Red Jacket and the Decolonization of
Republican Virtue

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History has not always been kind to Sagoyewatha, or, as he is more commonly known, Red Jacket. One of the most eloquent spokesmen for Native sovereignty in the early national period, Sagoyewatha was nonetheless accused by his peers of cowardice, alcoholism, and egotism. Although none of these character allegations damage his contributions to Indian nationalism (many of the charges originated in political rivalry), the more insidious argument about Red Jacket's life treats him like one of James Fenimore Cooper's vanishing race. An influential Seneca leader after 1790, Sagoyewatha is generally recognized as a principal engineer of the 1794 Treaty of Canandaigua, which guaranteed Indian sovereignty over four million acres of upstate New York. In other achievements, he defended arrested Senecas from state prosecution, made numerous trips to Washington, D.C., to lobby for Seneca rights, and he stridently opposed missionary presence on Indian lands after 1803. Echoing the social opinions of the late 1820s, however, Euroamerican and Indian historians alike have characterized him as the "last" of the Senecas, a tragic figure who represented the final days of his nation.1

Fortunately, this picture is beginning to change. Christopher Densmore's recent biography has helped to clear away the cloud of demonization that obscured Red Jacket's life. Literary scholars and historians, such as Maureen Konkle and Matthew Dennis, have begun to frame Sagoyewatha's career as an influential contribution to discourse about Native sovereignty. Furthermore, given the existence of a large number of Red Jacket speeches with good provenance, his work provides an archive of Indigenous political thought and action that has yet to receive the study it deserves.2
The tendency to conclude that the major developments of history are over (a lament of ancient and modern historians alike) has had misleading consequences for interpreting the legacy of Red Jacket’s political speeches. For example, read in the context of the last two centuries of Haudenosaunee (Iroquois, or Six Nations) poverty in upstate New York, Red Jacket’s most heavily anthologized speech, his reply to the missionary Jacob Cram in 1805, tends to recirculate tropes of noble savagery. Despite his witty and historically knowledgeable refusal to accept a missionary presence on Native land, Sagoyewatha seems unable—or unwilling—to broker a solution to prevent the decline of the ensuing two hundred years. His reasons for rejecting the missionary’s proposals are compelling, but they might seem out of step to modern students who feel that his position underestimates the growing threats of Euroamerican imperialism.

This retrospective critique of Red Jacket’s politics, however, risks the danger of assuming that our present is the single, inevitable product of the past. As Vine Deloria Jr. and others have shown, there are more subtle and wide-ranging versions of such historiographic prejudices that shape our assumptions about what constitutes an objective or scientific hypothesis about culture, but the basic assumptions of the argument stay the same: the Indians were a lost cause.

If, however, we think of early national Seneca diplomacy as capable of rhetorical agency rather than as simply subject to events out of Native control, the historical record can look significantly different, and the efficacy of Indian performance at treaty councils becomes more visible. At the bargaining table, the Senecas had notable success protecting their interests after the Revolution, especially at Canandaigua in 1794. Particularly after their support of the United States during the War of 1812, the Senecas took the opportunity to strengthen their position in New York State. Although he was realistic about the threat of removal after 1815, Red Jacket was confident that the Six Nations maintained an advantage at council negotiations with the United States. In view of their past achievements, the later experiences of dispossession in the 1830s (viewed in hindsight as irresistible) were not yet part of the Seneca political horizon.

Despite Euroamericans’ skill with printed texts to secure their interests, the Haudenosaunee used the spoken word and the rituals of treaty negotiations very effectively in their relations with the European colo-
nists. Regrettably, these negotiations did not always protect Indian lands and rights, but the Six Nations were widely regarded as savvy and effective diplomats. Later, although it is well known that the United States engaged in fraudulent and corrupt councils from the earliest years of the nation's founding (particularly from the presidency of Andrew Jackson onward), during the period from 1790 to 1825, the years of Red Jacket’s greatest political activity, the Six Nations used the format of the public council to oblige the United States to acknowledge their sovereignty. The yield of these successes took time to bear fruit. Many of the current legal rights of the Haudenosaunee, upon which they have sued for land claims owed to them by the state, are based on treaties negotiated during the early national period.6

In this essay, I focus on one of Red Jacket’s best-documented performances, the Ogden Council of July 1819, where the Senecas rejected the offer of the Ogden Land Company to buy most of their remaining reservations. In addition to being one of Sagoyewatha’s finest performances—and most effective—it is also one of his least known, the text not seeing formal publication until more than ten years after his death in William Leete Stone’s 1841 biography. As it turns out, the federal records of that council are unusually detailed, being translated by experienced interpreters and monitored by both parties who attended the weeklong event.

At this council Red Jacket faced a large conspiracy of businessmen and government agents who were sympathetic to the Monroe administration’s philosophy of Indian removal. The council records are gripping documents because they contrast the smug tone of federal paternalism with Red Jacket’s decisive rebuke that the Euroamericans’ claims to reservation lands verged on insanity. Although the council proceedings are commonly summarized as the failure of the Ogden proposal, the Euroamericans who attended blithely walked into a trap set by the Indians. The Senecas used the council for a very different purpose than the U.S. government had anticipated: a public reaffirmation of Haudenosaunee sovereign power.

Appropriating and co-opting the metaphors and value systems initially proposed by the government agents, Sagoyewatha argued that the Senecas were developing as well as could be expected in light of the treachery to which they were constantly subjected. After satirizing the Ogden Company’s lightly veiled threat to make the Indians sell out before

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they were forcibly removed, Red Jacket, speaking for the Senecas, unexpectedly turned the council into an occasion for the Senecas to make national demands of their own: the immediate removal of Christian educators from Indian lands. For the next five years, Sagoyewatha was so effective in implementing this policy that Andrew Jackson and Secretary of Indian Affairs Thomas McKenney eventually conspired with Christian Seneca leaders to depose him as a chief in 1827.

I argue in this essay that Red Jacket’s accomplishment at the 1819 Ogden Council was to wear the ethos of republican virtue more effectively than his opponents, who initially claimed the same mantle. In this sense Red Jacket was one of many marginalized “others” of the early U.S. political and literary tradition, including oratorical African Americans and women, who extended the egalitarian promise of republican virtue to include those who were initially excluded from mainstream national thought. But rather than employing republicanism strictly as a political philosophy, Red Jacket interpreted and dramatized republicanism as a performative literary rhetoric. Sagoyewatha not only reminded his audiences of Washington’s promises of fidelity to the Indians but also presented himself and his nation—not his Euroamerican auditors—as the fitting heirs of the tradition of virtue for which Washington stood.7

The Ogden Council of 1819 was the culmination of a typical early national land-investment scheme that counted on securing Indian title before any sales to homesteaders could be made. David A. Ogden and his brother, Thomas Ludlow Ogden, both powerful New York attorneys, had previously been lawyers for the Holland Land Company, which had indirectly bought the lion’s share of western New York State from the Six Nations at the Treaty of Big Tree in 1797. In 1810 David Ogden formed a land company with several of his brothers and friends, which bought from the Holland Company the preemptive rights to six remaining Seneca Indian reservations, some 197,000 acres. They paid $98,917 for the land, or roughly 50 cents an acre.8 The preemptive right simply meant that, according to New York State law, if and when the Indians chose to sell any of their reservation lands, they could sell only to the holder of the preemptive right, namely the Ogden Company. According to the federal trade and intercourse laws (initially enacted in July 1790 and periodically revised), this sale had to be conducted under federal oversight with the appointment of a federal commissioner to attend the sale council.
In 1811, hurrying to cash in on his investment before war broke out with Britain, Ogden agreed to let an ambitious lawyer, John Richardson, try to convince the Senecas to sell. If successful, Richardson stood to buy bargain shares in the company at the founders’ rate. Richardson made his proposal at the Seneca council house at Buffalo Creek in May 1811 without the accompaniment of a federal commissioner. Sagoyewatha’s caustic rejection of Richardson’s offer became one of the most famous Indian speeches of the nineteenth century, appearing as early as 1816 in schoolbooks such as *The American Speaker*.

After the War of 1812, plans to develop the Erie Canal spurred Ogden to pursue his investment more urgently, but the Senecas also had reasons to come to the bargaining table. On the most basic level, their people were starved by several years of bitter winters and the economic depression that followed the war. Although their strategy was unclear (if not very shrewd), the Senecas even used Ogden himself to broker federally expedited opportunities for them to acquire more land in Ohio, Indiana, or Wisconsin. Ogden believed that the Senecas genuinely wished to emigrate, but the Senecas later claimed that they only wished to find land for some of their poorer relatives. In 1818 Ogden managed to get elected to the federal House of Representatives, and began trying to convince Secretary of War John C. Calhoun to resettle the Senecas in Arkansas or Ohio. Becoming aware of this plan in late 1817, and anxious the federal government misunderstood their desires, the Senecas began a petitioning campaign to oppose any move from their lands in western New York State.

Although it is tempting to describe Haudenosaunee society during this period as orally constituted (in Walter Ong’s sense of the term), Seneca leaders began to see the value of combining speech and writing in a proactive publicity regime. Sending petitions and using newspaper propaganda to influence the state and federal government were parts of a new form of political agency that the Senecas developed after 1800, particularly after the War of 1812. Almost every year after 1816, the Senecas made sure that during the legislative session (December to February) both the federal and state governments received petitions (called “memorials” in the language of their day) stating their desires and concerns. In 1818 Jabez Hyde, a Christian schoolteacher who had lived and taught for eight years at the Buffalo Creek reservation, republished a series of such speeches in a Buffalo newspaper, a propaganda
technique whose power Red Jacket quickly grasped. Over the next five years, Sagoyewatha and the so-called Pagan Party published handbills and speeches in local papers when they sought to put pressure on the government (as did Seneca Christian leaders). In one of these speeches, initially composed at a council in late December 1817 but delivered to Secretary Calhoun in the spring of 1818, Sagoyewatha famously declared that it was the Senecas’ “fixed and determined purpose to live and die” on their reservations. No longer merely the subject of print media, this kind of statement marks the Senecas’ self-conscious participation in the U.S. public sphere to serve their interests.¹¹

When David Ogden invited the Senecas to a federally recognized council set for early July 1819, the Senecas accepted because they knew that they would be speaking at a highly public venue not only to the land company but also to representatives of the local, state, and federal governments. On July 1 the attendees began arriving in Buffalo. The U.S. commissioner was Morris Smith Miller, an Oneida County judge and former member of the House of Representatives. Also serving as an observer was Nathaniel Gorham, son of the investor who first bought the preemptive rights to Six Nations lands from Massachusetts in 1786. Although not directly involved in the Ogden Company, he attended as a state commissioner to represent the interests of Massachusetts, whose charter over northern New York lands dated back to the 1600s. Several representatives from the Ogden Company came: David A. Ogden; his brothers Thomas Ludlow Ogden and Governeur Ogden; and John Greig, the Canandaigua judge and land speculator who had recently obtained preemptive rights to the Gardeau reservation though Mary Jemison. Also present was Joseph Ellicott, chief surveyor and resident agent for the Holland Land Company, the largest single landowner in the area. Oliver Forward, an influential local judge, politician, and businessman who was one of the commissioners appointed to settle the U.S./Canadian boundary on Lake Ontario following the Treaty of Ghent, volunteered the services of his agent, Major Joseph Delafield, to act as the secretary of the council proceedings.¹²

The interpreters were Jasper Parrish, the local subagent for Indian Affairs, and Horatio Jones. Both highly respected by the Senecas for their language skills, they had been captured by the Haudenosaunee as teenagers and were frequently used by the Senecas, despite the fact that they often worked on land-company payrolls. The Senecas were aware that
they had been corrupted by the land companies (especially from this period onward), but their technical skills as accurate interpreters had been praised by the Indians for almost thirty years.13

During the days prior to the event in Buffalo, the attendees dined with former general Peter Porter, exchanging stories of earlier Indian councils and anecdotes of Red Jacket's diplomatic exploits over the previous twenty years. When the council officially opened on July 5, a large party of interested Buffalovians made the six-mile journey to the Indian council house at Buffalo Creek, including, significantly, "a large party of ladies."14 The council was going to be a major event, and everyone knew it.

As was customary, prior to the council the Senecas engaged in several days of discussion among themselves, deciding the principal issues and their strategy. Secretary Delafield remarked in his journal that it was rumored that part of their deliberations centered not on the land sale itself but on whether they wished to allow religious whites, such as the schoolteacher Jabez Hyde, to remain on their land. Later entries suggest Delafield's awareness that the Senecas were breaking into the factions that became known as the Pagan and Christian parties, but he seemed confident that this schism would only assist the land company's cause.15

When Judge Miller gave his opening speech at the council on July 5, he initially adopted a tone of paternal concern for the plight of Senecas. After declaring his neutrality, he emphasized that the president looked upon them with the "pure and disinterested" eyes of republican virtue, void of any personal stake in their situation. He said that the president saw them scattered, living without clear laws, and losing their national character. As a result, the president advocated that they sell their remaining reservations and consolidate at Allegany, the existing Seneca reservation on the border of New York and Pennsylvania. Employing the Lockean argument that land belongs to those who cultivate it, Miller said that the president was of the opinion that the earth was given to mankind to support the greatest number of people of which it is capable, and it is "not right for any tribe or people to withhold from the wants of others, more than is necessary for their own support and comfort."16

Halfway through the speech, however, Miller began to employ a number of threats. First, he noted that if the Senecas did not comply with the president's wishes, he guessed that they might not be considered worthy recipients of Congress's recently allocated $10,000 "civilization fund" for the support of Indians. He claimed that even though the Senecas held
the right of possession over their reservation lands, the whites who held
the right of purchase would hamstring their ability to develop it freely,
suggesting that the Senecas were in an economic bind that only sell-
ing would relieve. He also expressed his disappointment that although
the Senecas had enjoyed the benevolent instruction of good men and
missionaries, those efforts had been futile: “If you have not stood still,
there is reason to fear, you have not advanced.” In closing he said that
the president advised them to sell because he could see that the trunk of the
Seneca nation was rotting:

He knows your condition and would wish to make it more com-
fortable and secure. The History of your Nation is not unknown
to him. He knows the lofty sentiments it has cherished. He knows
the gallant actions by which it has been distinguished. He remem-
bers that the tree of your glory and your strength flourished upon
the mountain; that its branches extended in every direction, that its
root struck deep into the earth, and its top reached to the clouds.
He observes with regret, that while some of its branches have fallen
in the lapse of time, others have been lopped off by your own improvisation; that some have been taken away by artifice; and oth-
ers have been rent by the hand of violence; that what remains shews
manifest symptoms of disease and decay; that the trunk itself, once
so vigorous and healthful, is now covered with moss; that its top is
bending with weakness; and that a destructive canker has fastened
on its roots. 17

Miller’s reference to the decay of the great “tree” of the Senecas appears to
be a rather poetic metaphor to Euroamerican ears, but he was employing
a symbol with specific meaning for the Six Nations confederacy. As the
Great Law of the Haudenosaunee (the Kaianerekowa Hotinonsionne)
states, the political union of the Mohawks, Oneidas, Onondagas, Cayugas,
Senecas, and Tuscaroras is symbolized by a large white pine tree planted
at Onondaga whose roots spread east, west, north, and south and whose
nature is peace and strength. The Haudenosaunee see their union as pro-
viding security to those who wish to live under its long leaves. With this
metaphor Miller was announcing that the president thought the Senecas
were a dying people. 18

The principal sachem present, Captain Pollard, thanked Miller for his
speech and repeated its main points to make sure that no misuder-

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standings occurred. Pollard made one correction, explaining that Miller was actually addressing the entire Six Nations in his speech. Miller replied that his commission specifically empowered him to treat with the Senecas, which is why he had addressed only them. Pollard acknowledged his explanation and said that the Six Nations would require a day to consider his words and would meet him at ten o'clock the following morning.

On one level the delay was customary, but it also emphasized that the council would be performed according to Haudenosaunee rules rather than by the land company's timetable. In previous councils with the Six Nations, such as Tioga Point (1790), Newtown/Painted Post (1791), and Canandaigua (1794), as well as at many councils before the Revolution, the Six Nations told the Euroamerican commissioners to observe proper rules for councils, such as providing gifts of clothing and provisions, using wampum, and waiting patiently for days to discuss matters of importance. The Six Nations knew that it greatly disconcerted Euroamericans to wait for an answer (particularly because the Indians usually indulged in "frolics" during the interim), but they did it to underscore the importance of their traditions. At the same time, the Senecas also adopted new strategies that they learned from their adversaries. Following a misunderstanding about the sale amount of the Phelps and Gorham Purchase of 1788, the Senecas required that Euroamerican proposals be submitted to them in writing after their public delivery for their interpreters to reexamine and keep as records.

On July 7 Red Jacket welcomed the recently arrived commissioner from Massachusetts, Nathaniel Gorham, and he introduced David Ogden and invited him to declare his proposal. Although Delafield's notes do not describe Red Jacket's condolence speech in great detail (he writes that Red Jacket thanked the Great Spirit for protecting them to the present time), it is clear that Sagoyewatha took the opportunity to reinaugurate the council once all the participants had arrived (Captain Pollard gave the initial condolence speech on July 5).

These condolence practices are often left out of council records (Miller did not even include them in his official report), but they are a crucial element of Six Nations' treaty protocol. Attendees to a council are ritually cleansed by the speaker, who metaphorically washes the dust from their ears so that they may hear clearly; dries their eyes of the tears that may have been occasioned by hardships of travel, death, or other
troubles experienced prior to the council; and *removes obstructions from their throats* so that they may speak clearly. Depending on the nature of the council, condoling can take a variety of forms, but in essence, the speaker metaphorically guides attendees from the forest of their minds to sit at an open clearing. The condolence speech derives from the psychological undertext of the Great Law, which asks that chiefs treat each other with decorum and respect—treat each other as if their antagonists were human beings like themselves—and to put away the mental obstacles that may cloud insight in council.21

Following Sagoyewatha’s welcome, Ogden’s speech took the combative tone of a lawyer impatient that his rights had been violated. Although he did not say it in such blunt language, Ogden felt that the third article of the 1794 Treaty of Canandaigua gave the Senecas “free use” of privately owned lands that the United States was not authorized to give away. According to Ogden’s view of the land-sale history, the rights purchased by Oliver Phelps and Nathaniel Gorham from Massachusetts in 1786 could never have been extinguished by a later act of the U.S. government, and the United States had no power to give private property to the Senecas at Canandaigua in 1794.22 Ogden rehearsed the history of the land sales up to the present moment, insisting that his proprietary right to their reservations derived directly from those of Great Britain, formerly the allies of the Senecas.

Rather than consenting to the Senecas’ complete sovereignty over their lands, he insisted that he had different but equivalent rights. He complained that the Indians continued to let whites settle on their lands (in violation of U.S. laws of March 1802) and that the Indians often sold timber. He said that he had hitherto looked the other way and had chosen not to pursue his rights. He also claimed that he had worked very hard and spent much of his own money in previous years to help the Senecas find alternative lands in the west. He concluded that if they could not come to any agreement, his company would sell its rights, and then the Senecas would face hundreds of new proprietors who would not treat them as respectfully as he had. Although his speech does not mention the figure, the following day he offered the Senecas a $4,000 annuity for all but two of their reservations and promised that he would give them the preemptive rights that he held to Allegany and Cattaraugus. Red Jacket thanked Ogden for his speech and informed him that the Senecas would again deliberate on what had been said. Two days later, on July 9,
Henry Abeel, Cornplanter’s son, reconvened the council and introduced Red Jacket as the chief who would give the Senecas’ reply.

Secretary Delafield’s journal indicates that Red Jacket’s speech took about an hour to deliver, with Jasper Parrish interpreting. Summarizing Delafield’s account, William Leete Stone states that even though Sagoyewatha used strong language at times, his demeanor was “calm, deliberate, and decided” and he showed no signs of having drunk alcohol. Remarks in the speech transcript suggest that Red Jacket and Parrish alternated sentences or paragraphs, with Sagoyewatha pausing at intervals while Parrish translated. Delafield writes that he copied Sagoyewatha’s words as Jasper Parrish interpreted them, deleting only repetitive passages.

Parrish later said that he occasionally had trouble keeping up with Red Jacket’s more “figurative flights” of expression. Sagoyewatha’s primary strategy in his speech ironically exploited a series of roles set up for him by his opponents. Claiming a moral high ground of disinterested virtue, Miller and Ogden had both suggested that President Monroe felt that the Indians were guilty of wrongdoing: of not civilizing fast enough, of not obeying the terms of earlier treaties, and of generally letting their nation fall to waste. The first third of Sagoyewatha’s reply makes no attempt to refute their claims. Rather, he represented the Indians as the simple-minded sons of the forest that most white men said they were. Sagoyewatha claimed, disingenuously, that the Senecas were under the impression that Commissioner Miller had come to renew the federal pledges of support that had been made in several previous treaties and that they were completely surprised by the land company and government’s allegations of Indian misconduct. After rehearsing the agreements of the Treaty of Canandaigua and the Philadelphia Councils of 1792, Sagoyewatha played the role of a simpleton when he said, “we do not understand why the treaty made by one President, is not binding upon the other.”

At stake in Red Jacket’s complaint is the native practice of “renewing the chain” of friendship, a basic method of Six Nations’ diplomacy. As William Fenton explains, from the Iroquois point of view, alliances with the English and the Americans were to be routinely renewed in the same way as with other Indian nations—a continual practice of metaphorically “keeping the path open” between two powers. Since the arrival of the Dutch, Haudenosaunee made peaceful alliances with the Europeans that evolved from a “rope” (tying the Dutch ships to the tree
of the Six Nations) to a “silver chain” (with the English), which periodically needed to have the “rust” removed from it. When Red Jacket first began his career as spokesman for the Six Nations, he spent much time at Tioga and Newtown explaining to the U.S. commissioner how to follow Native practices of removing rust from the chain of friendship. By expressing the Six Nations’ disappointment with Judge Miller’s unexpected behavior and opinions, he was complaining that the Americans seemed to have disregarded both the ritual practices and the agreements of former councils.25

After declaring that the commissioner seemed to have fallen off the path of proper conduct from a Native point of view, Sagoyewatha turned to a language that the commissioner might find more familiar. Drawing on the formidable reputation of George Washington, Red Jacket explained that the Treaty of Canandaigua was supposed to be permanent and that Washington had famously said in 1792 that their agreements with the Senecas would be founded upon the “strongest rocks.” He also rehearsed the treaty discussions of Canandaigua where it was agreed that “if any monster should come across the chain of friendship, that we should unite as one to remove those difficulties, to drive away this Monster.” He emphasized the Senecas’ fidelity to their promises during the War of 1812 when they fought off the British “monster”: “we spilt our blood in a cause between you and a people not of our own color.”26

Concluding his summary of the major agreements between the United States and the Six Nations, Sagoyewatha said that the Senecas had expected that the Americans were coming to explain how they would be better neighbors to their proven Indian allies, but instead they were making unwarranted criticisms of Indian life.

Shifting from playing the role of a passive subject of federal power to the voice of a national agent (a role also conceded by the whites), Sagoyewatha began to refute the allegations of Miller and Ogden more specifically. Using the attendance of the council itself to witness his words, he claimed that the Indians were improving their stewardship over their own lands, gesturing, “See these large flocks of cattle. Look at those fences. These things were not seen formerly.”27

In his reaffirmation of their land title, Sagoyewatha began to paint the Americans’ claims as the products of a disordered mind. Touching on one of the most sensitive areas of U.S. society—taxation—he responded with incredulity to the “extraordinary” idea that their national lands
were not theirs because they did not pay state taxes. With a tone of bold assurance, he dismissed Ogden's premature claims of land ownership and characterized the recent president's "opinions" about Native life as deranged:

These lands are ours given by the Heavenly Father. You tell us of a pre-emptive right. Such men you say own one reservation; such men another. But they are all ours: Ours, from the top to the very bottom. If Mr. Ogden should tell us, that he had come from heaven with the flesh on his bones, as he now is, and that the Heavenly Father had given him a title, we might believe him. The President has sent us word, you say, that it is our interest to dispose of our reservations. You tell us, there is a fine tract of land at Alleghany. This to[o] is very extraordinary. Our feet have covered every inch of that reservation. Such a communication as this has never before been made to us in any of our treaties. The President must have been disordered in his mind, or he would not offer to lead us off by the arms to the Alleghany Reservation.

Inverting the roles proposed by Miller and Ogden at the beginning of the council with this climactic statement, Sagoyewatha portrayed the white businessmen and the president as the people incapable of complex or virtuous thought. At an investigative council of July 1828, several chiefs testified that the Seneca words Red Jacket used to describe President Monroe were not "disordered in his mind" but rather "drunk or crazy." Regardless of the translation, this strong language, probably accompanied by Sagoyewatha's notoriously sardonic expressions (noted in Gouverneur Ogden's reply at the end of the day), shocked both the Euroamericans as well as the leading Christian sachems present, Captain Pollard and Young King, whose counsel Sagoyewatha was charged with conveying. The following day they apologized to Miller for Sagoyewatha's sacrilegious and disrespectful language, but they unanimously stood by his argument.

Immediately following his controversial words, Sagoyewatha dramatically held up a belt of wampum and the 1794 Treaty of Canandaigua. The Treaty of Canandaigua guaranteed Six Nations sovereignty over their lands. He said:

You have heard of our treaty with the United States, and our understanding with them. Here is the belt of wampum that confirmed the
treaty. This holds our hands together. Here too is the parchment. You know its contents. I will not open it. Now the tree of friendship is decaying; its limbs are fast falling off, and you are at fault.\textsuperscript{31}

Inverting Commissioner Miller's metaphor that the tree of the Six Nations was rotting under their guidance, Sagoyewatha held both the wampum (the Indian symbol of emphasis) and the rolled treaty to show that it was the national honor of the United States that was in decay, a point on which several generations of U.S. commissioners, as well as George Washington, had laid claim.

Exploiting the domestic metaphor of dependent nationhood that had grown up between the United States and the Indians over the previous decades (as well as exploiting the presence of Euroamerican women at the council), Sagoyewatha drew attention to the roles that the Senecas had been given:

Formerly we called the British as brothers. Now we call the President our Father. Probably among you are gentlemen with families of children. We consider ourselves the children of the President. What then would be your feelings, were you told, your children were to be cast on a naked rock, there to protect themselves?\textsuperscript{32}

Rather than simply relying on the pathos of abandoned children to make his case, Sagoyewatha's image carried powerful political obligations as well. He ironically adopted the symbol of Washington's promise of perpetual fidelity to the Six Nations at Philadelphia, the "strongest of rocks," as a means of their destruction. Driving a wedge between the interests of the businessmen and the government, Sagoyewatha shrewdly asked why the federal agents, pledged to defend their nation's obligations, were leaving their Indian children vulnerable and exposed to the depredations of the land companies.

Concluding his remarks to Commissioner Miller, Sagoyewatha asked the council attendees to look at the huge tracts of land that the Indians did not own:

Look at the white people around us and back. You are not cramped for seats; they are large. Look at that man (pointing to Mr. Ellicott). he has plenty of land: if you want to buy, apply to him. We have none to part with. Some here laugh. But do not think I trifle: I am sincere. Do not think we are hasty in making up our minds. We
have had many councils, and thought for a long time upon this subject, and we will not part with any, not one of our reservations.33

Pointing to the agent of the largest land owner in the area, the Holland Land Company's Joseph Ellicott, Sagoyewatha joked that the Ogden Company would do better to ask him for land. Part of the humor of Sagoyewatha's joke relied on the audience's awareness that Ellicott had grown enormously fat over the past two decades of service to the company, as well as notoriously depressed and bad tempered (he would hang himself several years later). The man Sagoyewatha pointed to was representative of not only wealth but also obstinacy and greed—people laughed because they knew that land company representatives did not offer very good bargains, especially to other white men.

At the end of his speech, Sagoyewatha pointedly noted that he had been addressing President Monroe through Commissioner Miller because the Senecas observed that Ogden had given his speech to Miller rather than to the Six Nations (which the Indians felt was an insult). Turning specifically to Ogden, he addressed him as an equal—as "brother"—and made some demands of his own:

Brother: You recollect when you first came to this ground, you told us you had bought the pre-emptive right: A right to purchase given you by the government. Recollect my reply. I told you you was unfortunate in buying. You said you would not disturb us. And I told you then, as long as I lived, you must not come forward to explain that right. You have come, but I am living. See me before you. You have heard our reply to the Commissioner sent by the President. And I again tell you that one and all, Chiefs & Warriors are of the same mind. We will not part with any of our reservations. Do not make your application anew in any other shape. Let us hear no more of it—And let us part as we met, in friendship. You discover white people on our reservation. It is my wish, and the wish of all of us, to remove every white man. We can educate our children. Our reservation is small. The white people are near us: we can send our children to their schools. Such as wish, can do so. The Schoolmaster and the Preacher must withdraw. The distance is short for those who wish to go to them. We wish to get rid of all the whites. Those who are now among us make disturbances. We wish our reservation clear of them.34
Having exposed the hypocrisy and rhetorical fraud of the government's and land companies' claims to greater virtue, Sagoyewatha's gesture of pointing to himself has complicated significance. On one level it shows his vanity. He obviously took pleasure in turning the council into a personal battle between Ogden and himself, as he had done at several councils with Commissioner Timothy Pickering years before. But he reminded Ogden that his speech was the voice of the nation, and he presented himself as the embodiment of the virtues that the whites claimed to represent. At treaty councils Sagoyewatha was constantly exposed to Americans lionizing the figures of the Revolutionary generation and their promises to Native America. Sagoyewatha even participated in extending the republican myth of George Washington when it served Native interests. When he posed before the crowd, as he had seen Washington do in Philadelphia when the president pledged U.S. fidelity to the Indians in 1792, Red Jacket figuratively quotes the iconography of the virtuous representative statesman. Standing for his nation, his pose tells the crowd that the Senecas are not a fiction. They are not a vanishing race. They are a nation, and they are not going anywhere: “See me before you.”

Having inverted the rhetorical roles of the two nations and reframed the Senecas as the virtuous political body in this contest, Sagoyewatha called Ogden to make good on his central complaint: if he so disliked white men on Seneca lands as a threat to his interests, then he should enthusiastically support the Indians' national demand to remove them. Having patiently borne the accusations by the whites that the Indians were not taking care of themselves, Sagoyewatha gleefully accepted their argument by using it to foster Seneca sovereignty.

The highly public nature of the council made it impossible for Ogden to understate the terms of the Senecas' response. Commissioner Miller's July 25 report to Secretary Calhoun admitted that the council had failed utterly, and New York newspapers also noted the intransigence of the Senecas' position on land sales as well as their rejection of the missionaries. Although the Ogdens petitioned the president with their complaints that the Treaty of Canandaigua unfairly forfeited the rights of private landowners, the government did not pay them any attention. Not only had the government and the Ogdens failed to convince the Senecas to sell, but they also had paraded into council where the Senecas unexpectedly used the occasion to trumpet the authority that the council conceded to
them. Building on this success a year and a half later, Red Jacket obliged the state to pass a law banning missionary presence on Indian land for four years.\textsuperscript{36} Perhaps the Senecas were genuinely interested in hearing Ogden’s proposal, but it is far more likely that they had concluded to use the council to vocalize their agenda to the public at large.

One of the most important aspects of the publicity strategies undertaken by the Senecas is a recognition of the way that Native rhetoric and politics intersected with the practices of their opponents. If we understand Sagoyewatha’s performance at the Ogden council as a co-optation of the republican traditions of speech culture and civic virtue, its significance is multifaceted. On one level, his fame as an orator partially obscures the politics of sovereignty for which he stood. Celebrating Red Jacket in the same way as Daniel Webster or Edmund Burke (as he was framed in schoolbooks) places him within a highly idealized “public sphere” of which many scholars have expressed skepticism. The schoolbook orator’s voice of virtue may have occasionally paid lip service to a Frenchified egalitarian ideal inclusive of all humankind (such as women and other marginalized people) as long as the expressions of those minorities did not radically disrupt mainstream opinion. In many ways Red Jacket became the most famous Native speaker of the nineteenth century because his talents fit a niche conveniently made for him: the rude (and conveniently dying) genius of the continent that Americans were quite happy to hang as a trophy on their wall for their own national glorification. Like Tecumseh, Red Jacket was enshrined in American myth as a totem of the federal republic to the detriment of his Indigenous nationalism. Even while he was alive, Sagoyewatha’s nationalist speeches were discussed in the press as defenses of American sovereignty leading up to the war with Britain in 1812.\textsuperscript{37}

Such containment of Sagoyewatha’s words, however, was not always possible, because he was simultaneously regarded as such a menace to federal interests that President Jackson tried to depose him as chief. Grafting the procedures of the council system, a technology of Native negotiation, to Euroamerican public relations, Indian words were a genuine threat. Sagoyewatha’s rhetorical victory was not only to meet his adversaries on (what they thought was) their own field of argument but also to demand the extension of the domain of those values in a truly egalitarian direction: recognition of the sovereignty of Native America.

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This rhetorical martial art, of harnessing his opponents' tropes and values to suit his own purpose, was Sagoyewatha's most characteristic gift as a poet and a politician. In this sense he was able to decolonize and transform republican rhetoric to serve Native politics. Engaging with Americans over questions of social justice and disinterestedness, Red Jacket actually enlarged the republican tradition that only sought him only as a prize. And as late-twentieth-century land claims have shown, Sagoyewatha's dogged insistence on Native sovereignty and self-determination has held up as an argument with lasting consequences.

NOTES

1. Because Sagoyewatha (pronounced Shay-gō-ye-wá-tha, or Sa-go-ye-wat-ha—"he keeps them awake," or "keeper awake") was known among the Senecas by the name of Red Jacket while he was alive (for the red jacket that the British gave him when he was a message runner in the Revolution), I use both names. For character allegations, see William Leete Stone, The Life and Times of Sa-Go-Yé-Wat-Ha, or Red-Jacket (New York: Wiley and Putnam, 1841), 20–22, 161, 355; also Governor Blacksnake, Chainbreaker: The Revolutionary War Memoirs of Governor Blacksnake as Told to Benjamin Williams, ed. Thomas S. Abler (Lincoln: University of Nebraska Press, 2005), 109. For "lost cause" rhetoric and Red Jacket as the "last" of the Senecas, see Niles Weekly Register, February 13, 1830, 421; Stone, Life and Times, 3; Arthur C. Parker, Red Jacket: Last of the Seneca (1952; repr., Lincoln: University of Nebraska Press, 1998).


3. For the early publication history of this famous text, see the exchange between Robie and Densmore. Although the differences between most variant texts are minor, Densmore points out that there is little validating docu-


5. For backgrounds on the significance of the Treaty of Canandaigua, see Peter G. Jemison and Anna M. Schein, eds., Treaty of Canandaigua 1794: Two Hundred Years of Treaty Relations Between the Iroquois Confederacy and the United States (Santa Fe, NM: Clear Light Press, 2000); Jack Campisi, "From Stanwix to Canandaigua: National Policy, States' Rights, and Indian Land," in Iroquois Land Claims, ed. Christopher Vecsey and William A. Starna, 49–65 (Syracuse, NY: Syracuse University Press, 1988); Jack Campisi and William A. Starna, "On the Road to Canandaigua: The Treaty of 1794," American Indian Quarterly 19, no. 4 (Fall 1995): 467–90. Briefly put, in exchange for giving up claims to the west, the Senecas secured most of western New York State until they agreed to sell.


8. For discussions of land-company practices of the period, see Laurence M.

9. For Richardson’s proposal, see David Ogden to Richardson, May 1, 1812, Ogden Family Papers. On schoolbooks, see Densmore, *Red Jacket*, 143–45.


11. For oral cultures, see Walter Ong, *Orality and Literacy: The Technologizing of the Word* (London: Methuen, 1982). Rejecting Ong’s theories about the rigid differences between speech-oriented and chirographic technologies for analyzing relations in colonial America, however, Sandra Gustafson makes the compelling argument that there exist multiple traditions of oratory, even among Native speakers in the pre-Revolutionary period and that the relationship between oral and written forms of expression had considerable overlap; *Eloquence is Power: Oratory and Performance in Early America* (Chapel Hill: University of North Carolina Press, 1999), esp. xiv, xviii; 130–31. For Hyde’s articles, see the *Niagara Patriot*, October 13, 1818, October 20, 1818, October 27, 1818, and November 3, 1818. One is tempted to seek alternative terminology for the word “Pagan,” but even terms like “traditionalist” have the negative connotation of wrongfully denying Christian leaders, like Pollard, their claim to tradition. For history of the Pagan-Christian schism, see Henry H. Howland, “The Seneca Mission at Buffalo
Creek," *Publications of the Buffalo Historical Society*, vol. 6 (Buffalo, NY: Buffalo Historical Society, 1903), 125–61; Jabez B. Hyde, "A Teacher Among the Senecas: Historical and Personal Narrative of Jabez B. Hyde, Written in 1820," *Publications of the Buffalo Historical Society*, vol. 6 (Buffalo, NY: Buffalo Historical Society, 1903) 239–74. For "fixed and determined," see the *Niagara Patriot*, October 13, 1818. On the public sphere and counterpublics, see Michael Warner, *Publics and Counterpublics* (New York: Zone, 2002), and Nancy Fraser, "Re-Thinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," *Social Text* 25/26 (1990): 56–80. As I conclude in this article, I believe these instances ofNative intervention in Euroamerican discourse are genuinely public and not counterpublic in the sense that Fraser and Warner have characterized subaltern publicity. In my view, the multiplication of counterpublics tends to undermine the explanatory value of the public sphere in the first place: we start aggregating spheres, almost like counting different worldviews, rather than exploring the curious metaphor of thinking about the space of circulating "talk" as a four-dimensional place of encounter.


15. Delafield, *Unfortified Boundary*, 230. For problems with the term "Pagan," see Howland, "The Seneca Mission," and Hyde, "A Teacher Among the Senecas." Although Hyde was of great assistance to the Senecas as a friend and schoolteacher, his evangelistic practices brought him in conflict with Sagoyewatha and the Pagans. He managed to convert two of Red Jacket’s sons in 1818, which may explain Red Jacket’s great animosity toward Hyde (*Niagara Patriot*, December 29, 1818). Despite Pagan opposition to Hyde’s missionary work after 1818, Hyde stood by the Senecas during the fraudulent land sale of 1826, and he gave valu-

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able testimony about land company's bribery and intimidation tactics to government investigators in 1828. See Livingston, “Report of Inquiry,” “Letters Received,” “Seneca Agency.” Hyde’s pro-Indian sympathies were probably the reason why he was passed over when the United Foreign Missionary Society was choosing a missionary in 1820. See Howland, “The Seneca Mission,” 137.

16. The best accounts of this council appear in Stone, Life and Times; Delafield, Unfortified Boundary; and Ganter, ed., The Collected Speeches of Sagoyewatha. I am quoting from the federal records of the Ogden Council from the National Archives in Washington, D.C., “Ogden Council of July 1819,” “Letters Received by the Secretary of War Relating to Indian Affairs, 1800–1823,” microfilm M-271, reel 2 of 4, frames 1419–84. Note that Stone and Delafield corresponded with each other while Stone was writing his Red Jacket biography, and their works contain valuable speeches and historical commentary not in the official transcripts.

17. Ogden Council, frames 1431–44.


22. Ogden’s brother, Thomas Ludlow, explains this argument in his “Memorial to the President, 1819,” Ogden Family Papers.

24. Ogden Council, frame 1471.
26. Ogden Council, frames 1469–70.
27. Ogden Council, frame 1471.
28. The Dutch-owned Holland Land Company was frequently indicted at this time in local papers over questions of adequate taxation. See the Holland Land Company’s public offer to settle with the New York legislature in the *Ontario Repository*, April 18, 1820.
29. Ogden Council, frame 1473.
32. Ogden Council, frame 1474.
33. Ogden Council, frame 1475.
34. Ogden Council, frames 1475–76.
35. Washington’s image was literally stamped on the medal that Red Jacket wore around his neck, a gift from Washington in 1792.
36. For Livingston’s report, see Ogden Council, frames 1419–22. For news reports of council’s failure, see the *Ontario Repository*, July 20, 1819, and August 30, 1819. For state laws, see Densmore, *Red Jacket*, 93.
37. See Warner, *Publics and Counterpublics*, and Fraser, “Re-Thinking the Public Sphere.” For American appropriations of Red Jacket speeches, see *New York Commercial Advertiser*, October 30, 1811.