discuss this idea in chapter two, pgs 11-13. See also the source of these borrowed ideas: Florette Henri, p. 85 and Theda Purdue, Mixed Blood Indians, p. 74
those of Anglo-Americans,”³ and more importantly, that the Creeks were perhaps aware of the intentions of the American government at the time and the consequences of conforming to the American Indian policy at the time might lead to. ⁴

In fact, to deny that the Creek people at the time had the intelligence to know and be aware of the intentions of the American Republic at the time is to insult the capacity for knowledge of all Native Americans throughout history to be able to recognize and respond to the environment in which they lived and breathed in every day. Although it may have been the United States first interaction as a sovereign nation in regards to carrying out Indian policy, the era of Manifest Destiny was not the Creek Indians first encounter with the “white man” and his appetite for land. In fact, Native Americans in general had been dealing with European and Euro-American appetites for expansion since the days of Spanish exploration in the Sixteenth Century. The origins of Creek culture were created out of the ruins of the ancient mound builders of Mississippi, who were wiped out from disease and warfare introduced by the Spanish Conquistadors who rolled through the American Southeast for the first time in the 1540s. Since the basis of the Creek Nation was formed as a result of an amalgamation of different linguistic and ethnic tribes that had survived from Mississippian times, Creek oral tradition was bound to warn generations of Creeks of the dangers that the white man brought. In fact, when Anthropologist John R. Swanton interviewed members of the Creek Nation during his fieldwork experience in Oklahoma during the early nineteenth century, he reported that the Creeks believed that, “the Indians would ultimately be disposed by the white people of the sea” who, like “the Europeans’ would want to buy as much land as they could that could be “covered by a

⁴ For a larger discussion of Indians of the Southeast and their preference to retain their traditions rather than convert to Anglo-American ideas of “civilization” see Perdue’s, “Mixed Blood” Indians, pp.78-80.
hide."⁵ Although only a creation myth, Creek oral tradition and cosmology had a great impact on those who inhabited Creek society, and one can be rest assured that the Muscogee people were aware of the ‘white mans’ intentions long before the Americans arrived.

Another advantage that the Creek people had in regards to their quick understanding of the United States underlying intentions to seize Native American lands was due to the level of education and literacy owed to the influential Creek Chief Alexander McGillivray. Alexander McGillivray was born in Creek country in 1750 and by the late 1780s found himself to be accepted by most Europeans and Euro-Americans to be “head of the Creek Nation”. Although McGillivray was the son of a wealthy Scottish merchant, his mother was a member of the Wind clan that gave him a position of both respect and authority among the Creeks. However, due to the fact that McGillivray’s father possessed a great amount of wealth, McGillivray received a thorough American education in which he not only was well versed in the world of American academia and government, but he was also literate as well. As a result, not only was McGillivray’s leadership beneficial to the Creeks in regards to his ability to read and write, but he was also familiar with the system which the American government was founded on and operated out of.⁶

The Creeks were also aware of the new American government’s insatiable Indian lands due to their long standing history of trade treaty relations with Great Britain. Before America gained its independence, the Creek people had been trading and treating with Great Britain and its colonists since the founding of Charles Town, South Carolina in 1670. The British treaty that was probably most fresh in the minds of the Creeks shortly after the birth of the American

Republic was the 1763 Treaty of Augusta. At the treaty of Augusta the Creeks signed a treaty with British Superintendent of Indian Affairs John Stuart where the Creeks, “officially ceded the territory between the Ogechee and Savannah Rivers” in exchange for the guarantee that the remaining Georgian lands, “between the Altamaha and St. John’s Rivers” would remain under Creek control. Although the Creeks were documented to have officially ratified the Treaty of Augusta, it was reported a year later the actions of the Creeks at the time of the treaty signing that a large portion of Creek individuals and towns were extremely hesitant to give up any portions of Creek territory at all. In fact, according to historian Steven Hahn, “many Creeks perceived that the Augusta Congress, was little more than a thinly veiled attempt to divest them of territory they had claimed since the beginning of the century,” where during the preliminary talks on November 7th and 8th the Cherokee, Chickasaw, Choctaw, and Catawba all presented Superintendent Stuart with a string of beads to signify their loyalty and affection, the Creeks were reported to have “failed to exchange beads or any other tokens of peace.” Although the Creeks finally agreed to ratify the Treaty of Augusta in 1763, this did not mean that the Creeks were not aware of the Great Britain’s underlying desire to acquire Native American lands. As a result, by the time American gained its independence ten years later, it can safely be assumed that the Creeks knew that the intentions of the Americans would be no different from those of their fellow British predecessors.

In fact, although Henry Knox attempted to protect Native American’s “right to the soil” through his concept of “just war” and “proper consent”, it was quite clear that the ultimate goal of the American government at the time was acquisition of Native American land. Proof of

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8 Ibid. p. 267.
America’s surreptitious goal of acquisition of native lands can be seen by frequent reports by Creek individuals in regards to the heavy amount of violence and armed force that accompanied treaty signing and boundary running. In regards to carrying out the peace that was formed at the Treaty of Augusta, Creek headman Alexander McGillivray reported that, “on a conference then held, the leading people of the upper parts of that State made a demand of a large cession of lands, comprehending our best hunting grounds as compensation for the injuries sustained by them in the war, and which was enforced by bands of armed men, who at the same time surrounded them and threatened them with instant death if it was refused.” Additionally, it was reported that the Tallassee king declared at a meeting of the Lower Creeks the following in regards to the violent acquisition of Native American land:

“he was glad the superintendent had come out, that he might make known his complaints, of which he had many. He had always been a friend to the white people, that after the war, he was invited to Augusta, where he expected to be treated like a friend; instead of which, the white people, their long knives in their hands, insisted on his making a cession of land, which he had no right to do, but that, after there days importunity, he was obliged to consent.”

Whether it was bands of armed men or use of long knives, the Georgia settlers and Georgia commissioners who were involved with the signing of the Treaty of Augusta, the Creek Indians were forced, rather than asked, to give up their lands by the state of Georgia. John Galphin, a notable trader in the area testified that Georgia, “bullies rather than treats with the Indians.” Although on paper the treaties such as Augusta and Hopewell looked legitimate, giving up lands to the Georgians was in the words of McGillivray, “like sacrificing our rights, properties, and life itself.”

10 Proceedings of the meeting of the Lower Creeks, 10 April, 1789, in NASPIA, 6:27.
11 Letter by John C. Galphin, Cowetah, 1 June, 1789, in NASPIA, 6:43.
Yet, despite the cries by the Creeks and Cherokee to the unfair terms of the treaties at hand, the American government always sided with the Georgian settlers and through the loophole left by Henry Knox, which enabled Georgians to seize Native American lands through the concept of a “just war.” This idea of a “just war,” loosely defined, was frequently abused by Georgia settlers, and as Florette Henri states, “one purpose of the white violence on the frontier was to provoke Indian retaliation, in the hope of persuading the federal government to declare full-scale war against the southern tribes-Knox’s “just war.” Not only did Georgians bring along armed bands of men and long knives when they wanted to “treat” with the Indians themselves, but they often played on Creek traditions of clan revenge, and deliberately made mischief with Creeks in order to provoke Creek retaliation that could be later turned into “savage aggression”. In fact, Washington even admitted that as early as 1787 Colonel Alexander had deliberately killed seven Creeks of a small Cusseta village, and that Alexander and the rest of the settlers were, “with nefarious means”, “doing everything they could to bring on a war between the United States and the Creeks.” Georgians knew that according to Creek custom if members of a particular clan are killed, the rest of the clan members will seek retribution by killing the same number of people on the enemies side. As a result, the Georgians and Creeks were constantly at war in the Southern backcountry, and even though the battle was a two sided affair, the Creeks were always the ones in the end that the American government found to be the guilty suspects.

The Creeks were not ignorant of the intentions of the Georgia settlers and their frequent raids. During a public square meeting at Tuckabatchee, the Lower Creeks and Seminoles expressed their grievances towards the state of Georgia to the superintendent of Indian affairs.

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13 Henri, p. 100.
14 Ibid. Also see Washington, ed. Fitzpatrick, 32: 118.
Chiefs Efau Haujo and Oche Haujo were reported by Benjamin Hawkins to have, “addressed the white traders and said you must not encourage falsehoods, you must not disobey our laws...we will protect you and your property as long as you conduct yourself well; you have some of you imprudent and treated us with disrespect, you must alter your conduct.”\(^{15}\) In order for the Georgians to legally seize Creek land, they needed what Knox referred to as a “just war.” Therefore, in light of the fact that the ultimate goal of the American government was the “acquisition of Indian land”, the United States almost always sided with the Georgians in matters of frontier violence. In fact, Henry Knox at one point remarked in response to Creek complaints about the unfair treaty signing of the Treaty of Galphinton that it would be, embarrassing to relinquish Ogechee and Oconee lands to the Creeks”, and that since Creek hunting grounds in that territory were “already spoiled”, the Creeks should cede their lands and “attach themselves to the United States.”\(^{16}\) Aware of the fact that the Georgians were desirous of Creek land, the Muscolgulges knew that the Georgians were circulating “falsehoods” about Creek conduct and behavior, and did their best to convey to the United States that they were, quite literally, being framed for murder. Efau Haujo further acknowledges the lies that were circulating in regards to Georgian mischief by stating that, “It is true there are bad talks going sometimes thro’ our land, but I do not mind them, and I hope both sides will reject the bad talks and circulate those that are good.”\(^{17}\) These “bad talks” which Efau Haujo refers to are evidence that the Creeks were aware that the accusations against the Creeks for their alleged “aggression” against the Georgians were falsehoods, and although the Creeks were desirous of peace, they wanted their reputations cleared in the face of the American Government. Although there is no solid evidence that the

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\(^{16}\) Instructions for treating with the Southern Indians by Henry Knox to George Washington, 29 August, 1789, in *NASPIA*, 6:74.

\(^{17}\) Ibid, p. 317.
Creeks knew that the Georgians were provoking Creek retaliation for the purposes of conducting a “just war”, the evidence is clear that the Creeks knew the Georgians were acting as aggressors towards the Creeks and that they were not being properly represented to the American government to defend both their peace making promises and legitimate reasons for clan revenge.

Whether or not this awareness within the Creek Nation was triggered by previous Creek experiences with former Colonial powers or from the frequent raids and mischief conducted by Georgian settlers, Creek consciousness of the American government’s desire for Indian lands can be seen as early as the preliminary talks to the 1790 Treaty of New York. In response to the repeated hostility of the Georgia settlers, Alexander McGillivray stated the following:

“The Cherokees are daily coming into me, complaining of acts of hostility committed in the most barbarous manner by the Americans and are taking refuge within our territory. Such acts of violence, committed at the time that the Congress, through you, is holding out to the whole nation and tribes, professions of the most friendly nature, makes it appear to all, that such professions are only deceitful snares to lull them into security, whereby the Americans may the more easily destroy them.”18

Prior to negotiations revolving around the Treaty of New York, in November of 1785, the Cherokee lost a large portion of their territory during the Treaty of Hopewell, where, “from Tugalo river, ‘thence, a direct line to the top of Currohe mountain; thence to the head of the South fork of Oconee river’,”19 was stripped away from them. Alexander McGillivray, knowing that the American government had failed to protect Cherokee rights to the soil at the Treaty of Hopewell, McGillivray had every reason to believe that America’s behavior towards the Creeks at the Treaty of New York would be no different. In fact, McGillivray pointed out, although the American government at the time claimed they respected Indian “rights to the soil”, their actions

18 Letter by Alexander McGillivray to Richard Winn, Andrew Pickens, and George Matthews, 15 September, 1788, in NASPIA, 6: 35.
in ratifying unfair treaties signed by the state of Georgia and buying into Georgia’s plot of “just war”, proved that the United States had an underlying motive when it came to protecting Indian lands. McGillivray knew that although the Georgians may have been the immediate threat to Creek security, congress’s failure to relinquish and reprimand the encroaching Georgian settlers provided the Creeks with a false sense of security that led them to believe they would be protected by the American government. This “false sense of security” that the Creeks became vulnerable to was due to the fact that although the American government by law claimed to protect Native American “rights to the soil”, in reality the actions that the American government carried out always allowed for Georgian acquisition of Creek land, never the other way around. As a result, although the United States promised protection to the Creek Nation with every treaty ratification, the Creeks were still left in a more vulnerable position to the encroachments of Georgian settlers due to the fact that the American government still refused to acknowledge the State of Georgia as the key aggressor, not the Creeks, during the frequent mischief escapades in the southern backcountry frontiers.

The Treaty of Hopewell was not the only treaty that the Creeks were familiar with that entitled Alexander McGillivray to be suspicious of the American government’s promises to protect Native American rights to the soil. Before 1790, the Creeks had supposedly agreed and signed a series of three treaties including the Treaty of Augusta, Galphinton, and Shoulderbone, during the years between 1763 and 1786. All three of these treaties were created with the sole purpose of acknowledging the validity of the other, where each time each treaty was signed by an unequal portion of Creek participants, but after investigation was suspiciously still declared to be legitimate due to the United States government’s predilection for the State of Georgia and its
desire for American expansion. As a result, the summer of 1788 Georgia was still pressing for more land through violent means, and the American Government was still attempting to get the Creek people to agree to the former boundary lines agreed to at the Treaty of Shoulderbone and attempt to get the Creeks to cooperate with the increasing Georgian population and their constant requests of the United States government for land. Surprised that the American government still failed to protect Creek, “right to the soil”, Alexander McGillivray declared, “it is with equal surprise and concern, that the honorable Congress has not authorized you, its commissioners, to give us a full redress of our complaints, and to give us full satisfaction in what concerns our territory, which the Georgians are attempting to us forcibly.” Consequently, angry and frustrated that Creek “right to the soil” was not being protecting by the constant encroachment of the impetuous Georgian settlers, McGillivray reported to the United States Commissioners of Indian affairs in 1789 the following statement:

“The gentleman, my friends, do me justice when they inform you that I am desirous of peace. I have been now for five years in laboring to bring about one with the State of Georgia, but in vain, more than a twelvemonth after the general peace was spent by us in representing to them…the cruelty and injustice of their proceedings, of wrestling forcibly from us a large portion of our hunting lands, and which were in a great measure necessary for our support so that our hunting grounds were already insufficient for our purposes, to which we were always answered in haughty and contemptuous language, with threats to drive us off the Mississippi, so that, so that having nothing to hope from their justice or humanity, it was resolved to raise up the red hatchet for self preservation.”

Although Alexander McGillivray’s cry to take up the “red hatchet for self preservation” may have seemed like an act of hasty aggression by the United States Commissioners, given the present circumstances it may have been the only suitable option at the time to ensure Creek

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20 For more on this topic, see chapter two, pp. 9-10. For more details on the United States decision to honor the Georgia protest, see Extract from the State of Georgia’s protest to the Board of Commissioners by Thomas Robertson, 28 June 1796, in NASPIA, 6:153-155.
21 Letter by Alexander McGillivray to General Richard Winn, Andrew Pickens, and George Matthews, 12 August, 1788, in NASPIA, 6: 34.
survival. For five years Alexander McGillivray had to watch the hunting grounds of his people being slowly sold away through the process of impartial treaty showings and frequent episodes of “just wars” that were unfairly legitimized by the American government. However, McGillivray soon learned after “laboring for five years” to bring about a peace between the Georgian settlers and the Creek Indians that negotiation was no longer an option for the Creek people. Beginning with the Treaty of Augusta in 1763 and ending with the Treaty of Shoulderbone of 1786, the Creeks were able to see that they were fighting a losing battle when it came to dictating the terms of negotiation when it came to acquisition of Creek land. As a result, McGillivray decided that the best way to preserve Creek autonomy was to no longer attempt to negotiate peacefully with the United States, but to “take up the red hatchet.”

Although it is clear that Creek Chief Alexander McGillivray never protested against the American government through violent means, this did not mean that there were not other ways that McGillivray could take up the “red hatchet.” Since the ultimate goal of the American government at the time was acquisition of Native American land, the Creeks realized that in order to secure their own survival they would need to preserve the lands which the United States was so desirous of, the Creek hatchet needed to be aimed toward the treaty making process. Aware of the agenda of the American Indian policy and its quest for land as well as developing the motivation to protect that land, the Creeks were the perfect candidates for resistance in the early years of the American Republic. According to Jean and John Comaroff, “the present debate among historians and anthropologists over the conception and definition of resistance boils down to the problem of consciousness and motivation.”

Although scholars continuously debate whether, “an act requires explicit consciousness and articulation” in order to be “properly called

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resistance,” recent academics have concluded that, “when a people can be shown to express some measure of awareness of their predicament as victims of domination-and better yet, can state their terms of response- the matter is clear.”24 In the case of the Creeks, years of interaction of encroaching white settlers, Georgina violence, and false treaty signings, the Muscolgulge people were without a doubt aware that their world was rapidly changing, and in the great dialogue between “colonizer and colonized”, the Creeks were not the ones with the upper hand. The Creeks knew that if they did “raise the red hatchet” and go to war with the Americans, hindered with fewer numbers and inferior weaponry, they would most likely be fighting a losing battle with heavy population losses that would not outweigh the benefits of going to war in the first place. It is important to keep in mind, however, that it was not that the Creeks did not possess the intelligence to be an equal opponent to the American Republic, but their inability to wage a proper war against the United States was due to lack of access to superior modes of technology, not absence of equal intelligence. In fact, due to new discoveries in plant biology it has now been proven that since the Native Americans did not have a protein-rich plant, such as barley and wheat grown in the Fertile Crescent, America’s indigenous population progressed slower due to the fact that in order to get the proper nutrients needed to survive they were forced to remain hunter-gathers, rather than steady farmers, for a longer period of time. 25 This theory regarding plant biology therefore proves that it was not that the Creeks did not possess the intelligence to be equal opponents to the Americans if they chose to resist in a traditional, warlike fashion, but rather that they were aware of the consequences of a total war and their inferior technology left them certain to lose more than their population could afford.

24 Ibid.
Just because the Creeks during the early years of the nineteenth century did not raise what could be seen as a clearly conscious “total war” against the United States, this did not mean that the Creeks could not find other ways to “state their response” and resist besides turning to large scale violence. The root of a particular group of people’s various modes of response can be found in the way in which a person becomes motivated to actually respond to what is going on around them. Since a person’s motivation to do something is determined by the ideology that an individual or group of individuals believe in, then this ideology is bound to be contested. Since by definition, ideology is, an “articulated system of meanings, values, and beliefs of a kind that can be abstracted as [the] “worldview” of any social grouping,”26 and since there is no place where meaning can be concrete except, “in people’s minds and hearts” then this ideology has to be personally motivated.

Since both ideology and resistance is personally motivated, both are subject to cultural variability, which therefore allows resistance to be carried out in multiple forms. Every culture has their own set of “schemas” or “agendas” in which they use to “define what is in their self interest and the means they use to obtain those goals.”27 Cultural variability, is just a series of “internalized schemas” that are constantly be changed and rearranged according to the individuals that make up a certain culture and what they personally believe is the best “schema” or “agenda” to carry out.28 As a result, one can safely say that although the Creek people never united in face of colonization in the traditional way of large scale warfare, there is no reason to say that they did not resist in other ways. Since the United States government failed to protect the Creek title to the land, McGillivray decided to take matters into his own hands by refusing to

27 Strauss and Quinn, p. 25.
28 Ibid.
treat with the United States unless the United States agreed to negotiate on Creek terms. During the preliminary talks to the treaty of New York, McGillivray stated the following to the United States Commissioners:

“it was expected that the requisition which I made to you for removing the Georgians from the disputed lands, was to be considered by you as it was meant by us as a indispensable preliminary to form the basis on which the treaty of peace was to be concluded…Meantime I answer to you, as well knowing that they will not consent to treat, unless they see their requisition enforced.”

McGillivray wanted the Georgians out of Creek land and since the American government refused to prevent Georgian settlers from encroaching on Creek territory, McGillivray decided that the best thing he could do for his people at the time was to present the American government with an ultimatum. McGillivray demanded that the United States remove the encroaching Georgian settlers from their territory or the Creeks would simply refuse to treat.

Besides presenting the United States with an ultimatum in regards to the treaty making process, the Creeks attempted to avoid the treaty making process all together. One of the ways in which they attempted to do this was through the aspect of delay. In April of 1797, Indian Agent Benjamin Hawkins and United States Commissioner Andrew Pickins were instructed to carry out the boundary line markings that were agreed upon in the late Treaty of Coleraine. However, more often than not, the two found themselves stood up by the Creeks who according to the stipulations supposedly agreed upon by the Treaty of Coleraine, were responsible for aiding drawing out the new boundary line. Hawkins reported that the Creeks defense for not attending the boundary marking was, “that their tardiness is to be attributed to two causes only, the first to excessive rains, the second to the fears of the nation for their safety.”

29 Letter by Alexander McGillivray to General Richard Winn, Andrew Pickens, and George Matthews, 12 August, 1788, in NASPIA, 6:35.
30 Letter by Benjamin Hawkins to Colonel Henley, 18 April, 1797, in Foster, p. 158.
due to “excessive rains” was not the only time the Creeks failed to report to carry out the boundary lines that were “agreed” upon by former treaties. At a national council meeting in June of 1806, Hawkins and General Meriwether stated that, “although I received repeated promises on the part of the red people to complete the line from Altamaha to St. Mary’s and the last from the opposition themselves, who gave me the broken days in your presence, yet they not only refused to attend the time appointed by themselves, but threatened to rob and injure the people on this service.”31 In this particular case it is quite clear that Creek refusal to assist in running boundary lines was becoming an increasing problem, rather than isolated incident. As a result, one can deduce that it is quite possible that the Creeks were not attending boundary line conferences not because of “heavy rains”, but in reality, because they honestly refused to support any form of a treaty most of the Creek towns had not signed themselves. This awareness that by attending the boundary marking the Creeks would be supporting the institution that was colonizing them proves that they were conscious of the larger impact of their individual actions, and their refusal to attend this boundary marking can be seen as a form of a resistance.

Another way in which the Creeks delayed the process of treaty making and boundary marking was through the use of prolonged hunting trips. For example, Benjamin Hawkins’ informed Secretary of War Henry Dearborn that in 1802, the Treaty of Fort Wilkinson was to be carried out, ‘1st of May’, but in reality this treaty was not formally ratified until 1804. Hawkins described the delay by writing, “we have had a conference with Efau Haujo, the speaker for this nation, and informed him of the expectation of the Commissioners of the United to meet with the Chiefs of the nation at Fort Wilkinson the 1st of May. The Chiefs were all from home hunting

31 Benjamin Hawkins to Creek National Council, 30 June, 1806, in Foster, p. 436.
and he is of opinion they could not be convened sooner.” Although there is no solid proof that the main agenda of the Creeks at the time was to avoid discussing the terms of the future Treaty of Fort Wilkinson, if one uses common sense what better way for the Creeks to escape a contract handing over their lands then simply not being present to do so? In this particular instance, like McGillivrary years earlier, the Creeks decided to boycott American treaty conferences, but they chose choose a different form of agency to do so, which in this case was prolonged hunting trips.

Other examples of Creek refusal to support treaties that they believed themselves to be null and void were there genuine refusal to attend them. For example, in reference to McGillivray’s absence from a particular conference at Rock Landing in 1789, the commissioners stated the following:

“During this state of the business, Mr. McGillivray promised that he would pass the Oconee, and have a full and free conference with the commissioners are the subject of negotiations; and not more than an hour before his abrupt departure, he repeated the promise to one of them, that he would state his objections to the draught of the treaty, either in conversation or writing, the same afternoon. Very soon after this, he sent a verbal message that he was constrained to fall back, for the purpose of better forage for his horses, and that he hoped the commissioners would not misconstrue his intentions. Yet, to their astonishment, they afterwards found that he had returned to a greater distance, under the false pretext mentioned in his subsequent letter from Oakmulgee.”

Although upon first glance, McGillivray’s innocent excuse that his horses needed more “foraging” seems like it could be valid. However, given the fact that the Creeks had fallen into a pattern of failing to show up for treaty revisions and discussions, McGillivray’s excuse of “foraging” seems to carry less weight. Additionally, it is even quite clear that the commissioners themselves suspected McGillivray of trickery, where they refer to his foraging episode as a “false pretext” and realize that not only did he break his promise of handing in his “objections ot

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32 Letter by Benjamin Hawkins and Andrew Pickens to Henry Dearborn, 26 January, 1802, in Grant, p.432, v:2.
33 Letter by B. Lincoln, C. Griffin, and D. Humphreys to Alexander McGillivray, 25 September, 1789, in NASPIA, 6:87.
the draught of the treaty, either in conversation or writing”, but he retreated even further from the location of the conference making a meeting that “same afternoon” impossible. McGillivray almost incriminates himself of trickery by stating that he, “hoped the commissioners would not misconstrue his intentions”, which therefore points out to the commissioners that McGillivray himself was aware that he had something to hide. McGillivray’s excuse that his horses needed “foraging”, other Creek towns insistence of “heavy rains” or “fear for their own safety” all upon first glance seem to be logical explanations for their absence from treaty conferences and boundary markings, but after a second glance one realizes that it is also quite possible that these excuses were merely covers to larger, more elaborate plan to boycott and resist the system of American colonization.

Alexander McGillivray was not the only Creek chief who refused to support American expansion and decided to boycott any treaty or conference that they believed to be unjustifiable and illegitimate. Hopoie Micco, whom agent Benjamin Hawkins had appointed to be chief “speaker” of the National Council, was asked to make an appearance in Washington D.C. to confirm Creek approval of the newly purchased territory of the Ocmulgee fork. This territory taken from the Creeks in 1804 at the Treaty of Fort Wilkinson was “bounded by the Ocmulgee up to Ulcofauhatchee, and thence to the High Shaols of Apalachee” and once released to the American Government finally gave the State of Georgia the long coveted Creek hunting tracks that years of Georgian frontier mischief had worked hard to secure.34 Hopoie Micco, although given an extremely powerful position in the Creek Nation as “speaker of the national council”, Hopoie Micco did not forget his loyalties to Creek tradition, and therefore did everything in his power to prevent the the Treaty of Fort Wilkinson to be carried out. Hopoie Micco reminded

Hawkins that in regards to the agreement made at Fort Wilkinson to cede the Ocmulgee fork, speaking on behalf of the Creeks he stated that, “we know nothing above the other talks mentioned by the gentleman of Georgia, those who they say made them are people who never attend here, who never explained them in our public meetings, and who had no right to make talks for the nation.”

Although privileged with his appointed of “speaker of the national council”, Hopoie Micco did not forget that in Creek society, the power to give away lands that belonged to the entire Creek nation could never rest in the hands of one man, but needed to be approved by every town and its council that made up the Creek Nation. Hopoie Micco remembered that, “it was agreed at Ocheubofau, in the presence of the four nations, that land should never be sold but in a meeting of all the Chiefs of the nation,” and therefore the American Government had no right to take away lands belonging to the Ocmulgee fork since the entire Creek Nation had never agreed to ceding them in the first place. As a result, both aware of the consequences of loosing such a large portion of Creek hunting grounds and the unfair means in which the American government was acquiring this territory, when Washington asked Hopoie Micco to make an appearance to confirm Creek approval of the Fort Wilkinson land cession Hopie Micco refused to attend. As Creek “speaker of the national council”, Hopoie Micco’s refusal to make the journey to Washington was a direct insult to the American government. Hopoie Micco knew that to meet face to face with the “American Father” or president was a great honor, and his refusal to attend the conference proves that he must have had an alternative motive to miss out on a chance to meet the “great American father”. Although there is no proof that Hopoie Micco had a deeper meaning behind his refusal to attend the Washington

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conference, considering the fact that Hopoie Micco fought so hard to communicate to Hawkins the invalidly of the Fort Wilkinson treaty, one is granted the liberty to assume that he would not leave his convictions to protect Creek land and autonomy in exchange for a chance to go to Washington, even if it was to meet the president.

The more important question regarding Hopoi e Micco’s actions was not whether he had an alternative motive behind his refusal to go to Washington, but whether his actions in hindsight can now be considered resistance. Whether it was Hopoie Micco’s refusal to go to Washington or Alexander McGillivray’s self determination to avoid confirm new land boundaries revolving around the lands of the Oconee, both Creek chiefs knew the greater consequences of conforming to the wishes of the American government. The Creeks knew that no matter how many times they protested against impartial treaty showings and illegal encroachment on Creek lands by Georgian settlers, America’s main agenda of the “acquisition” of Indian land would always take precedent over Native American “right to the soil.” The battle to protect Creek land was over before it began, and the Creeks knew outnumbered and under technologically prepared they would be on the losing side.

Even though the Creeks were aware that protection of Native American “rights to the soil” were second in priority to the American government’s desire for expansion, the Creeks knew that this did not strip them of their human agency and right to refuse the modes of colonization that were being emplaced upon them. One of the most common ways for a person to exert power is through the act of human “agency.” When power takes the form of the “agentive mode”, it “appears as the capacity of human beings to shape the actions and perceptions of others by exercising control over the production, circulation, and consumption
over signs and objects, over the making of both subjectivities and realities.”\(^{38}\) Just because the Creeks knew that a large scale war with the Americans would lead to a devastating blow to their population, did not mean that they were not aware of other ways to “state their response” to the overarching colonial power that was surrounding them. McGillivray decided to take power into his own hands when he decided to dictate the terms of the Treaty of New York, by giving the United States the ultimatum of negotiating on Creek terms or losing out on the chance to treat with the Creek people at all. Hopoie Micco, knowing that there was nothing he could do to overturn the Treaty of Fort Wilkinson, decided to exercise his individual convictions against the invalid treaty by refusing to make the journey to Washington to approve the treaty he did not believe in. Any action against a hegemonic power that is self motivated can be seen as human agency, and since “agency” is a way of exercising power, one can safely say that the Creeks had resistance on their minds, they just went about it in a nontraditional way.

The ultimate goal of the United States Indian policy during the late eighteenth and early nineteenth century was the acquisition of Native American land. Although the Supreme Court ruled that Native American land could not be bought or sold unless through the process of a “just war” or “free consent”, Creek people learned quickly that the protection that entitled them “right to the soil” existed merely in theory rather than reality. As a result, Creek leaders such as Alexander McGillivary and Hopoie Micco recognized that Creek survival depended upon the delay or absence of the means in which the American government could seize their lands, which was through the processes of treaty signing and boundary running. Although Secretary of War Henry Knox made the Creeks well aware that by refusing to treat they would be seen as ,

\(^{38}\) Comaroff, p.31.
“enemies of the state”\textsuperscript{39}, Creek refusal to treat demonstrates their resistance to be a part of the vehicle in which Creek autonomy was rapidly being eroded through, and this vehicle took the shape of none other than the United States Indian Treaty.

\textsuperscript{39} Letter by Henry Knox to George Washington on Instructions for treating with the Creek Indians, 29 August, 1789, in NASPIA, 6:76.
Chapter Four: Cultural Amalgamation According to Creek Terms

United States Indian Policy during the late eighteenth century and early nineteenth century expansion was not limited to the annexation of Native American lands through treaty signing and boundary running. In fact, one of the main goals of the American Civilization plan was to convert the Native Americans from commercial hunters to what could be considered to be small scale homesteaders, that way the United States could not only secure large tracks of Indian hunting grounds, but also eliminate the problem of Indian removal by “civilizing” rather then “eliminating” the Native American “barrier” to American expansion. Since Native American hunting grounds required more land than Anglo-American style farming, framers of the American Civilization plan knew that if they could convince the American Indian to take up farming rather than hunting, this would significantly shrink the amount of land Native Americans inhabited and consequently allow more room for American settlers. As Florette Henri stated, “Secretary Knox thought a good way to start would be to give the chiefs presents of sheep and cattle, which would diminish the need for large hunting grounds and also encourage fencing parcels of land, which would in turn, it was hoped, would stir Indians an appetite for sole and exclusive ownership.”¹ The thought never occurred to the architects of the “civilization” plan however, that the Creeks may have decided that they preferred their own traditions to Anglo American husbandry, seeing “little reason to abandon fulfilling practices and beliefs for those of Anglo-Americans.”²

Even though the architects of the “civilization” plan expected that the Creeks would acquiesce to American Indian policy and convert to Anglo American style farmers, this still did

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not strip the Creek people of the freedom to decide the terms by which they would actually carry
the plan out through. Not every Creek town, however, decided to preserve Creek tradition in the
same way. Just as every Creek was aware of the underlying intentions of the American
government to seize Creek lands, they were also aware that game was scarce and hunger was
increasing. Consequently, although many Creeks chose to resist the American “civilization” plan
through more obvious forms of resistance such as opting to starve then become agriculturalists,
some Creek towns decided to incorporate certain aspects of the civilization program into their
own lives, but not without converting these aspects according to their own terms. Recently,
scholars have accepted the idea that culture is something that is constantly being created and
recreated, rather than pinned down to one specific idea or something set in stone.

Anthropologist James Clifford stated that previously it was held that, “the culture idea, tied as it
is to assumptions about natural growth and life, does not tolerate radical breaks in historical
continuity. Cultures, we often hear, ‘die.’” Recently, however, the question has been asked, “how
many cultures pronounced dead or dying by anthropologists and other authorities have, like
Curtis’ ‘vanishing race’ or Africa’s diverse Christians, found new ways to be different?
Metaphors of continuity and ‘survival’ do not account for complex historical processes of
appropriation, compromise, subversion, masking, invention, and revival.” Similarly, even
though certain Creeks decided to conform to particular aspects of the “civilization” plan, this did
not mean that they were giving up or conforming to American Colonialism. Just as culture is
constantly changing and contested by those who create it, so did the response of each individual
Creek town to the “civilization” plan and American colonial policy. As a result, although
individual Creeks choose to respond to the changing environment around them in different ways,

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4 Ibid.
this did not mean that those who decided to meliorate their culture rather than allow it to remain the same, did not have resistance on their minds as well. Individual Creek towns, whether they chose to resist by boycotting aspects of American colonization or simply by choosing the terms by which they incorporated aspects of the “civilization” plan into their own lives, were all resisting American colonization in some form, they just choose to display and exert the power of human agency through different forms.

One of the first ways in which the Creeks choose to dictate the terms by which they would respond to the demands of the “civilization” plan was simply by refusing to conform to the basic tenant of the plan itself, which was none other than the desire for the Creeks to become Anglo-American style farmers. As a result, it is no surprise that Creeks resisted the “civilization” plan’s goal to make them farmers by continuing to exercise their right to commercial hunt, even when this option failed to provide many Creeks with enough subsistence to survive. Indian agents and United States commissioners continuously stated that they had, “difficulty in preparing the Indian mind for the new order of things,”\(^5\) and that although the Indians were, “pleased at the idea of having tradesman in their neighborhood…they request me not to suffer him to make corn on their lands.”\(^6\) Part of the reason why agent Hawkins experienced such “difficulty” in introducing the “tools of husbandry” to the Creeks was simply due to the fact that the Creeks did not want to give up a tradition that had been a part of Creek culture for centuries.”\(^7\) Since colonization itself is an attempt to ,”gain control over the practices through which would-be subjects produce and reproduce their existence,” then choosing to retain the ways in which one produces cultural meanings, or culture, can be seen as a form of conscious

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\(^6\) Letter by Benjamin Hawkins to James McHenry, Secretary of War, 4 May, 1797, in Foster, p. 135.

resistance. Both consciously aware that the “civilization” plan posed a direct threat to Creek tradition and a consequence of this threat could lead to the loss of Creek land, the Southeastern Muscolgugles had every reason to be motivated to resist this threat to the security of their tradition and ideology.

Keeping this in mind, although insistence in hunting rather than farming may not have been a form of resistance by itself, Hawkins’ disturbing report of the starvation and poverty that resulted from Creek refusal to farm proved that the Creeks had another agenda on their minds then a simple distaste for Anglo American husbandry. For example, in a letter to Thomas Jefferson in the summer of 1803, Hawkins reported that, “the business of hunting has already as you suggest become insufficient and household manufactures are essential to their preservation and must be resorted too.”8 Hawkins continued to describe the present state of poverty and starvation of the Creek Indians, in response to a conversation he had with Hopoie Micco, where he stated that, “some of our women and children were actually starved and many reduced by hunger as to be unfit for any business and a pretty to disease. We all know this, and I know, Hopoie Micco, who it is to blame, it is you, it is I…Let us accommodate the President in whatever he asks of us and thereby enable him to accommodate us and to perfect our plan of civilization which will be our salvation.”9 In this particular situation, Hawkins blames himself and Hopoie Micco for the hunger of the nation, believing that he had failed to introduce the plan of “civilization” more effectively. However, his passionate concern for the welfare of the Creeks and his devastating reports of the amount of hunger that had swept the Creek Nation, is further proof that the Creeks were not adhering to the plan of “civilization”. These Creeks had the opportunity to find other ways to survive by picking up the hoe and the plough that was readily

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9 Speech by Benjamin Hawkins to Hopoie Micco, 15 July, 180, in Grant, p.477, v:2.
available to them from Agent Hawkins, but instead they decided to preserve their traditional lifestyle of hunting, rather than farm, despite the deadly consequences.

Although genuine refusal to conform to any aspects of the American Civilization plan is probably the most recognizable form of Creek resistance, this did not mean that the Creeks could not find other ways in which to state their response of dissatisfaction in regards to the “civilization plan”. In fact, subtle forms of resistance are often overlooked due to the fact that besides theory and critical interpretation, it is difficult to prove that a group of people were consciously resisting a particular idea or hegemonic power without solid evidence validating these goals of resistance. According to the discipline of anthropology, however, there is another way in which a group of people can display power and that is through the creation of culture and the preservation of tradition. Anthropologists Jean and John Comaroff explain the objective of the colonizer by stating, “colonizers everywhere try to gain control over the practices through which would-be subjects produce and reproduce the bases of their existence. No habit is too humble, no sign too insignificant…colonization always provokes struggles-over power and meaning on the frontiers.”10 As a result, since the American civilization plan in itself was an attempt to strip Creeks of their culture and transform them from commercial hunters to Anglo-American style farmers, Creek continuation to preserve their own traditions in the face of a rapidly changing world can be seen as resistance. In fact, by choosing to incorporate or leave behind certain aspects of the American Civilization plan the Creeks were still demonstrating self determination, they would just choosing to express their human agency through different terms.

One of the first ways in which the Creeks decided to incorporate certain aspects of the American Civilization plan into their own lives but with their own discretion was through

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adoption of Anglo-American husbandry. Aware of both an inferior population and absence of European technology, the Creeks knew that nothing would stop the expansion of the American Republic with the birth of the new nation. As the number of frontier settlers increased and false treaties were ratified, the number of game quickly dwindled, leaving many Creeks to realize that they were left with no choice but to take up new modes of agrarian life and aspects of the “civilization program” in order to feed their families in the midst of a rapidly changing environment. In a letter to the Secretary of War, Benjamin Hawkins wrote the following:

“On occasions only when they stated their poverty, and contrasted the present scarcity of game and withdrawing of presents, with former times of plenty and British profusion, I recommended to them to sell some of their waste lands to meet the present and future wants of the old chiefs…and for the rest to give the plan devised for their civilization a fair trial among the young and middle aged. On these conditions, I promised, in the name of the President, that poverty should be a stranger in their land.”

On top of American expansion, the Creeks were being driven into a terrible state of debt as a result of prolonged hunting trips. In fact, Hawkins also reported in a letter to Henry Dearborn in 1805 that the Creeks owed the house of Panton, Leslie, & Co., about 80,000 dollars. This debt was unavoidable, however, due to the fact that the deerskin trade was based on a “credit and confidence” policy, where Creek hunters from the season before would have to make up for a previously poor season by asking for extended credit to bring in enough deer skins to pay off their debt from the year before. These hunting trips only increased in time as fewer and fewer deer were found, where hunters would be gone for over a year attempting to satisfy Creek growing dependency on European trade goods such as guns, power, cloth, knives, and jewelry.

Eventually, Creek debt only augmented over time, leaving many with limited options besides Hawkins’ civilization plan to feed their families and avoid starvation. Evidence of acceptance of

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11 Letter by Benjamin Hawkins to Henry Dearborn, 2 May, 1802, in Grant, pp. 440-441, v:2.
12 Letter by Benjamin Hawkins to Henry Dearborn, 5 March, 1805, in Grant, p. 489.
Anglo-American husbandry implements can be seen in Hawkins’ journal, where assisted by an interpreter Sally Walters, the wife of the late Col. Walters, Hawkins was able to converse with a Creek family the following:

“I visited them in the evening and conversed with them on a plan for bettering their conditions. They said they would follow the advice of their great father General Washington, they would plant cotton and be prepared for spinning as soon as they could make it, and they hoped they might get some wheels and cards…they promised also to take care of their pigs and cattle. They told me that they would make corn enough but they would never sell it. That they were willing to labor if they could be directed how to profit by it”\textsuperscript{14}

Although these particular Creek women agreed to Hawkins’ program, at the time they were suffering without blankets winter clothing, and sufficient food since their husbands were out hunting.\textsuperscript{15} Therefore, when Hawkins came to make his proposition in the dead of winter in support of his civilization program, spinning cotton and raising pigs seemed like the quickest opportunity to bring their husbands home and warm clothing to last the winter. In fact, During a conference between Hawkins and the Creeks on the Tallapoosa, the Muscolgulges expressed their reluctance, yet necessary evil, of becoming Anglo-American as reported by Hawkins, “they all heard me with attentive silence, until I mentioned the raising and spinning of cotton. One of them laughed at the idea, but the Fusatchee Mico assent to all and said it \textit{must be done.}”\textsuperscript{16} The Creeks knew that although they preferred to retain their traditional modes of hunting, in light of the present situation of debt and starvation in Creek society, taking up Anglo-American modes of husbandry might possibly be the best way for them to survive in a changing world.

As a result of the necessity to avoid starvation and an alternative from year round hunting trips, small plantations began to crop up within Creek society, but instead of adopting Anglo chattel slavery, they created their own amalgamation of slavery by fusing Hawkin civilization

\textsuperscript{14} Journal entry of Benjamin Hawkins 1 December, 1796, in Foster p. 21.
\textsuperscript{15} Ibid.
\textsuperscript{16} Journal entry of Benjamin Hawkins, 5 January, 1797, in Foster, p. 56.
ideas with their own. For example, one of the first ideas that the American “civilization” plan tried to install in Creek minds was the idea of private property. The main agenda of the “civilization” program was as Henry Knox stated previously, the “acquisition” of Indian land, and therefore the architects of the program genuinely believed that once introduced to the “proper” tools of husbandry, they would adopt this concept of “exclusive ownership”, and willingly trade in their hunting tracks for miniature homesteads. However, although the Creeks began to slowly take up Anglo-American forms of husbandry, they still refused to accept the idea of “private” property. Hawkins reports quite frequently that Creek refusal to build fences around their farms was becoming such an increasing problem that he was forced to have, “made a rule to admit no neighbors who will not make fences.”

Also, consistently throughout Hawkins’ Sketch of Creek Country, almost every Creek town that Hawkins traveled through was reported to be either poorly fenced or not fenced at all. Hawkins described the Creek Town of Aubecooche by stating, “they have no fences, and but a few hogs, horses, and cattle,” and then Ocfuskee as well as it was reported they had, “no fences around the town, but they have some cattle, hogs, and horses, and their range is a good one.”

Additionally, Hawkins further reports that the town of Cooloome as also having, “no fences”, and of the town of Hillaubee, “the villages are badly fenced, the Indians are attentive to their trader several of them are careful of stock, and have cattle and hogs, and some have a few horses.” Although Hawkins reports quite frequently that Creek towns have been successful at acquiring cattle and hogs, they still have not built fences to secure their private property.

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18 Hawkins, A Sketch of Creek Country, in Foster, pp. 42s & 45s.
19 Ibid, p. 44s.
Traditionally in Creek society, land was always communal, where each individual Creek was entitled to the amount he needed to survive. The Creeks, as well as Native Americans in general, determined property limits by usage, not ownership. In fact every Creek town has its own “town plantation”, where Bartram noted that, “every family or citizen has his parcel or share, according to desire or convenience, or the largeness of one’s family. The shares are bound by a strip of grass ground, poles set up, or any other natural or artificial boundary, so that the whole plantation is a collection of lots joining each other, compromised in one enclosure or general boundary.”²⁰ Land was given out in Creek communities according to who needed it, where family welfare and beneficial use of the land was more important than the amount of monetary value that could be exchanged for it. This concept of “private” ownership and property was foreign to them, and although the American government wanted them to acquire this taste for private ownership, the Creeks knew that this was a direct challenge to the idea of peace and harmony that the Creeks had practice for centuries. As a result, although the Creeks acquired cattle and hogs for Anglo-American ranching, but they still refused to fence in their lands. Although these particular Creeks may have appeared to be sell outs to more militant and extreme Creeks who decided to display their resistance to the “civilization” plan by refusing to starve rather than farm, by choosing which aspects of Anglo-American husbandry they wanted to incorporate into their own lives still gave these Creeks the power to express self determination. Although self determination is not traditionally thought of as a form of resistance, these particular Creeks knew that in light of the scarcity of game and America’s insatiable appetite for Native American lands acceptance of the “civilization plan” seemed like the only logical way in

which the Creeks could survive. Consequently, through self determination the Creeks were able to adapt to a rapidly changing environment but still retain their traditions as well.

Similarly, the Creeks also exercised self determination by selecting what aspects of Anglo-American African slavery they wanted to incorporate into their own society, and what aspects of Creek traditional slavery they wanted to retain. For example, Benjamin Hawkins describes the plantation of Mrs. Durant, Alexander McGillivray’s sister, according to the following passage:

“I was this day visited by the negros from the towns above me, on their way to Mrs. Durant’s to keep Christmas. I asked how this was done, they answered that at this season of the year they made a gathering together at Mrs. Durant’s on her sisters, where they lived more of the black people then in any part of the nation. And their they had a proper frolic of rum drinking and dancing. That the white people and Indians met generally at the same place with them and had the same amusement. The black people here are an expense to their owners except in the house where I am. They do nothing all winter except get a little wood, and in the summer they cultivate a scanty crop of corn barely sufficient for bread.”

The fact that Mrs. Durant allowed her slaves to share in the same Christmas festivities as the rest of the white people on the plantation was highly unusual at the time, and was both shocking and surprising to agent Hawkins. Also, instead of working her slaves in the traditional style of Anglo-American chattel slavery, Mrs. Durant treated her slaves as she would treat any other Creek, which Hawkins interpreted as forms of idle behavior, rather than the productive, slave labor, African slaves were supposed to perform. In fact, when describing Creek forms of African slavery, Hawkins frequently described the behavior of African slaves among the Creeks to be quite “idle.”

Hawkins wrote of Mrs. Weatherford, the Creek wife of a Euro-American trader, that, “she is in possession of near eighty slaves, near 40 of them capable of doing work in or out

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21 Journal entry of Benjamin Hawkins, 26 December, 1796, in Foster, pp. 48-49.
doors. Yet from bad management they are a heavy burden to her and to themselves, they are all idle.”

Besides Mrs. Durant, the son’s of Hawkin’s interpreter Mr. Barnard, who were a mix of Creek and English blood, also owned slaves but chose to work along side their slaves instead of employing an overseer. Hawkins wrote, “two of Mr. Barnard’s sons, Falope and Yucchohpee, have begun an establishment for themselves. They were here with their father’s negros, at work clearing a field, and preparing logs of pine for their houses.” Both Mr. Barnard’s children and Mrs. Durant were of mixed blood, just like Alexander McGillivray, but failed to utilize their slaves as Hawkins desired, clearly making McGillivray’s ideas of slavery and ownership an exception among Creek society. Additionally, Hawkins described the residence of Creek Efau Haujo as, “one of the great medal chiefs, the speaker for the nation at the national council. He has five black slaves, and a stock of cattle and horses, but they are of little use to him, the ancient habits instilled in him by British and French agents, that the red chiefs are to live on presents from their white friends, is so riveted, that he claims it as a tribute due to him.” Although Efau Haujo was reported by Hawkins to have slaves, he still did not put them to use according to the proper modes of Anglo American Husbandry, and through the eyes of Hawkins Efau Haujo’s treatment of his slaves was seen as both idle and unproductive. However, the behavior that Hawkins interpreted as “idle”, through the eyes of the Creeks was the normal way one would treat any other slave in Creek society. In fact, according to Creek tradition, slaves were often fully adopted into Creek society, and most often shared the same rights and privileges as any other Creek individual would. As a result, although the Creeks were adhering to the

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22 Journal of Benjamin Hawkins, 20 December, 1796, in Foster, p. 42.
23 Journal entry of Benjamin Hawkins, 21February, 1797, in Foster, p. 86
24 Hawkins, a Sketch of Creek Country, in Foster, p. 31s.
“civilization” plan by taking up Anglo-American forms of husbandry and plantation style-slavery, they choose to treat their slaves according to Creek tradition, rather than Anglo-American tradition.

Creek style slavery also different from Anglo-American chattel slavery due to the fact that once African slaves were formally adopted into Creek society, they were then socially accepted on the same grounds as any other Creek. The Botanist William Bartram described an encounter with African slaves while visiting a Creek household, “he had near a hundred acres of fertile land in good fence, most of which is usually planted, and tended by his own family, which consists of about thirty people, among which were fifteen negroes, several of which were married to Indians, and enjoyed equal privileges with them; but they are slaves till they marry, when they become Indians or free citizens.” In this particular case, Bartram notes that although on an Anglo-American style plantation African slaves would never be considered the equal of a white man, in Creek society adoption had become such a way of life that despite skin color, anyone who truly desired to become Creek could. In fact, black slaves enjoyed a number of options within Creek society. As Bartram previously observed, Africans could become Creeks through marriage, where union into matrilineal clan would grant black slaves free Creek citizenship and complete incorporation into Muskogee society. An example of status elevation can be seen in the case of Mrs. Weatherford, where her husband, according to Hawkin’s was, “a man of good figure, dull and stupid, mixed with African blood.” Mrs. Weatherford’s husband, although not entirely of African blood, proves that their had been several mixed marriages over time, and by marrying someone of property like Mrs. Weatherford they could achieve status and wealth. On the other hand, if Africans remained unmarried, their position in Creek society was

25 Bartram, Observations on the Creek and Cherokee Indians, p. 550
26 Journal of Benjamin Hawkins, 20 December, 1796, in Foster, p. 43.
far from inferior, where they were given permission to work right along side the Creek Indians in the field and household duties. In fact, conditions for African slaves in Creek society proved to be so favorable that one particular negro even claimed upon capture that he would “rather die before he would be brought out of the nation”27 Therefore, although it is indisputable that Creek Indians did recognize the difference between African slaves and themselves, this did not prevent them from gaining clanship and equal opportunities in Creek society. Creeks had been adopting enslaved prisoners of wars into Muscologugle society for generations, and to ask the Creeks to give up a way of life that they had been practicing for centuries was almost a request to sacrifice their own identity. As a result, although certain Creeks did start to own more and more African slaves as the “civilization” plan pushed for larger cotton plantations and grist mills, the Creeks refused to give up their traditional adoption and labor policies. Consequently, the Creeks not only resisted the demands of the civilization program’s call for “productive” chattel slavery, but incorporated Anglo-American style slavery into their lives according to their own terms.

Whether it was forms of cultural amalgamation or more recognized refusal, Creek resistance in the years of the early American Republic should not be overlooked. Since culture itself, is the creation of cultural meaning, then the culture one chooses to create for themselves can be said to be a conscious and personally motivated decision. The idea that the Creeks would choose to maintain certain aspects of their tradition culture in order to resist the attempt of the American government to “civilize” them into respectable Anglo-American citizens, although might not appear as a conscious form of resistance at first, after a second glance one can see that exercising mere acts out of habit may have a hidden agenda beneath the surface. Even though to some Creeks incorporation of Anglo American husbandry or African slavery may have seen as a

27 Letter by John B. Bard to Benjamin Hawkins, 16 December, 1797, in Foster, p. 268.
complete acceptance of American Colonization, these particular Creeks still retained their rights
to exert human agency. By using self determination individual Creeks and towns were able to
pick and choose what aspects of the “civilization” plan they wanted to include into their own
lives, which therefore allowed them to still survive in a rapidly changing world but at the same
time preserve traditions that were most important to them.
Conclusion

In September of 1811 the Creeks were visited by a Shawnee Indian from the Great Lake country who had asked the Creeks to participate in what would later become one of the greatest attempts to resist United States colonization and expansion in American history. This resistance movement was inspired by a Shawnee Indian named Tenskwatawa, whom most scholars have come to know as “The Shawnee Prophet”. Tenskwatawa was one of the many mid-eighteenth century Native American prophets who had received visions from the Great Spirit that in order to preserve American Indian traditions and culture, Native Americans needed to unite together and separate themselves completely from Euro-American culture. Frustrated by years of unrelenting American expansion, disease, and warfare, mid-eighteenth century Native American religious visionaries feared erosion of American Indian tradition and culture, which therefore led them to come to conclusion that in order to preserve these traditions they needed to resort to strength in numbers. ¹

The Shawnee who decided to visit the Creeks in September of 1811 turned out to be none other than whom most historians have come to conclude was the leader of this pan-Indian revival during the early nineteenth century. Tecumseh, Tenskwatawa’s brother, believed that the best way to avoid the erosion of Native American culture that presented itself in the form of Tenskwatawa’s dream was to lead a militant pan-Indian revival. Tecumseh’s vision of pan-Indian revival consisted of a united Indian nation from the tip of Canada all the way to the Gulf of Mexico, where Tecumseh strongly believed that strength in numbers would allow Native Americans to resist American colonization and help preserve native traditions. ²

Tecumseh’s visit to Creek territory in 1811 civil war broke out in 1813 among the Creek Indians and two opposing factions formulated. Advocates of militant ways in which to preserve Native American tradition took on the label as the “Red Sticks” and those who preferred to acquiesce with the demands of the United States Indian policy and “civilization” plan were known as ‘friends’ or ‘allies’ of the United States.³ Given the coincidence of the timing of Tecumseh’s visit to the Creeks and the outbreak of the Red Stick War scholars of Creek history have often attributed Creek resistance to be an ‘outgrowth’ of Tecumseh’s visit rather than a development that had been waiting to explode amongst the Creeks all along. Historian Alfred Cave describes this misnomer regarding Tecumseh’s visit by stating the following:

“The Muskogee insurgency that would lead first to a bloody civil war and then to a disastrous conflict with the United States was not simply a response to Tecumseh and his revelations of the teachings of the Shawnee people. It had deeper roots. To be sure, the Creek militants incorporated some of the dances and songs…but their words and actions did not always reflect either the prophets teachings or Tecumseh’s political advice. The Muskogee world had its own prophets, and those prophets had their own agenda and timetable.”⁴

Although there is no refuting the fact that Tecumseh’s pan Indian revival and the Creek Civil War shared similar time frames, there is no solid proof that Tecumseh’s visit was the sole source of inspiration for the militant Red Sticks. In fact, surviving Creeks who recalled Tecumseh’s visit to the Creeks reported in the mid-1880s that contrary to popular fact, very few, if any Creeks were actually seen to have allied with Tecumseh in 1811. For example, according to Creek Judge N.B. Moore reported in regards to Tecumseh’s visit that, “those who were disposed to listen to him began fighting against the United States. But the numbers willing to do this were small compared with that of those who were unwilling to join the war with the United

States.”⁵ Additionally, it was also reported in 1882 by an ex-Seminole chief informant that after Tecumseh’s visit to the Creeks in September in 1811 that Tecumseh departed “taking with him only two Creek chiefs”⁶ which leads one to believe that more Creeks found themselves declined to ally with Tecumseh, let alone let him be the sole source of inspiration for Creek resistance.

Consequently, considering the fact that there is little evidence to prove that Tecumseh received a substantial following of Creek delegates upon his visit to Creek country in 1811 then there can little dispute towards the belief that the Creeks could have had their own agenda of resistance planned long before Tecumseh’s arrival in 1811. Although upon first glance individual Creeks who chose to remain friendly to the American government during Creek Civil War may have appeared to the Red Sticks to be betraying and endangering their identify as Native Americans, just because those particular Creeks did not resort to militant means to express their determination to preserve native traditions did not mean they did not share the same goal. In fact, Creeks who chose to remain friendly towards the American government at the time of the outbreak of the Creek Civil War had been resisting American colonization all along they just chose to carry out these forms of resistance in a more subtle way.

This ‘subtle’ form of resistance that the Creeks carried out in 1813 were in fact part of an overarching agenda to preserve Creek traditions and culture since the creation of the American Republic. Although recent historians have corrected the error in regards to treating the Creek people as part of a larger, “confederacy” rather than a group of people consisting of influential ‘smaller scale units’, scholars have consequently failed to realize that this inherent factionalism could be overcome when a group of individuals recognize and realize the need for change.

⁵ Judge N.B. Moore interview, 8 December, 1881, Tecumseh Papers, in The Draper Manuscript Collection (Madison: Wisconsin, The State Historical Society of Wisconsin) 4YY:44.
Although upon first glance the Creeks may have appeared to be intensely divided at the time of the Red Stick War, to assume that these Creeks were not capable of recognizing that they needed to unite together to preserve their traditions and way of life is to as historian Joshua Piker states it best, “to run the risk of mistaking the cover for the book, the shadow for the person, the surface of Indian politics for the substance of Native life.”⁷ Even though the Creeks did not agree on which agenda they were going to use to resist American colonization, preservation of Creek tradition and culture still remained the common goal. Individual Creek towns found different ways to deal with the changes late eighteenth and early nineteenth century colonialism presented them with, but Creek tradition always remained the same in the hearts and minds of the Creek people.