

# Native American Policy

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Near the beginning of his first term as President, George Washington declared that a just Native American policy was one of his highest priorities, explaining that "The Government of the United States are determined that their Administration of Indian Affairs shall be directed entirely by the great principles of Justice and humanity."<sup>1</sup> The Washington administration's initial policy toward Native Americans was enunciated in June of 1789. Secretary of War Henry Knox explained that the Continental Congress had needlessly provoked Native Americans following the Revolution by insisting on American possession of all territory east of the Mississippi River. Congress had previously argued that by supporting the British during the war Native Americans had forfeited any claim to territory on the western frontier of American settlement. However, this perspective ignored the fact that only a portion of tribes had actually supported the British.

In 1787, the Confederation Congress enacted the Northwest Ordinance, opening the Ohio Valley to new American settlement. Members of the Western Lakes Confederacy reacted by utilizing armed resistance to protect their land. These events increased the urgency for Washington to develop a formal method for managing Indian affairs. In referring to the constitutional grant of treaty-making powers to the chief executive—with the "advice and consent" of the Senate—Washington declared that a similar practice should also apply to agreements with Native Americans. The Senate acceded to the President's wishes and accepted treaties as the basis for conducting Indian relations.

In response, Congress proceeded to approve a treaty with seven northern tribes (the Shawnee, Miami, Ottawa, Chippewa, Iroquois, Sauk, and Fox). This agreement, however, lacked meaningful protection of tribal land. To the northern tribes this ineffectual treaty and the constant intrusion into their lands by droves of settlers meant that the American government had little control over its own citizens. Members of the northern tribes believed it was necessary to deploy force to prevent further incursions.

Washington's desire to protect American citizens led to an American military response. In 1790 and 1791, Washington dispatched armies to confront Native forces, and in both instances the Americans were soundly defeated. Responding to these two embarrassing setbacks, Congress authorized a five-thousand man regular army to quell resistance. Led by General "Mad Anthony" Wayne, the Legion inflicted a crushing defeat on the Indian confederation in the Summer of 1794. This decisive battle and the ensuing Treaty of Greenville brought a tentative peace to the northwest in 1795.

Simultaneously, as momentous events in the north unfolded, Washington also faced challenges from the four southern tribes. For the Cherokees and the more distant Choctaws and Chickasaws, Washington sought messages of assurance, friendship, and plans for trade.

The formidable Creeks were the fourth southern tribe. Washington regarded the Creek with considerable apprehension because of their disagreement with the state of Georgia's interpretation of three treaties that had been negotiated by that state during the 1780s. These treaties included significant cessions of land from the Creeks to Georgia that the tribe did not recognize.

The Creeks' leader was Alexander McGillivray, a mixed-race chief who spoke fluent English and was a shrewd negotiator. Twenty-eight Creek chiefs led by McGillivray accepted Washington's invitation to travel to New York in the summer of 1790 to negotiate a new treaty. The result was the Treaty of New York which restored to the Creeks some of the lands ceded in the treaties with Georgia, and provided generous annuities for the rest of the land. It also established a policy and process of assimilation called "civilization," aiming to attach tribes to permanent land settlements. Under the policy tribal members would be given "useful domestic animals and implements of husbandry" to encourage them to become "herdsman and cultivators" instead of "remaining in a state as hunters."<sup>2</sup>

In August 1790 the Creek chiefs formally approved the Treaty of New York. The Creek chiefs agreed to place themselves under the protection of the United States. In return, the United States confirmed the sanctity of the Creek land lying within the boundaries defined by the treaty. However, the Treaty of New York failed to achieve its goals, as the federal government could not stem the relentless incursion of American settlers onto "protected" Indian lands. In a letter to Washington, Knox agonized over the possibility of Indian extermination. He observed that in the most populous areas of the United States, some tribes had already been decimated. "If the same causes continue," he explained, "the same effects will happen and in a short period the idea of an Indian on this side of the Mississippi will only be found in the page of the historian."<sup>3</sup>

Washington and Knox sought to provide safe havens for Native tribes while also assimilating them into American society. Washington and Knox believed that if they failed to at least make an effort to secure Indian land, their chances of convincing Native Americans to transform their hunting culture to one of farming and herding would be undermined. As the two reluctantly came to recognize, however, it was the settlers pouring into the western frontier that controlled the national agenda regarding Native Americans and their land. By 1796 even Washington had concluded that holding back the avalanche of settlers had become nearly impossible, writing that "I believe scarcely anything short of a Chinese wall, or a line troops, will restrain Land jobbers, and the encroachment of settlers upon the Indian territory."<sup>4</sup>

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**Notes:**

1. "George Washington to The Commissioners for Negotiating a Treaty with the Southern Indians, 29 August 1789," *The Writings of George Washington*, 30:392 & 392N.

**2.** Charles J. Kappler, *Indians Affairs: Laws and Treaties, Vol. II, Treaties* (Washington: Government Printing Office, 1904), 2:28.

**3.** "Henry Knox to George Washington, 7 July 1789," *The Papers of George Washington: Presidential Series*, eds. W. W. Abbot and Dorothy Twohig, 2:139.

**4.** "George Washington to the Secretary of State, 1 July 1796," *The Writings of George Washington*, 35:112.

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