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THE DIVIDED GROUND: UPPER CANADA, NEW YORK, AND THE IROQUOIS SIX NATIONS, 1783-1815

Alan Taylor

In recent years, historians have paid increasing attention to borders and borderlands as fluid sites of both national formation and local contestation. At their peripheries, nations and empires assert their power and define their identity with no certainty of success. Nation-making and border-making are inseparably intertwined. Nations and empires, however, often reap defiance from peoples uneasily bisected by the imposed boundaries. This process of border-making (and border-defiance) has been especially tangled in the Americas where empires and republics projected their ambitions onto a geography occupied and defined by Indians. Imperial or national visions ran up against the tangled complexities of interdependent peoples, both native and invader. Indeed, the contest of rival Euro-American regimes presented risky opportunities for native peoples to play-off the rivals to preserve native autonomy and enhance their circumstances.¹

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¹ David J. Weber, "Turner, the Boltonians, and the Borderlands," *American Historical Review*, 91 (Feb. 1986), 66-81; Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York, 1991). For a discussion of the relationship of comparative to transnational history, see Ian Tyrell, "American Exceptionalism in an Age of International History," *American Historical Review*, 96 (Oct. 1991), 1031-55; George M. Frederickson, "From Exceptionalism to Variability: Recent Developments in Cross-National Comparative History," *Journal of American History*, 82 (Sept. 1995), 487-604; and Richard White, "The Nationalization of Nature," *ibid.*, 86 (Dec. 1999), 976-86.

In a recent essay, Jeremy Adelman and Stephen Aron advance a helpful distinction between “borderlands” and “borders.” They argue that, in North American history, native peoples tried to prolong broad and porous “borderlands,” but eventually became confined within the “borders” of consolidated regimes imposed by invading Euro-Americans. This paper examines the transition of one borderland—the land of the Iroquois Indians—into two bordered lands: the State of New York in the American republic and the province of Upper Canada in the British empire.²

At Paris in 1783, British and American negotiators concluded the War of the American Revolution, recognizing the independence of the United States while reserving the Canadian provinces to the British empire. American independence and Canadian dependence required a new boundary between the young republic and the lingering empire. The negotiators ran that boundary through the Great Lakes and the rivers between them, including, most significantly, the thirty-six-mile-long Niagara River that emptied Lake Erie into Lake Ontario. Long a critical juncture for overland movement east-and-west, as well as water transport north-and-south, the Niagara River assumed a contradictory new role as an international boundary. A natural place of communication, passage, and mixing became redefined as a place of separation and distinction. Or, so it seemed, on paper to negotiators in distant Paris and their superiors in London and Philadelphia.³

Along the Niagara River, the Iroquois Six Nations clung to their position as autonomous keepers of a perpetual and open-ended borderland, a place of exchange and interdependence. Recognizing their own weakness in numbers and technology, the natives sought renewed strength in their

² Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation-States, and the Peoples in Between in North American History,” *American Historical Review*, 104 (June 1999) 814-41. See also Evan Haefeli, “A Note on the Use of North American Borderlands,” and John R. Wunder and Pekka Hamalainen, “Of Lethal Places and Lethal Essays,” and the thoughtful reply by Adelman and Aron, “Of Lively Exchanges and Larger Perspectives,” in *ibid.* (Oct. 1999), 1222-25, 1229-34, 1235-39. Wunder and Hamalainen fault Adelman and Aron for inadequate attention to the agency of native peoples in borderland relationships. The latter accept that point but reiterate the transforming rupture ultimately effected by the United States in confining native peoples within boundaries—a point that Wunder and Hamalainen obscure.

³ For a borderlands study of Canada and the United States, see Reginald C. Stuart, *United States Expansionism and British North America, 1775-1871* (Chapel Hill, 1988). Stuart does not examine the role of Indians in the construction of that borderland. A more recent work on a later, more western portion of the border does illuminate the pivotal role of native people; see Beth LaDow, *The Medicine Line: Life and Death on a North American Borderland* (New York, 2001).

geographic and political position between the Americans and the British. By exploiting the lingering rivalry between the republic and the empire, the Iroquois Six Nations hoped to remain intermediate and autonomous rather than divided and absorbed by the rivals. The natives conceived of their borderland as porous at both ends to the reception of information and trade goods and for the free movement of their people. In 1790 the Six Nations spokesman Red Jacket explained to the Americans, "that we may pass from one to the other unmolested . . . we wish to be under the protection of the thirteen States as well as of the British." A year later, he reminded the Americans, "[we] do not give ourselves entirely up to them [the British], nor lean altogether upon you. We mean to stand upright as we live between both." As gatekeepers of a borderland, the Six Nations enjoyed a leverage that would be lost if divided and confined by an artificial border defined as a precise geographic line where two Euro-American powers met and asserted control over all inhabitants within their respective bounds.⁴

Before the American Revolution, the six Iroquoian nations sustained a loose confederation of villages located south of Lake Ontario and east of Lake Erie, within the territory claimed by the colony of New York. From east to west, the Six Nations were the Mohawk (in the Mohawk valley), the Oneida and the Tuscarora (both south of Lake Oneida), the Cayuga and Onondaga (in the Finger Lakes region), and the especially numerous Seneca (in the Genesee, Allegheny, and Niagara valleys). Culturally similar, they spoke kindred languages of the Iroquoian family and occupied villages that mixed a few traditional bark-roofed long-houses with many, compact log cabins. Their villages were modest in size—rarely inhabited by more than 500 people—and their population aggregated to about 9,000 on the eve of the war. Occupying and cultivating the most fertile pockets of alluvial soil, they reserved most of their broad hinterland as a forest for hunting and gathering. Of course, American settlers coveted that vast hinterland, which they regarded as wasted upon Indians and properly rededicated to their own farm-making.⁵

⁴ Red Jacket, speech, Nov. 21, 1790, Timothy Pickering Papers (Massachusetts Historical Society, Boston), Red Jacket, speech, July 10, 1791, *ibid.* See also the Young King's speech, May 21, 1791, *American State Papers, Indian Affairs*, 1: 165.

⁵ "Report of Governor William Tryon on the State of the Province of New York, 1774," in E. B. O'Callaghan, ed., *The Documentary History of the State of New York* (4 vols., New York, 1849-51), 1: 766; Helen Hornbeck Tanner, ed., *Atlas of Great Lakes Indian History* (Norman, 1987), 74-78; Elisabeth Tooker, "The League of the Iroquois: Its History, Politics, and Ritual," in Bruce G. Trigger, ed., *Handbook of North American Indians: Northeast* (12 vols. to date; Washington, DC, 1978-2001), 15: 418-41; Dean R. Snow, *The Iroquois* (Cambridge, MA, 1994), 141-57.

The War of the American Revolution proved catastrophic for the Six Nations. Under severe pressure from both sides, the Iroquois divided. Most of the Oneida and some of the Tuscarora assisted the American rebels, but the great majority of the Iroquois allied with the British as their best bet for resisting expansionist settlers. Whatever their alliance, the Six Nations all suffered devastating raids that destroyed almost all their villages, especially in 1779. The Oneida fled eastward, taking refuge at Schenectady within the American frontier, while the other Iroquois shifted northward into British-held Canada or westward to the vicinity of the British fort at Niagara. The raids and flights depopulated a broad and bloody no-man's land between Niagara and Schenectady. The violent dislocations also promoted malnutrition and disease, combining to reduce Iroquois numbers by a third, from a pre-war 9,000 to a postwar 6,000.⁶

In 1783, the war-weary British government offered remarkably generous terms and boundaries to the United States. The British retained Canada, but conceded everything south of the Great Lakes to the Americans—although most of that vast region actually belonged to Indians, including the Six Nations. The border even sacrificed the most important British forts along the Great Lakes, including Fort Niagara, at the mouth of the Niagara River, on the southwestern shore of Lake Ontario. As conduits for trade and presents from the British, the posts served Indian interests; indeed, the natives thought of the posts as their asset and as theirs to dispose of. For the United States, a nation verging on financial collapse and unable to defend its long frontier against Indian raids, the peace treaty was a stunning victory. But the British-allied Indians suffered a shocking betrayal, for the treaty did not even mention them, treating the natives as mere pawns passed into American control.⁷

Outraged by the treaty and the new border, the Indians pressured and menaced the British officials, officers, and traders throughout the Great Lakes, threatening violence if they tried to evacuate the border posts. By alarming the post commandants, the Indians compelled a dramatic decision by Major General Frederick Haldimand, the overall British commander in Canada. "To prevent such a disastrous event as an Indian War," he delayed turning over the forts during the summer of 1783. He also appealed to his

⁶ Barbara Graymont, *The Iroquois in the American Revolution* (Syracuse, NY, 1972), 259-91.

⁷ Graymont, *Iroquois in the American Revolution*, 259-62; Colin G. Calloway, *Crown and Calumet: British-Indian Relations, 1783-1815* (Norman, 1987), 7-8.

superiors in London to render that retention permanent, by obliging the Americans to accept a broad buffer zone, possessed by the Indians.⁸

Initiated from fear of the Indian reaction, the proposed borderland also appealed to Canada's premier economic interest, the mercantile firms that traded British manufactures for the furs garnered by Indian hunters around the Great Lakes. British posts and an Indian borderland would combine to keep American traders and settlers away from the valuable fur trade. In early 1784 the home government recognized that the peace treaty line compromised both the security and the economy of Canada. Moreover, with growing signs that the American union of republican state governments was faltering, the British wanted to be in a strong position for the anticipated collapse. Finally, the British government found principled grounds for retaining the posts in two American violations of the peace treaty: the states withheld payment of pre-war debts owed to British merchants and obstructed Loyalist efforts to reclaim their properties confiscated by the state governments.⁹

By catalyzing Britain's policy shift, the Indians demonstrated that they possessed initiative and were more than mere pawns in an imperial game. Far from intimidating the Indians, the British troops and their posts functioned as hostages, enabling the Indians to compel concessions. Those concessions exposed the fallacy in the peace treaty: the insistence that an announced and artificial boundary suddenly could separate native peoples from their British allies. Interpenetrated and interdependent with the Six Nations, the British traders, officials, and settlers at Niagara could not afford a rupture.¹⁰

⁸ Allan MacLean to Haldimand, May 13, 18, 1783, Reel A-681, Add. Mss. 21763, 111, 118, Manuscript Group 21 (Haldimand Papers), National Archives of Canada (Ottawa); Major John Ross to Haldimand, May 14, 1783, Reel A-688, Add. Mss. 21784, 132, Manuscript Group 21, *ibid.*; Major A. Campbell to Col. Barry St. Leger, Aug. 6, 1785, in E. A. Cruikshank, ed., "Records of Niagara, 1784-7," Niagara Historical Society, *Publications*, no. 39 (1928), 69; Haldimand to Lord North, Aug. 30, 1783, 43: 241, and Haldimand to North, Nov. 27, 1783, 46: 41, both in Reel B-37, Manuscript Group 21, Colonial Office 42 (National Archives of Canada); Haldimand to Sir John Johnson, June 14, 1784, Reel A-664, Add. Mss. 21723, 131, Manuscript Group 21 (Haldimand Papers).

⁹ Robert S. Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815* (Toronto, 1992), 56-57; J. Leitch Wright Jr., *Britain and the American Frontier, 1783-1815* (Athens, GA, 1975), 20-26, 36, 42-43; Lord Sydney to Gen. Henry Hope, Apr. 6, 1788, in Cruikshank, ed., "Records of Niagara, 1784-7," 88.

¹⁰ Some historians have miscast the buffer zone as originally a British concept and initiative, thereby obscuring the Indian role as catalysts. See, for example, Reginald C. Stuart, *United States Expansionism and British North America, 1775-1871* (Chapel Hill, 1988), 7, 37-38. Stuart insists that the British "controlled Indian tribes linked with the fur

American leaders, however, continued to nurture a fantasy of division and separation. In October 1784 at Fort Stanwix (in New York State) American commissioners, backed by armed troops, dictated a one-sided treaty to literally captive Iroquois chiefs. The treaty extorted a four-mile wide strip along the Niagara River and all Six Nation lands *west* of the mouth of Buffalo Creek, at the southwestern edge of the Niagara corridor. It is striking and significant that the Americans demanded land on the *western* margin of Iroquoia, rather than on the eastern, where American settlers were encroaching. The federal commissioners left to the state of New York the treaties to procure lands for settlers from the individual Iroquois nations. From a federal perspective, the critical matter in 1784 was to affirm that the 1783 peace treaty with the British had established a firm international boundary at Niagara, where American sovereignty ran unchecked up against the British sovereignty, without any intervening Indian borderland. A strip of federal territory prevented the Six Nations from interposing between British Canada and America New York and, instead, separated the Iroquois from their allies, British and native, to the west. The Niagara strip affirmed in geographic space the American insistence that the Treaty of Paris made the United States "the sole sovereign within the limits . . . and therefore the sole power to whom the [Indian] nations living within those limits are hereafter to look up for protection." Like the 1783 peace treaty boundary, the 1784 Fort Stanwix line was a political concept bluntly imposed on space in provocative defiance of the social geography. Indeed, the line ran through the preeminent cluster of Six Nations villages at Buffalo Creek, and (if enforced) dispossessed the Iroquois of their villages at Cattaraugus. Of course, the Six Nations chiefs, in council at Buffalo Creek, promptly disavowed the treaty as dictated by force on their captive delegates. The price of the Americans' geographic fantasy was the alienation of—rather than reconciliation with—the great majority of the Iroquois.¹¹

By keeping the border posts, the British reassured the Indians but angered the Americans: an exchange the British were willing to make during the 1780s. The British shift initiated a state of cold war along the frontier, as their officers annually supplied presents of guns and ammunition

trade." It would be more accurate to say that the British and the Indians both influenced and pressured one another in a constant give-and-take between their mutual and their clashing interests.

¹¹ White, *Middle Ground*, 416-17; Richard Butler, "Fort Stanwix Proceedings," in Neville B. Craig, ed., *The Olden Time* (2 vols., Pittsburgh, 1848), 2: 410 (Oct. 11, includes quotation) and 425 (Oct. 20, gives the boundary). For the Iroquois refutation of the treaty, see Anthony F. C. Wallace, *The Death and Rebirth of the Seneca* (New York, 1978), 173.

to the Indians. The British meant for the well-armed Indians to give the Americans pause in their drive to settle the borderland. Kept at a safe distance, the Americans could not menace the posts. To the west, the Indians of the Ohio country employed their British munitions to resist American intrusions and to raid American settlements. In New York, the Iroquois hoped to preserve their lands without entering the war by preserving an armed neutrality, instead.

Willing to sustain a cold war, the British were by no means eager for an escalation into another expensive hot war with the Americans. Instead of announcing the post retention as permanent, they continued to hold desultory and intermittent negotiations with American diplomats over the tangled issues of the fur trade, Indians, posts, debts, and Loyalists. Those talks held out the vague prospect that someday the British would hand over the posts. Meanwhile, the British played for time, to see if the United States would collapse, leaving the posts, the Indians, and the fur trade in the British orbit. Nor could the Americans afford to vent their outrage in another hot war. Financially and militarily bankrupt, the United States was barely able to fight the Indians in the Ohio country; could not muster the forces to attack the British posts; and was certainly incapable of waging the massive war with the empire that such attacks would provoke. Resenting British power and their own weakness, the Americans could only hope for a diplomatic solution.¹²

To increase their diplomatic leverage, the Americans worked to defeat the Ohio Indians and to woo the Iroquois Six Nations during the late 1780s and early 1790s. Both efforts became more significant after 1788, when the American states ratified a new constitution endowing their federal government with enhanced revenues and increased power. After 1789, the new federal leaders—principally President George Washington, Secretary at War Henry Knox, and Indian commissioner Timothy Pickering—worked at least to keep the Six Nations neutral in the Ohio country war. Better yet, federal leaders hoped to enlist their aid in pressuring and inducing the western Indians to make a peace. Embarking on a charm offensive, the federal government treated the Six Nations with diplomatic respect and generous presents. On the New York frontier, at Tioga in November 1790 and Newtown Point in July 1791, Pickering held two conciliatory councils with Six Nations chiefs. In early 1792, federal leaders also hosted a successful visit to Philadelphia by a large delegation of Six Nations chiefs, primarily Seneca, including Red Jacket and Farmer's Brother. That spring, the Washington administration appointed Israel Chapin as the new

¹² Allen, *His Majesty's Indian Allies*, 67-68; Calloway, *Crown and Calumet*, 17.

superintendent for Iroquois affairs to reside in the Genesee country of western New York. The chiefs regarded Chapin as their asset: as a conduit for information and patronage conveniently placed in their country.¹³

For a few heady years during the early 1790s, Six Nations chiefs found themselves courted by two ardent and generous suitors. To compete with the British Indian agents, Chapin matched their hospitality to chiefs and their annual delivery of presents (mostly cloth, jewelry, gunpowder, and shot). In June 1792 Chapin reported to Pickering: "be persuaded, Sir, that as long as [the British] are able to make [the Indians] more presents than they receive from us, they will have the most with them." Recognizing the centrality of property to Euro-Americans, Indians regarded generosity as the measure of their sincerity. In 1794 Chapin explained to his superiors that a recent shipment of clothing "Confirmed them in opinion of your Friendly Disposition towards them & that your friendship did not appear by words only but by actions also." The new American attention and presents upped the ante, obliging the British officials to respond in kind. In April 1793 John Graves Simcoe (lieutenant governor of the newly created province of Upper Canada) sighed, "I observed with regret the expensive dress that the Farmer's Brother had received at Philadelphia, as it adds to that expense, which it is inevitable and proper that we should be at during the present negotiation, to support our credit with the Indians." Simcoe matched the American largesse because preserving "the affections of the Indians" was "of the utmost importance." In turn, enhanced British generosity inspired the chiefs to expect even more from the Americans. In April 1794 Chapin sighed, "The Expences of the Indians increase very fast. Their demands increase with the importance [that] they suppose their friendship to be of to us."¹⁴

The presents flowed unevenly to reflect the political geography of Iroquoia. During the mid-1780s, the Six Nations peoples had shifted around in search of the best locations for their post-war villages. About a third (2,000) abandoned their crowded refugee villages near Niagara or Schenectady to rebuild in their former homelands, in the broad intervening

¹³ Henry Knox, report to the president, June 15, 1789, *American State Papers, Indian Affairs*, 1: 13; Alan Taylor, "Land and Liberty on the Post-Revolutionary Frontier," in David Thomas Konig, *Devising Liberty: Preserving and Creating Freedom in the New American Republic* (Stanford, 1995), 81-108; Wallace, *Death and Rebirth of the Seneca*, 172-79; White, *Middle Ground*, 457-58.

¹⁴ Chapin to Pickering, June 2, 1792, Pickering Papers; Chapin to Knox, July 17, 1792, *American State Papers, Indian Affairs*, 1: 242; Simcoe to Alured Clarke, Apr. 21, 1793, in Cruikshank, ed., *Correspondence of Simcoe*, 1: 317; Chapin to Knox, Apr. 29, and July 30, 1794, in O'Reilly Collection, (New York Historical Society, New York, NY).

territory depopulated by the war. By 1791, about 590 Oneida and 80 Tuscarora dwelled in a tract south of Lake Oneida; minorities of the Onondaga (180) and Cayuga (130) reclaimed villages in the Finger Lakes country; and a more substantial number of Seneca reestablished homes in the Allegheny (300) or Genesee (800) valleys. A second group of Iroquois, led by the Mohawk, preferred to withdraw behind the British line to resettle within Canada. Numbering about 1,350, they clustered at Tyendinegea (150) to the north or Grand River (1,200) to the west of the Niagara valley. The third, and largest, group of Iroquois clung to villages in the Niagara corridor, especially at Buffalo Creek (present Buffalo, New York at the outlet of Lake Erie into the Niagara River). The post-war ceremonial and political center of the Six Nations confederacy, Buffalo Creek was a cluster of villages with about 2,000 inhabitants, a mix of Cayuga, Onondaga, and (especially) Seneca. In this dispersed and often fractious world of post-war Iroquoia, the Buffalo Creek chiefs had considerable prestige, some influence, but no command over their people living at a distance. Indeed, there was considerable rivalry between the various Iroquoian village clusters, which worked against a common front in diplomacy with the outsiders, British or American.¹⁵

The three Iroquois groupings reflected varying degrees of British and American influence. Those within Canada accepted British presents and advice (but never command). Those deep within New York felt the lure of American presents and the pressure of westward-migrating American settlers. By 1790 this Iroquois group was already outnumbered by fourteen-to-one by the 29,000 inhabitants of New York's two westernmost counties, Ontario and Montgomery. Growing settler numbers gave them an empowering sense of security. On March 16, 1791, Israel Chapin Jr. reported from the Genesee, "People have moved into the Country considerably the winter past & nothing was talked [of] from any fear of Indians." On the other hand, as settler fears waned, the local Indian anxiety grew. In April, a federal emissary reported that the Genesee Seneca anticipated a frontier war and "wished to join the U[nited] States because if they took the other side, they knew that ultimately they must be driven from the[ir] lands."¹⁶

¹⁵ Samuel Kirkland, "A Statement of the Number & Situation of the Six United Nations of Indians in North America," Oct. 15, 1791, Miscellaneous Bound (Massachusetts Historical Society). For the return to the Allegheny, see Richter, "Onas, the Long Knife," 131-33; Wallace, *Death and Rebirth of the Seneca*, 168-69.

¹⁶ Samuel Kirkland, "A Statement of the Number & Situation of the Six United Nations of Indians in North America," Oct. 15, 1791, Miscellaneous Bound (Massachusetts Historical Society); Bureau of the Census, *Heads of Families at the First Census of the*

If Grand River was too close to the British and Genesee (and points south and east) too nigh the Americans, then Buffalo Creek was just right, equidistant between the two powers, and the special beneficiary of their competing presents. Indeed, Buffalo Creek retained so many inhabitants because of its privileged access to the patronage of the Euro-American competitors. At Buffalo Creek in 1791 Thomas Proctor found the inhabitants "far better clothed than those Indians were in the towns at a greater distance, owing entirely to the immediate intercourse they have with the British." The Buffalo Creek chiefs, who included Red Jacket and Farmer's Brother, recognized the benefits of their middle position in both diplomacy and geography.¹⁷

That middling position eroded after September 1794, when an American army defeated the hostile western Indians at Fallen Timbers in the Ohio country. The British lost credibility and influence when their troops failed to help the retreating Indians. Bitterly disappointed and disillusioned, the western confederates divided into mutual recriminations that enabled the American troops to consolidate their victory. That November, in London the British government also concluded a treaty with American emissary John Jay, resolving the lingering differences of the postwar era. In the "Jay Treaty," the British accepted the 1783 peace treaty boundary through the Great Lakes and promised to surrender the border posts during the summer of 1796—which promise they kept. In an important concession to native interests, the treaty's third article guaranteed the right of "the Indians dwelling on either side of the said boundary line" freely to cross and recross with their own possessions.¹⁸

The defeat of the western Indians and the Jay Treaty cost the Six Nations much of their leverage with the Americans. News of the battle at Fallen Timbers reached Canandaigua in western New York in October 1794, where and when Timothy Pickering and Israel Chapin were holding another council with the chiefs of the Six Nations. The news undercut the most defiant chiefs, and strengthened the proponents of compromise, leading in early November to a comprehensive treaty that confirmed the ascendancy of American influence over the Indians within New York State. Preferring comity to confrontation, Pickering made important concessions. He rescinded the most controversial part of the cession extorted at Fort

United States Taken in the Year 1790: New York (Baltimore, 1966), 9; Israel Chapin Jr. to Oliver Phelps, Mar. 16, 1791, Phelps and Gorham Papers (New York State Library, Albany); Captain Bowman, Journal, Apr. 28, 1791, Pickering Papers.

¹⁷ Thomas Proctor, Diary, Apr. 27, 1791, *American State Papers, Indian Affairs*, 1: 155.

¹⁸ Wright, *Britain and the American Frontier*, 92-98.

Stanwix in 1784; the United States relinquished its claims to the lands in the vicinity of Buffalo Creek and Cattaraugus: the southern half of the strip along the Niagara River and the Lake Erie Shore as far as the Pennsylvania border. He made that concession to secure a tract more immediately important to the United States: the northwestern "triangle" of Pennsylvania on the shores of Lake Erie. The "Erie Triangle" gave Americans access to that lake as it potentially cut off the Six Nations from direct communication with the Indians of the Ohio country. The Treaty of Canandaigua enabled Pennsylvanians to develop settlements in the triangle and permitted the Federal Government to erect a fort to guard the harbor at Presque Isle. In September 1795 at that new fort, Andrew Ellicott reported: "We have little or no news in this quarter, and what little we have, is concerning Mr. Jay's Treaty. The Indians continue peaceable, and well disposed; the military establishment here will have a powerful effect in keeping them quiet."¹⁹

In rapid succession, the Battle of Fallen Timbers (September 1794), the Canandaigua Treaty (November 1794), the Jay Treaty (November 1794), and the American occupation of the Erie Triangle (summer 1795), set new bounds to the Six Nations. With the western Indians defeated and the British in retreat, the Americans could take command along their border with Canada. In August of 1796, American troops garrisoned Fort Niagara after the British withdrew across the river to the eastern shore, where they had built a new post named Fort George. In early September, Israel Chapin Jr. (his late father's successor as federal agent for the Iroquois) noted a new and demoralizing sense of confinement among the Six Nations: "And the Americans have their line of Forts all around them and settlements advancing upon their Country so that they have given up all National honor which they ever have had, and have become given to indolence, drunkenness and . . . killing each other. There have been five murdered among themselves within six months." Although Chapin exaggerated the early nadir, he anticipated the natives' growing sense of weakness, as the American advent at Niagara initiated two decades of tension over the proper meaning of the border. The Indians never went meekly, but the terms of the debate kept shifting against their autonomy, as each new confrontation exacted more concessions.²⁰

¹⁹ William N. Fenton, ed., "The Journal of James Emlen Kept on a Trip to Canandaigua, New York . . .," *Ethnohistory*, 12 (Fall, 1965), 279-342; Savery, William, "Journal," *Friends' Library*, 1 (Philadelphia, 1837), 353-67; Andrew Ellicott to Sally Ellicott, Sept. 11, 1795, in Mathews, Catharine Van Cortlandt, ed., *Andrew Ellicott, His Life and Letters* (New York, 1908), 124.

²⁰ Israel Chapin Jr. to James McHenry, Sept. 4, 1796, O'Reilly Collection.

On September 21, the new American commandant at Niagara, Captain James Bruff, held a council with the Six Nations to explain their new situation within an American boundary: "Lines are fixed, and so strongly marked between us [the British and the Americans], that they cannot be mistaken, and every precaution taken to prevent a misunderstanding." Citing the boundary, Bruff announced new restrictions on the Six Nations. He demanded that the Iroquois cease their profitable practice of tracking British deserters for British rewards within the new American line. Ignoring the Jay Treaty, Bruff also insisted that the chiefs could no longer send delegations of chiefs and copies of American speeches across the border to the British agents at Fort George—without first obtaining his permission. And the captain discouraged their expectations that the Americans would continue the British practice of freely feeding Indian visitors to Fort Niagara. Bruff's speech alarmed the Six Nations as an assault on three long-standing rights—rewards for deserters, open communication with both empires, and official hospitality to visiting chiefs.²¹

The Six Nations did not acquiesce quietly. In his pointed reply, Red Jacket argued that the Six Nations remained an autonomous people situated *between* the British and the Americans:

You are a cunning People without Sincerity, and not to be trusted, for after making Professions of your Regard, and saying every thing favorable to us, you . . . tell us that our Country is within the lines of the States. This surprizes us, for we had thought our Lands were our own, not within your Boundaries, but joining the British, and between you and them. But now you have got round us and next [to] the British, you tell us we are inside your Lines. . . . We had always thought that we [ad]joined the British and were outside your lines.

Red Jacket understood that the Six Nations lost their sovereignty if the American boundary line coincided with the limits of Upper Canada, subordinating the Iroquois as it separated them into the jurisdiction of two distinct empires: British and American. Bending, but not capitulating, the Six Nations dwelling in the Niagara corridor stopped tracking British deserters, but persisted in communicating with, and taking presents from, British officials at Fort George.²²

²¹ Captain James Bruff, speech, Sept. 21, 1796, and Bruff to unknown, Sept. 25, 1796, *ibid.*

²² Red Jacket, speech, Sept. 23, 1796, *ibid.*

Long the keepers of a broad and porous borderland, the Iroquois of the Niagara corridor now confronted a double set of restricting boundaries: first, the international border along the Niagara River and, second, the private property lines run by surveyors demarcating Indian reservations as enclaves within a settlers' world. The two sets of lines were interdependent, as the assertion of the first facilitated the American pressure that established the second—which, then, reinforced the meaning of the nearby international boundary. Emboldened by Fort Niagara in American hands, settlers pressed across the Genesee river into westernmost New York by the hundreds after 1796.²³

Unable to keep the intruders out, the Seneca chiefs felt obliged to negotiate with the land speculators who held the "pre-emption right" to buy the Seneca title to western New York. Making the best of a bad situation, the leading chiefs (including Red Jacket) secured private payments and future pensions in return for facilitating the 1797 Treaty of Big Tree with the Holland Land Company. The Seneca surrendered almost all of their remaining lands, holding back eleven reservations, totaling about 200,000 acres, and including Buffalo Creek, Cattaraugus, and Allegheny. They received a principal of \$100,000 vested in American bank stock, which yielded an annual payment of \$6,000. This initially seemed impressive until divided among 1,500 Seneca to provide a modest \$4 apiece per year. For that pittance, the Seneca lost their distinctiveness as the last of the Six Nations with a large homeland, settling for their own set of enclaves in a landscape primarily owned, and increasingly settled, by whites. The Cayuga and Onondago dwelling in western New York got no payments and no secure reservation, which led many to move out, across the border to resettle at Grand River.²⁴

The new landscape of boundaries—both reservation and international—reduced the mobility of the Buffalo Creek Six Nations. In their sailing vessels, the British formerly had allowed the Indians free passage across the Niagara River and along the Great Lakes. Under the new American regime, their skippers were rarely so generous. Undaunted, the resourceful Buffalo Creek chiefs sought a partial substitute by contracting with an American ferry-keeper, who agreed to convey them freely to-and-fro across the Niagara River in return for their land grant to accommodate his home and ferry at Black Rock. But this ferry-keeper could not compete with a rival based on the Canadian side, who could charge whites less by

²³ Charles Williamson, "Description of the Settlement of the Genesee Country," in O'Callaghan, ed., *Documentary History of the State of New York*, 2: 1141.

²⁴ Wallace, *Death and Rebirth of the Seneca*, 179-83.

refusing to carry Indians for free. In an 1802 treaty with the State of New York, the Seneca surrendered more land along the river in return for a ferry monopoly controlled by the state but mandated to provide free passage to Indians. The state, however, neglected its end of the bargain, leasing the ferry without stipulating the free Indian passage. Not until 1807 did the state pass a law vacating the former lease and obliging the new ferry-keeper to honor the right of the Seneca to free passage.²⁵

The new boundary also curtailed the power of the Six Nations freely to trade to the British side of the border. In May 1802 at Buffalo Creek an American customs collector seized the goods of a petty trader, Mrs. Elisabeth Thompson, of Fort Erie village on the western shore of the Niagara. Israel Chapin Jr. characterized Thompson as a “lame Widow woman, who . . . has been fiddling among the Six Nations for a livelihood.” She appealed to both Indian sympathy and self-interest. Critical of the cold competitiveness of the invading society, natives liked the opportunity to patronize a poor white woman—especially because she charged lower prices than did the American traders. Those traders complained that Thompson violated American customs regulations in crossing the new border to conduct her old trade at Buffalo Creek. Their complaint induced the customs collector to act—and the Indians to react. Chapin reported, “The Indians, thinking it was altogether oppression in the traders, thought they might assist their old friend who was selling low for cash in hand.” They broke open the government warehouse, liberated her goods, and spirited them to safety across the river in Upper Canada.²⁶

The Seneca insisted that their sovereignty gave them control over trade into their reservation, but the new American secretary of war, Henry Dearborn, trumped that sovereignty with his nation’s control over the boundary. Denouncing the “glaring outrage on the laws of the United

²⁵ Red Jacket, speech, Oct. 30, 1799, Reel C-1194, Record Group 1 E3 (Upper Canada State Papers), 39: 14 (National Archives of Canada); Charles D. Cooper, Oliver Phelps, and Ezra L’Hommedieu to Gov. George Clinton, July 12, 1802, and Red Jacket, speech, Aug. 19, 1802, both in A1823, Assembly Papers, 40, Indian Affairs, 1780-1809 (New York State Archives, Albany); New York State treaty with the Seneca, Aug. 20, 1802, *American State Papers, Indian Affairs* 1: 664; Elisha Jenkins to Erastus Granger, Oct. 22, 1806, in Charles M. Snyder, ed., *Red and White on the New York Frontier: A Struggle for Survival* (Harrison, NY, 1978), 36; chap. 72, “An Act relative to the Purchase of the Cayuga Reservation . . . and for other Purposes,” Mar. 27, 1807, in [New York State], *Laws of the State of New York, Containing all the Acts Passed at the 30th, 31st, and 32nd sessions of the Legislature* (Albany, 1809), 89.

²⁶ Secretary at War Henry Dearborn to Israel Chapin Jr., June 15, 1802, and Chapin to Dearborn, July 6, 1802 (includes the quotations), O’Reilly Collection; Joseph Brant to Oliver Phelps, Aug. 17, 1802, Phelps and Gorham Papers.

States,” Dearborn demanded the Seneca pledge never again to interfere with American customs officers. He threatened to withhold the value of the liberated goods from their annuity payment. Given the Indian dependence on that annuity for their clothing, it gave the government a powerful handle to compel Six Nations compliance. The chiefs formally apologized for their action, grudgingly conceding that the boundary gave federal control over their trade with Canada.²⁷

While constraining the Indians, the boundary empowered especially unscrupulous white settlers to prey on native property. In 1812 Red Jacket bitterly complained that the settlers committed twice as many thefts on Indians as they did on the whites. Between 1805 and 1810 the Tuscarora dwelling near Fort Niagara counted seventeen cattle and two horses stolen by settlers. The thieves exploited the nearby border to convey the rustled animals into Upper Canada for ready sale beyond the jurisdiction of American magistrates. In effect, the settler encroachment and nearby national boundary combined to facilitate thefts. Those thefts compounded the growing sense of social claustrophobia felt by the Indians. Worse still, American authorities and missionaries gradually and reluctantly concluded that it would be easier to move the Indians west than to protect their reservations from their most ruthless neighbors. Indian removal seemed a humanitarian measure to New York’s leaders—if not to the Indians, who preferred the enforcement of their treaty rights.²⁸

In 1802 some of those aggressive whites also endowed the state of New York with a murder case to assert its legal jurisdiction over the Seneca. Prosecution undercut native sovereignty as it reiterated the new status of the Niagara River as the jurisdictional boundary for both the United States and New York. On July 25, 1802, a Seneca known to settlers as “Stiff-Armed George,” or “Seneca George,” got into a drunken fracas outside a tavern in the frontier village of New Amsterdam (now Buffalo) adjacent to the Buffalo Creek reservation. Pursued and beaten, George pulled a knife to stab two white men, one fatally (John Hewitt). Under pressure from the local magistrates, the Seneca chiefs reluctantly surrendered George for

²⁷ Secretary at War Henry Dearborn to Israel Chapin Jr., June 15, 1802, and Chapin to Dearborn, July 6, 1802 (includes the quotations), O’Reilly Collection.

²⁸ Erastus Granger, notes, Oct. 11, 1810, and Red Jacket, speech, Feb. 13, 1810, in Snyder, ed., *Red and White on the New York Frontier*, 31, 40; Red Jacket, speech, July 8, 1812, in E. A. Cruikshank, ed., *Documentary History of the Campaign on the Niagara Frontier in 1812* (Welland, CAN, n.d.), 110. For the removal agitation, see Christopher Densmore, *Red Jacket: Iroquois Diplomat and Orator* (Syracuse, 1999), 88-89; Laurence M. Hauptman, *Conspiracy of Interests: Iroquois Dispossession and the Rise of New York State* (Syracuse, 1999), 144-61.

incarceration in the Ontario County jail at Canandaigua, pending trial. In general, natives dreaded prolonged imprisonment as worse than a violent death. They also distinguished, in Red Jacket's words, murders "committed in cool blood" from killings while intoxicated, which they blamed on the alcohol rather than the drinker.²⁹

The Seneca chiefs from Buffalo Creek were already on their way to the New York state capitol at Albany to discuss a land cession. Their spokesman, Red Jacket, protested George's arrest and trial as incompatible with the Seneca standing as a sovereign people:

Did we ever make a treaty with the state of New-York, and agree to conform to its laws? No. We are independent of the state of New-York. It was the will of the Great Spirit to create us different in color; we have different laws, habits, and customs from the white people. We shall never consent that the government of this state shall try our brother.

Citing the several murders of Seneca by whites that had been resolved by giving presents, rather than by demanding executions, Red Jacket insisted, "We now crave the same privilege in making restitution to you, that you adopted toward us in a similar situation."³⁰

Governor George Clinton replied that settling a murder with presents was "repugnant" to the laws of New York, which he meant to enforce throughout its bounds. The national government also disappointed the Seneca by declining to intervene. In 1801 a new Republican administration led by Thomas Jefferson had swept the Federalists from national power. Unlike the Federalists, who had asserted national supremacy over the states, the Jeffersonian Republicans generally favored states rights and proved reluctant to intervene on behalf of Indians dwelling within state boundaries. Unlike the national Federalists, who were willing (in the short term) to treat Indian sovereignty with politic respect, the Jeffersonian Republicans were eager, wherever possible, to dissolve diplomatic relations and subject natives as individuals to the laws of particular states.³¹

At Canandaigua on February 22, 1803, a trial jury convicted Seneca George of murder, establishing New York's criminal jurisdiction over the Iroquois. But neither the jurors nor the governor and legislators of New

²⁹ Isaac Chapin Jr. to Henry Dearborn, Aug. 1, 1802, O'Reilly Collection; Red Jacket, speeches, Aug. 18, 20, 1802, in A1823 Assembly Papers, 40 (Indian Affairs, 1780-1809).

³⁰ Red Jacket, speech at Canandaigua, quoted in William Leete Stone, *Life and Times of Red-Jacket* (New York, 1841), 175.

³¹ Leonard D. White, *The Jeffersonians: A Study in Administrative History, 1801-1829* (New York, 1956), 496-512.

York thought it wise to complete the process with an execution. The county grand jurors petitioned the governor to suspend the execution and call on the legislature for a pardon. Declaring that George acted in self-defense and that “the White inhabitants of Buffaloe Creek have committed wanton & unprovoked attacks on several of the Indians of the Seneca Nation, which probably have occasioned the death of the deceased [John Hewitt],” the grand jurors suggested that both “policy” and “justice” called for a pardon. The United States secretary of war, Henry Dearborn, agreed that a pardon would “have a good effect on the minds of the Indian Nations generally.” On March 5, Governor Clinton suspended the execution and recommended a pardon because of “extenuating circumstances which attended the commission of the crime” and “considerations of a political nature for extending the mercy of government to the culprit.” A week later the legislators pardoned Seneca George, with the proviso that he leave the state permanently. Having established their legal precedent, the New Yorkers could afford to be magnanimous. Executing Seneca George would have been gratuitous—and might have provoked revenge killings by his kin. Once again, the Iroquois compelled a compromise from the new keepers of the border—but every compromise marked a further shift in the balance of power in the Americans’ favor.³²

During the August 1802 meeting with the Seneca chiefs in Albany, the Governor pressed for another land cession: a one-mile wide strip of shoreline beside the Niagara River, as well as the islands in the middle. The New Yorkers wanted to promote commerce along the river; facilitate a new federal fort at Black Rock, at the mouth of Buffalo Creek, as a counter to Fort Erie on the British shore; and discourage contacts by the Six Nations within the United States with their kin across the water at Grand River. The New Yorkers also sought to strengthen their claim to the islands, which the British counter-claimed. And intruding a strip of New York territory would push the Buffalo Creek reservation back from the international boundary,

³² George Clinton to Henry Dearborn, Aug. 21, 1802, *American State Papers, Indian Affairs*, 1: 667; Dearborn to Clinton, Feb. 14, 1803, and Ontario County Grand Jurors to New York State Legislature, Feb. 25, 1803, *Assembly Papers*, 40 (Indian Affairs, 1780-1809); *People v. George, a Seneca Indian*, Feb. 22, 1803, Ontario County Court of Oyer & Terminer, Record Book for 1797-1847, 20 (Ontario County Archives, Hopewell, NY); Charles Z. Lincoln, ed., *State of New York: Messages From the Governors, Vol. 2: 1777-1822* (Albany, 1909), 531; chap. 31, “An Act to pardon George, a Seneca Indian,” New York State, *Laws of the State of New York passed at the Twenty-Sixth Session of the Legislature* (Albany, 1803), 64.

further weakening their residual claim to be a people in between the Americans and the British.³³

The New York state Indian commissioners secured half of their prize—the shoreline but not the islands. Governor Clinton boasted that he had removed “from their minds the unjust prejudices which had been excited against the erection of a fortress in that quarter.” The Seneca, he insisted, accepted that the Black Rock fort would serve “for our mutual protection and defense.” By defining the defense of New York and the Buffalo Creek Indians as “mutual,” Clinton expected to alienate them from their kin within the British lines. By intruding a fort between Buffalo Creek and the British line, the Americans meant to divide and isolate the two great centers of the Six Nations—Grand River and Buffalo Creek—in anticipation of a future war with the British.³⁴

That conflict came in June 1812, when the United States declared war on Great Britain and prepared to invade Canada. The federal Indian agent, Erastus Granger, bluntly warned the Buffalo Creek Indians that they risked extermination if they helped the British, but he promised security if they kept out of the war. Granger observed, “The United States are strong and powerful; you are few in numbers and weak, but as our friends we consider you and your women and children under our protection.” Long accustomed to avid competition for their alliance, the Buffalo Creek chiefs did not like being treated as inconsequential—but they could not argue with the relative numbers.³⁵

The Buffalo Creek chiefs agreed to send a delegation to Grand River to preach a Six Nations unity in neutrality. The delegated chiefs sadly conceded that they spoke from a position of weakness:

The gloomy Day, foretold by our ancients, has at last arrived;—the Independence and Glory of the Five Nations has departed from us;—We find ourselves in the hands of two powerful Nations, who can crush us when they please. They are the same in every respect, although they are now preparing to contend. . . . Neither one nor [the] other have any affection towards us.

³³ Hauptmann, *Conspiracy of Interests*, 133-34.

³⁴ Charles D. Cooper, Oliver Phelps, and Ezra L’Hommedieu to Gov. George Clinton, July 12, 1802, and Red Jacket, speech, Aug. 19, 1802, both in A1823, Assembly Papers, 40 (Indian Affairs, 1780-1809); New York State treaty with the Seneca, Aug. 20, 1802, John Tayler to Henry Dearborn, July 19, Aug. 23, 1802, and George Clinton to Dearborn, Aug. 21, 1802, all in *American State Papers, Indian Affairs*, 1: 664, 666-67.

³⁵ Erastus Granger, speech, July 6, 1812, in Cruikshank, ed., *Documentary History of the Campaign on the Niagara Frontier in 1812*, 105.

In reply, the Grand River spokesman, John Norton, recognized the plight of the Buffalo Creek Indians: "The Americans have gained possession of all your Country, excepting the small part which you have reserved. They have enveloped you:—it is out of your power to assist us,—because in doing so,—you would hazard the Destruction of your families." But Norton rather myopically insisted that the Grand River Six Nations remained free within the British line: "Our Situation is very different. You know that the preferring to live under the protection of the King, rather than fall under the power or influence of the Americans,—induced us to fix our habitations at this place." To defend their autonomy, the Grand River Indians would uphold their alliance with the British: "If the King is attacked, we must support him, we are sure that such conduct is honourable."³⁶

A month later, both the Americans and the British worked to keep the Iroquois divided and apart. In public council, Red Jacket sought another chance to appeal to Grand River. Granger disparaged the idea, "They will only fill your heads with idle talk, and poison your minds against the United States." But, to appease the insistent Buffalo Creek Iroquois, he reluctantly agreed to allow a small delegation, no more than five chiefs. On the other shore, the British commander, Major General Isaac Brock, further restricted the contact, to just two chiefs and a matter of minutes. Unable freely to converse with the Grand River Indians under arms in the British service, the two Buffalo Creek chiefs returned home in frustration.³⁷

The episode demonstrated that the imposed border had divided the Six Nations, subordinating each side to a rival empire. Division and war proved disastrous for the Six Nations in both alliances. In 1812 and early 1813 the Grand River warriors helped repel the American invasions of the Niagara peninsula. Frustrated American officers broke their former promises and cajoled the Buffalo Creek warriors into joining the war. Despite their best efforts, the Six Nation warriors could not always avoid combat with one another, in a war that served none of them. They inflicted especially heavy casualties on one another during the summer of 1814. After the Americans and the British made peace in late 1814, they both lost interest in the Six Nations as allies. Instead, both empires viewed the Indians fundamentally as obstacles to economic development. Once keen to keep the Iroquois

³⁶ Carl Benn, *The Iroquois in the War of 1812* (Toronto, 1998), 29-66; Carl F. Klinck and James J. Talman, eds., *The Journal of Major John Norton, 1816* (Toronto, 1970), 286-91.

³⁷ Red Jacket and Erastus Granger, speeches, July 8, 1812, in Cruikshank, ed., *Documentary History of the Campaign on the Niagara Frontier in 1812*, 110-13.

securely within their boundaries, after 1815 New York's leaders pressed for their removal west.³⁸

From the end of the American Revolution in 1783 through the War of 1812, the Americans contended to realize and master the boundary imagined by the peace treaty that concluded the first conflict. For the Americans, securing that boundary required subordinating the Iroquois Six Nations and discouraging their ties with the British side. The process was reciprocal, for once the Americans gained a secure perch on the Niagara River, they could consolidate their ascendancy over the Indians by restricting movement, regulating trade, demanding land cessions, and enforcing criminal jurisdiction. After 1796, the Indians gradually lost the leverage they had previously exercised to prolong their autonomy within a perpetual borderland. Formerly, in Richard White's phrase, "a middle ground," Iroquoia became a divided ground—with harsh consequences for the native people who had so long and so ably resisted that development against overwhelming odds. The diminution of Iroquoia served to consolidate the United States as a nation-state with pretensions to a secure northern border and to the allegiance of its own citizens, who could see the benefits of nationhood in frontier farmland and boundary fortifications. In Iroquoia, as throughout North America, the limitation of native peoples within the boundaries of nation and the subordinate lines of reservations helped constitute the United States.³⁹

That said, Six Nations people never accepted their division by boundary or the denial of native sovereignty implicit in that boundary. To this day, Indian activists especially defend Article III of the Jay Treaty, which guarantees their rights freely to pass and repass over the international boundary. During the 1920s, restrictive American immigration and naturalization laws led Six Nations people, under the leadership of Chief Clinton Rickard (Tuscarora), to organize the Indian Defense League of America. Winning a test case in 1927 (*McCandless v. Diabi*) the Indian Defense League instituted a celebratory march across the border at the Niagara Falls Bridge, a march that has become an annual tradition. In 1995 Chief Rickard's granddaughter, Jolene Rickard, wrote that the march gave her "a sense of freedom, [of] my inherent right to move freely in Iroquoian territories and that is what the fight is all about for Indian people. It made me realize the border checkpoints I pass everyday as a Tuscarora woman. It takes guts to keep crossing those borders and to not let those barriers

³⁸ Benn, *Iroquois in the War of 1812*, 86-174.

³⁹ Eric Hinderaker, *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673-1800* (New York, 1997), 267.

become our 'Indian' prison." The native challenge to boundary restrictions suggests that the Canadian-American border will remain a contested ground—with new possibilities of fluidity, as well as renewed pressures from officials for greater closure.⁴⁰

⁴⁰ Marian L. Smith, "The INS and the Singular Status of North American Indians," *American Indian Culture and Research Journal*, 24 (1997), 131-54; Jolene Rickard, "The Indian Defense League of America," *Akwesasne Notes*, 1, no. 2 (1995), 48-54, (quotation at 53).