

The Middle Ground: The Politics of the Mix-Blood Leader Alexander McGillivray

Christian Villanueva

Between 1600-1800, the region that would become the United States of America was shaped by evolving political relationships with the various Native American tribes. Each of these tribes has made an impact in fields ranging from economics, diplomacy, and even warfare. A particular tribe that impacted the United States was the Creek Nation through the treaties they established with colonial powers. Contemporary historians refer to this concept where Native Americans such as the Creek influenced colonial powers, as the middle ground, which would challenge previous understanding of power dynamics between these two groups from the previous asymmetrical to bilateral. Historian Richard White, author of the book, *The Middle Ground: Indians, Empires, and Republics in the Great Lake region 1650-1815* asserted the concept of the 'middle ground' for understanding the colonial history of the Pays d'en Haut. This concept refers to the complex space of negotiation and mutual accommodation between Indigenous nations and colonial powers, where neither side held absolute authority, and both adapted to each other's customs, politics, and expectations. Within the Creek Nation, Alexander McGillivray, a leader of mixed heritage, was an influential figure who shaped Creek politics. This paper argues that Alexander McGillivray's mixed heritage diplomacy exemplifies White's 'middle ground' by leveraging maternal kinship, colonial education, and strategic treaty making with Spain and The United States of America.

The Creek Nation, located in the southeastern United States Georgia region, was a powerful confederacy that maintained its power through kinship networks and strategic alliances. Their interactions with colonial powers such as Britain, Spain, France, and the United States shaped their influence in the politics of the middle ground. Treaties, trade, and military alliances often defined

this relationship as making the Creeks central players in the evolving political landscape. As the 18th century saw many shifting colonial powers within the region, Indigenous leaders adapted to these changes to ensure their tribes' survival. Understanding the Creek Nation's approach to diplomacy provides a foundation for analyzing White's middle ground framework.

Analyzing Alexander McGillivray's diplomacy requires understanding White's 'middle ground' framework, which reconceptualizes frontier power not as one sided imposition, but as a space of negotiation and mutual accommodation between Indigenous nations and European states. In *The Middle Ground*, White discusses how Native nations and European settlers from Great Britain, France, and The United States interacted through war, economic, diplomacy and marriage in the Ohio Valley and the Great Lakes regions. White discusses this by saying, this book is "new Indigenous history" because it places Indigenous people at the center of the scene and seeks to understand the reason for their action.[...] But this book is also, and indeed primarily, a study of Indigenous-European settler relations, for I found no sharp distinction between Native American and European settler worlds could be drawn,"¹ White challenges the previous empirical historiographical Native American's history by studying Indigenous and European settler relationship cultures interacted closely, shaping each other's political and social structures. In his analysis of the 'Pays d'en Haut' French for "upper country," referring to the region north and west of the Great Lakes, Native leader adapted their strategies on which colonial power whether, Great Britain, France, or The United States. This dynamic of negotiation and adaptation within the Pays d'en Haut closely parallels the Georgia region diplomacy of the Creek Nation under Alexander

¹ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region 1650-1815*, (Cambridge: Cambridge University Press, 1991), xi.

McGillivray, who leveraged kinship, education, and strategic alliance to maintain Creek autonomy and influence.

White shows that sustained Indigenous-European contact in the Pays d'en Haut forged a new hybrid middle ground, which grew fragile each time an empire changed hands. White explains the shift in Native American perspective after more than a century of sustained contact between Indigenous and European settlers, "even a seemingly nativist rebellion could arise only from the middle ground. Ideas borrowed from European culture were used to justify an ostensible return to an Algonquian past that was, in fact, a new creation in the middle ground." There was no return to a pre-European past, and "it's doubtful that many desired it."² As these tribes benefited from their partnership with the colonial power, they develop a hybrid culture of mixed heritage Native American from political marriages, which can be found in the Algonquin which resulted in a greater expectation of the maintenance of the kinship politics as gift giving was expected to cement their alliances. With the transition of the differing nations, conflict began to emerge as the newer colonial power would not understand the kinship politics of the Pays d'en Haut thus creating Nativist rebellion within the middle ground from the destruction of previous influential tribes who benefited from the agreed upon politics of the Empire. As this conflict created division amongst the Native Americans and the European settlers, the area of the middle ground territory would be the idealized land that the Indians would compete for which would strength the Algonquin claim, compared to pre-colonial territories. This middle ground exemplified in the Great Lakes, share similarity with the Creeks, as they would also navigate their middle ground with the colonial powers from the French and Indian War and the American Revolution, so McGillivray would have to address with his treaties with Spain and The United States. While White centered the bilateral

² White, *The Middle Ground*, 285.

relationship, Anthropologist Larry Nesper further explores the racial politics faced by Native Americans of mixed heritage in the middle ground.

In the book, *Our Relations...The Mixed Bloods: Indigenous Transformation and Dispossession in the Western Great Lake*, historian Larry Nesper builds upon the works of White, Michael McDonnell, and Michael Witgen in understanding the racial politics concerning mixed-race Indians. Due to the politics of marriage alliance within the Native people in the Pays d'en Haut, the political pressures of colonial America made conversations about blood increasingly central. McDonnell and Witgen later clarified this concept in regard to the social, cultural, and political area of these specific social classes. Nesper shows the racial politics of the middle ground, highlighting that “tribal law made the children of indigenous women and French men into indigenous people, so too it was federal Indian law in the form of treaties that made these people into “half breeds” and “mixed blood,” terms that were also used by teachers and missionaries therefore making schools important infrastructural sites in the production of the identity.”³ From these institutions from tribal law to federal Indian law, identities of the mixed heritage people were being formalize in the legality through treaties specification. The politics of classifying individuals of “mixed blood” led to ramification in regard to how to treat such individuals, whether they had full rights, and whether they were capable of being civil compared to their relatives. As a result, institutions like education and the church helped establish the social status of such individuals, perpetuating the distinction between citizens of the United States and those that were Indigenous. This institutionalized categorization led to systemic inequality and discriminatory treatment that was profoundly detrimental to mixed-heritage individuals, cementing a legal and social divide between U.S. citizens and Indigenous peoples.

³ Larry Nesper, *Our Relations...The Mixed Bloods: Indigenous Transformation and Dispossession in the Western Great Lake*, (Albany: State University of New York Press, 2022), 39.

As courts began to assess the issue of “Mixed Blood” status in the legal system, officials attempted to resolve this issue to the detriment of “mixed” natives. United States Attorney General Caleb Cushing addressed the issue of “mixed blood” in the legal system, observing that “although Congress had provided rules for naturalization, they applied only to foreign whites. Indians, by contrast, although born here, “are the subjects of the United States,” and therefore are not, in mere rights of homebirth, “Citizens of the United States.””⁴ Tribal leaders and colonial officials negotiated previous treaties with the understanding that the “Mixed Bloods” would have some rights by European ancestry as well as the land claims of these tribes were respected, however it was inconsistently enforced. Cushing’s ruling reformatted the view of such claims by making “mixed blood” individual subjects of the United States instead of citizens who could naturalize despite their heritage. As a result, their European ancestry no longer provided any legal advantage, and their status was the same as non-mixed heritage tribes members. This forced “mixed blood” individuals to choose to either adopt their Native identity and lose any claims and face or rights that might come from their European heritage or attempt to assert those claims and face legal rejection. In many cases, this led to loss of property and rights through legal technicalities or coerced signing by illiterate individuals. The politics of blood heritage from “Mixed Bloods,” affect their legal status as institutions began to minimize their influence through racial means. While the status of mixed blood was beneficial in the initial colonial era trade between the British and the French, it became detrimental under American rule.

The eighteenth century was a period of momentous change for the Creek Nation, marked by political, economic, and military conflict. These challenges led to the rise of Alexander McGillivray, who became instrumental political leader and spokesman for the Creeks. McGillivray

⁴ Nesper, *Our Relations...The Mixed Bloods*, 98.

played a crucial role in negotiating with the hostile nations of The United States of America and Spain. His influence reshaped Creeks politics, ensuring the nation's survival against colonial power. As the politics of the Middle Ground grew more important, the use of diplomacy and strength became vital, culminating in the Treaties of New York and the Treaty of Pensacola.

The politics of the Creek Nation stemmed from a network of kinships in which Creek leaders established alliances through maternal lineage marriage. According to Robbie Ethridge, author of *Creek Country: The Creek Indians and their World*, Alexander McGillivray, the son of a Creek woman from the prestigious Wind clan and a well-to-do Scottish trader. McGillivray positioned himself as a strong and central leader of the Creeks by using the old strategy of playing Europeans off one another while that was still feasible. But he held an unusual amount of influence and power for a late eighteen-century Creek headman.”⁵ McGillivray benefited from his mixed heritage, which created opportunities for him as he acculturated to both cultures, aiding his future career in politics. Before the American Revolution, Creek politics involved having different European powers fight each other while maintaining neutrality as much as possible. McGillivray's heritage, being part Creek and part European, facilitates this tactic in the future negotiation between the United States and Spain in the 1780s. The Creeks can select which colonial power to establish treaties with, benefiting the Creek Nation. Historian Michael D Green would illustrate McGillivray education by saying, “In 1773 the elder McGillivray sent his already literate 14-year-old son to Charleston for a more formal education [...] returned to Little Tallassee in 1777 and accepted a commission as assistant commissary in the British Indian service.”⁶ McGillivray's loyalty to the tribe and bilingualism made him an important asset, allowing him to translate for the

⁵ Robbie Ethridge, *Creek Country: The Creek Indians and Their World* (Chapel Hill: University of North Carolina Press, 2003), 11.

⁶ Michael D Green, “Alexander McGillivray” in *American Indian Leaders: Studies of Diversity*, ed. R. David Edmunds (Lincoln: University of Nebraska Press, 1980), 42.

Creek and become an advisor. His role as an assistant commissary in the British Indian Service helped develop stronger connections between the Upper Creeks and Britain. The background contributes to his political rise through the maternal kinship politics of the Creek.

McGillivray's background heavily contributed to his political rise, as he was born into the influential Wind Clan. Green demonstrates McGillivray's connection, observing that he "had clan kinsmen in influential positions throughout the Nation, bound by clan obligations and encourage by clan loyalties to be receptive to him and his idea."⁷ McGillivray's connection to the prominent clan helped bolster his rise, as the clan kinsmen had greater loyalty and obligation, which gave him influence with limitations. The cultural regulation of the Creeks limited his influence due to his mixed heritage, as not every faction accepted him until the American Revolution. As Green explains, McGillivray's reputation "emerged during the war years as a war leader of some repute, as a respected adviser, interpreter, and spokesman for the National Council, and as a man mature beyond his years who had gifts no other creek possessed."⁸ While the American Revolution progressed, the Creek Nation took a neutral stance towards the conflict. However, McGillivray's connection with the British led him to take a loyalist position, which allowed him to gain experience as a translator and advisor on the behalf of the Creeks. Once the war ended, he gained experience as an adviser, interpreter, and spokesman, which aided him in future conflicts that emerged for the Creeks in the following years. This use of maternal kinship exemplifies the middle ground, as McGillivray leveraged both Creek and European traditions to negotiate power, which opened a new middle ground for the Creeks to navigate, as the land that the British exchanged the land back to the Spanish for Florida and the newly formed United States of America.

⁷ Michael D Green, "Alexander McGillivray" in *American Indian Leaders: Studies of Diversity*, ed. R. David Edmunds (Lincoln: University of Nebraska Press, 1980), 42.

⁸ Michael D Green, "Alexander McGillivray" in *American Indian Leaders: Studies of Diversity*, ed. R. David Edmunds (Lincoln: University of Nebraska Press, 1980), 45.

After the 1783 Treaty of Paris, Britain ceded land to the United States and Spain, prompting the Creek Nation to establish new treaties to protect their land. Green highlights the issue the Creek faced after the American Revolution by stating, “Far from providing the recognition of rights the Creek desired, the Treaty of Augusta was a clear Indication that Georgia, a grasping neighbor held in check in recent decades only by the power of the British government, was now embarking on an unrestrained career of territorial expansion at the expense of the Creek.”⁹ Since British colonial officials established the Treaty of Augusta the Colony of Georgia, the United States achieving independence from Great Britain caused new diplomatic issues for the Creeks, as Georgian expansionism negatively impacted them. This situation, along with the Creeks weakness of the United States in enforcing its rules under the Articles of Confederation, pushed the Creeks to negotiate with the Spanish for a potential treaty. Green demonstrates McGillivray use of hard power by saying, “A shrewd diplomat, McGillivray became a power broker between the Spanish and Americans. The Creeks, with a potential army of 3,500 to 6,000 warriors, outnumbered the combined military forces of the United States and Spanish Florida. Whichever side enjoyed their alliance gained a substantial degree of security.”¹⁰ The Creeks had a military force that could be devastating to these territories, incentivizing the Spanish to negotiate in this middle ground. Whichever nation decided to negotiate with the Creeks would gain a strategic ally for trade and potential military protection. The Creek was looking for protection for their land against foreign invaders, leading to negotiation that culminated in the Treaty of Pensacola.

The Creek Nation negotiated the Treaty of Pensacola, which provides mutual protection and economics. Josef Ignacio de Viar and Josef de Jaudenes informed Thomas Jefferson of the

⁹ Michael D Green, “Alexander McGillivray” in *American Indian Leaders: Studies in Diversity*, ed. R. David Edmunds (Lincoln: University of Nebraska Press, 1980), 46.

¹⁰ Michael D Green, “Alexander McGillivray” *American Indian Leaders: Studies in Diversity*, ed. R. David Edmunds (Lincoln: University of Nebraska Press, 1980), 47.

Treaty of Pensacola, stating, “Louisiana had sent a commissioner or agent to the Creek Nation, His Majesty (after approving the answer we gave you) commands us to transmit to you (as we do herewith) a copy of the treaty concluded between Spain and the Creek Nation in the year 1784, so that you may become aware of the priority with which those Indian became our allies, and so that you may understand how it was that to such allies the government might send a person to live among them, for the sole purpose of keeping peace among them, His Majesty nevertheless offers to make this one of the points to be treated in discussions with the ministers plenipotentiary of the United States.”¹¹ The Louisiana government intervened a copy of the treaty to the United States. The protection negotiated with the Spanish helped protect the Creek lands from potential invasion by Georgia, as this would create an international issue that could spark war. The Treaty of Pensacola, enacted between the Creek and Spain, gave McGillivray leverage in his diplomacy with the United States of America.

As Georgian began to settle on Creek land, McGillivray had the Creeks destroy the settlers’ properties while avoiding bloodshed to prevent escalation. Superintendent of Indian Affairs for the Southern District, Benjamin Hawkins warned McGillivray by saying, “By your thus refusing to treat with the United States when so solemnly invented thereto, you have placed yourself and nation in a new and critical situation! The United States have offered to interphase and settle the disputes on terms of mutual advantage [...] you have apparently refused to submit the dispute to a fair hearing and decision.”¹² The letter announce the tension in the middle ground between the Creek Nation and the United States of America. Since McGillivray continues to refuse a treaty with the United States, potential escalation could emerge from this situation. This refusal shows

¹¹ “Treaty of Pensacola between Spain and the Creek Indians,” June 1, 1784, Manuscript Division, Library of Congress, Washington DC.

¹² *George Washington Papers, Series 4, General Correspondence: Benjamin Hawkins to Alexander McGillivray*, March 6, 1790, Manuscript Division, Library of Congress, Washington DC.

the ever-growing tension, as the treaty proposed by the United States appeared to be detrimental to the Creeks, resulting in further tension between the two nations. Washington informed General Knox of the context of the letter, writing his approval “of your requesting Mr. Hawkins to send the letter to Alexander McGillivray a copy of which you have enclosed, and I authorize you to employ a suitable person to conduct the business, and to pay him, and the expenditures proposed.”¹³ The issue of potential escalation continued, resulting in an invitation from President Washington in the hopes of establishing a negotiation in which McGillivray would be able to secure a policy of guaranteeing Creek Land and beneficial trade implementation. Indian agent Hawkins delivers the letter to McGillivray, which was a step closer to establishing the Treaty of New York in the coming months. This step towards negotiations was a path for protecting Creek land, which was the policy McGillivray wanted to implement.

The establishment of the Treaty of New York had major ramifications for the United States of America and the Creek Nation through economic and political means. Thomas Jefferson, advising President Washington, wrote that the treaty would “legally control the duty acts, and the acts for licensing traders, in this particular instance [...] on the contrary, the treaty will have bettered our situation though not in the full degree which might have been wished.”¹⁴ McGillivray’s influence is revealed in the enforcement of economic stipulations in the 1790 Treaty of New York, which was not as beneficial for the United States. As this treaty may not be the most beneficial for the United States, further points of interest could be negotiated, showing the necessity of a treaty with the Creeks with further correspondence. The Creek Nation and the United States of America signed the Treaty of New York, which stated that “THE parties being desirous

¹³ George Washington Papers, Series 4, General Correspondence: *George Washington to Henry Knox*, March 8, 1790, Manuscript Division, Library of Congress, Washington DC.

¹⁴ *George Washington Papers*, Series 4, General Correspondence: *Thomas Jefferson to George Washington*, July 29, 1790, “Memorandum Indian Trade,” Manuscript Division, Library of Congress, Washington, DC.

of establishing permanent peace and friendship between the United States and the said Creek Nation, and the citizens and members thereof, and to remove the causes of war by ascertaining their limits, and making other necessary, just and friendly.”¹⁵ Previous negotiations eventually culminate in the treaty, establishing several amendments that each nation had to abide by. The treaty entailed peace and friendship between the two nations, guarantee land protection, establish the United States of America as a protectorate, and bestowed the gift of civilization. By negotiating with both Spain and the United States, McGillivray operated within the middle ground, balancing Creek interests against colonial ambitions August William Bowles and the Lower Creeks were not content with the politics that McGillivray enacted for the Creek Nation siding with the Spanish.

While Alexander McGillivray attempted to ensure the survivability of the Creek Nations, McGillivray did not address every issue for the Lower Creeks causing opposition with the Upper Creeks that he catered during his political career. According to Green, “In the time of war, the civil councils stepped aside in favor of the government by the warriors. This transition did not occur during the McGillivray years, partly because a state of emergency continued to exist in the form of threats from all sides.”¹⁶ The politics of the Creek Civil Council and Warrior government contributed towards the dissenting opinion. Those who would support McGillivray were primarily from the Warrior faction, which retained power. The pro-British Warrior Faction, who worked with McGillivray during the American Revolution, were the Upper Creeks. McGillivray’s politics catered towards the Upper Creeks, often ignoring the Lower Creeks. This gave ground to the political agent, Augustus William Bowles, to convince McGillivray’s critics to get rid of him.

¹⁵ *Treaty with the Creeks*, March 24, 1790, in *Indian Affairs: Laws and Treaties*, Vol 2, ed. Charles J. Kappler (Washington, DC: Government Printing Office, 1904)

¹⁶ Michael D. Green, “Alexander McGillivray” in *American Indian Leaders: Studies in Diversity*, ed. R. David Edmunds (Lincoln: University of Nebraska Press, 1980), 50.

One of the issues that McGillivray had to deal with was the rebellion incited by Augustus William Bowles. McGillivray sent a letter to James Seagrove, complaining about his political rival: “My in desperation prevented me from going in person after that vagabond Bowles, however I sent positive orders to the Lowettas and Cussetas to go and either have taken him or that just him to death.”¹⁷ Due to McGillivray’s policies favoring the Upper Creeks over the Lower Creeks, agents like August William Bowles galvanize the Lower Creeks to fight for independence shaking the negotiated deal of Alexander McGillivray. When the Spanish captured Bowles, his influence ceased to destabilize the Spanish and United States treaties with the Creek. He would die within a couple of years imprisoned by the Spanish. McGillivray’s influence was notable in maintaining continuous treaties, and he faces challenges to these treaties towards the end of his life.

Alexander McGillivray participated in politics for close to two decades. As his health has begun to decline, he died of a fever, which shook the political landscape. He dies on February 17, 1793, unraveling much of the progress he had accomplished in his life. According to Ethridge, “the situation between the Creek and the State of Georgia became explosive. President Washington knew the Creeks mistrusted the federal government and that they deplored the Georgia government.”¹⁸ This exemplifies the importance Alexander McGillivray had in Creek politics, as this was one of many recurring issues that the Creeks would have to deal with in the following decades. The renewal of the conflict between the Creeks and Georgia would go against several amendments in the Treaty of New York.

When open conflict began to emerge between the Creeks and the Georgians, Georgia broke several amendments from the Treaty of New York. The government of Georgia violated

¹⁷ Alexander McGillivray, “Extracts of a Letter to James Seagrove,” 1792, *George Washington Papers, Series 4, General Correspondence*, Manuscript Division, Library of Congress, Washington, DC.

¹⁸ Ethridge, *Creek Country*, 12.

Amendment I (Peace and friendship perpetual) by engaging in conflict. Amendment II (Indians acknowledge protection of the United States) was broken when Georgia attacked the Creeks, who were under protection U.S. protection. Amendment IV (Boundaries) which established the boundaries of Creek lands, was ignored, leading to an indirect violation of Amendment V(Guarantee), which guaranteed the protection of boundaries. Georgian settlers attempted to occupy Creek lands, violating Amendment VI (No citizen of the United States to settle on Indian lands). This also impacted Amendment VII (Nor hunt on the same), as the conflict damaged hunting grounds. The States of Georgia failed to prosecute settlers who committed crimes against the Creeks, violating Amendment IX (Citizens of the United States committing crimes against Indians to be punished). This violation reignited animosities connecting to Amendment XIII. All of these amendments were violated after the death of McGillivray, demonstrating the crucial the role he played in maintaining the peace which tragically unraveled, leading to further causing conflict.

Alexander McGillivray was an influential figure who significantly impacted the politics of the middle ground between the Creek Nation, the United States, and Spain. His life's work is evident in his successful negotiation of the Treaty of New York, which protected the Creeks through the Treaty of Pensacola, which secured protections from Spain. McGillivray's mixed heritage, being both Creek and Scottish, played a crucial role in his political career and opportunities, allowing him to leverage kinship networks and bilingual education to function as a bridge between cultures. Through strategic diplomacy, he secured alliance and land protection that ensured Creek autonomy during a period of intense colonial expansion. Although his life was cut short by a virulent fever, his death had a profound impact on the politics of the Creek Nation and the United States, as the unravelling of Creek politics after his passing demonstrates how vital his

leadership was. Understanding a figure such as McGillivray highlights the often-overlooked influence Native Americans had during this period of conflict and change. Despite the challenges and eventual unraveling of the Creeks' politics, McGillivray's political influence fundamentally shaped the future of the Creek Nation as it entered the nineteenth century. His legacy stands as a testament to the resilience and agency of Native American leaders in navigating the complex power dynamics of their time.