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Reviewed by **John Paul Nuño, California State University, Northridge**

Borderlands frameworks, when applied to early American and colonial history, produce competing visions that privilege either local or larger forces. A state-centric model defines borderlands as temporary spaces of contestation carved out by colonial and national rivalries. Non-state entities, such as indigenous and African peoples, sought (and sometimes achieved) sociopolitical autonomy by inhabiting these spaces and leveraging their military and economic prowess in order to resist or reach an accommodation with larger powers. Nonetheless, their efforts only resulted in a momentary reprieve before nascent nation-states could draw and later enforce rigid borders. The nation-state sought to restrict cross-border movement while homogenizing what were once fluid and malleable definitions of race, identity, and citizenship. Conversely, localized studies (often centered away from Euro-American core areas) argue that colonial and national consolidation of power was limited or non-existent, even after borders were established. Political organization, diplomacy, social structures, and economic exchanges continued on indigenous terms. Native peoples managed to mitigate or integrate Euro-American influence in trade and material culture but retained their ultimate autonomy. Only the United States (in the middle to late nineteenth century) could exert the economic and military resources to effectively curtail indigenous sovereignty. These contrasting borderlands narratives pivot depending on their chronological assessment of when the nation-state could effectively project power.

Entering into the fray, Lawrence B. A. Hatter's article, "The Jay Charter: Rethinking the American National State in the West, 1796-1819," reinterprets Republican opposition to the Jay Treaty as a legitimate critique of the nation-state's inability to control British

economic interests within its own borders.¹ Merchants importing British goods via the St. Lawrence River (Laurentine merchants) supplied western colonists and indigenous peoples with trade goods, a situation that portended economic and political instability. Hatter infuses a borderlands analysis within his diplomatic and economic history in order to open “a window on the complex process of state formation in the Anglo-American borderland” (694). Taking cues from Jeremy Adelman and Stephen Aron, Hatter highlights how the northern borderlands became a “bordered land.”² Indeed, the article’s significant contribution is its convincing argument that the United States (despite its recent inception), controlled cross-border economic activity by regulating and obstructing Laurentine trade.³ In contrast to the U.S.-Mexico border, which remained a fluid space after annexation (until the twentieth century), the accessible Great Lakes and St. Lawrence River quickly experienced the nation-state’s power.⁴

The 1795 Jay Treaty was central to national questions of citizenship, territorial integrity, and economic integration. In the wake of the American Revolution, U.S. political autonomy remained tenuous as British forces were entrenched in western forts located within U.S. borders. The treaty transferred the forts to American control; however, the British received important economic concessions. Consequently, Laurentine merchants had the option to claim American citizenship (or remain British subjects), and were guaranteed the right to continue trade across the Anglo-American border. With access to British imports and established links to native populations in the Trans-Mississippi region, Laurentine merchants dominated western trade, which in turn perpetuated subversive British influence. As a result, Hatter argues (contrary to previous scholarship) that Republican protestations against the treaty went beyond an impulsive Anglophobic reaction, and were based on legitimate nationalist concerns over British economic influence.

At the heart of American state formation at the turn of the nineteenth century was the conflict between Laurentine merchants determined to exercise their treaty rights versus local and federal officials determined to restrict their transnational trade. Hatter argues

¹ I use the term Republican to refer to the Democratic-Republican Party, which was associated with Thomas Jefferson and James Madison, and was the opposition faction to the Federalist Party.

² Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation-States, and the People in between in North American History,” *The American Historical Review* 104 (June 1999): 816.

³ In particular, the Republican presidential administrations beginning with Thomas Jefferson had the political will to control the northern border in order to undermine British economic influence.

⁴ For works that trace the development of the U.S.-Mexico border see: Oscar Martinez, *Troublesome Border* (Tucson: University of Arizona, 1988); Ana María Alonso, *Thread of Blood: Colonialism, Revolution, and Gender on Mexico’s Northern Frontier* (Tucson: University of Arizona Press, 1995); Juan Mora-Torres, *The Making of the Mexican Border* (Austin: University of Texas Press, 2001); and Rachel St. John, *Line in the Sand a History of the Western U.S.-Mexico Border* (Princeton: Princeton University Press, 2011).

that these geopolitical maneuverings signaled the consolidation of the nation-state's power. The United States sought to extinguish any rival claims to political autonomy within its boundaries, whether from Europeans, native peoples, or western separatist movements. Trade functioned as more than simple economic exchanges; it cemented diplomatic ties, orientated political loyalties, and provided the tools of resistance: guns and ammunition. The Jay Treaty, while removing British forts, codified and preserved a British economic lifeline to western indigenous peoples that James Madison believed "undermined the security of the United States" (696). Thus, Republican efforts to thwart certain treaty stipulations represented the larger process of state formation.

While diplomatic histories focus on decisions and communications made at the highest levels, Hatter utilizes Peter Kastor's model of "local diplomacy" to demonstrate that actors in the Anglo-American borderland also helped shape the agenda.⁵ The author examines trader correspondence, petitions, licenses, and customs house reports in order to present a localized perspective. Beginning with U.S. General James Wilkinson's standoff with the Laurentine merchants in Detroit in 1797, officials sought to restrict traders' access to indigenous communities. Citing the 1795 Treaty of Greenville and Congress's ability to regulate trade with American Indians, officials detained merchants headed to indigenous settlements. In turn, the Laurentine merchants countered with an astute understanding of international law, especially as it pertained to their freedom to trade. Nonetheless, borderland officials proved adept at the use of disruptive tactics. For example, in 1805, the U.S. Collector of Customs David Duncan seized the cargo of the North West Company (a British firm), causing an international incident. This dispute was eventually resolved in favor of the traders, but only after a lengthy appeal.

Laurentine merchants successfully resisted regulation only so long as the Federalist Party controlled the presidency and avoided conflict with the British. However, Republican presidential administrations, beginning with that of Thomas Jefferson, embraced a narrow interpretation of British rights under the Jay Treaty. Following the Louisiana Purchase, Laurentine merchants desired access to the new territory, but were denied it on grounds that the treaty only applied to 1795 borders. In addition, customs officials levied higher taxes on British goods imported through the northern border than goods entering through East-coast ports. British merchants hoped that a temporary thaw in relations in 1806 would result in a new treaty that legitimized their trading rights. However, Jefferson and Secretary of State James Madison were unwilling to continue concessions to the Laurentine merchants, and refused to push for the treaty's ratification (716). Due to the War of 1812 and further deterioration in Anglo-

⁵ Peter J. Kastor, *The Nation's Crucible: The Louisiana Purchase and the Creation of America* (New Haven: Yale University Press, 2004), 113. Local diplomacy was the result of the belief of borderland officials that local and foreign policy objectives were complimentary. Thus they addressed local concerns with a belief that their actions meshed with broader foreign policy goals, as they conceived of them. Consequently, their actions shaped national policy despite their peripheral positioning. However, there were limits to local diplomacy, especially if local policies directly contradicted national policy.

American relations, the traders implemented new strategies. They formed partnerships with American firms and appealed to the ambiguous language in the Jay Treaty in order to claim American citizenship. However, the Treaty of Ghent (1814) terminated the free trade clause. Meanwhile, an 1819 ruling by U.S. Attorney-General William Wirt specified that only traders who explicitly applied for American citizenship, immediately after the transfer of forts in 1796, were legitimate citizens. The curtailing of British trading rights signaled that the United States, only a couple of decades after independence, could effectively control its northern border.

Hatter's essay is well researched and makes a persuasive argument about state formation, which was "conceived at the center and enacted through local innovations at the periphery" (726). The use of the 'local diplomacy' model seeks to bridge the analytical gulf between larger and local forces. Groups and individuals on the ground level (borderland officials and Laurentine merchants) made decisions that affected national policies. Nevertheless, the story of Republican opposition to the Jay Treaty and Laurentine commercial ventures is, at its core, about the nation state's ability to quickly control strategic borderland points. As Kastor notes in his work, local officials were able to make decisions as long as their actions "were in keeping with the broad contours of the administration's diplomatic and domestic objectives."⁶ Accordingly, officials' disruptive tactics were truly effective after the Republican Party gained political ascendancy and drove foreign policy. This insight directly answers Adelman and Aron's call for an emphasis in the "power politics of territorial hegemony" while understanding how "rivalries shaped transitions from colonies to nation-states."⁷ Scholarship focused on state formation and the incorporation of peripheral areas, such as this article, will continue to see the explanatory power of the "borderlands to borders" framework. However, historians heeding Pekka Hämäläinen and Samuel Truett's advocacy for destabilizing "centrist turning points" in favor of "locally-rooted and contingent continuities" will not be able to identify an alternative narrative in Hatter's work.⁸

Due to the space limitations inherent in an article, Hatter's narrow scope on the Jay Treaty and Laurentine trade is appropriate. Thus it is unfair to expect expansive detail on subjects beyond the essay's main focus. Nonetheless, Hatter alludes to a number of issues but does not fully examine them. For instance, the author briefly mentions a clandestine trade but argues that smuggling was insignificant (726). However, this would seem difficult to judge since contraband circumvented federal regulations and was largely absent from the official record. As a result, the exact volume of the

⁶ Kastor, 122.

⁷ Adelman and Aron, 815.

⁸ Pekka Hämäläinen and Samuel Truett, "On Borderlands," *The Journal of American History* 98, no. 2 (2011): 357.

unlicensed trade is difficult to ascertain.⁹ The topic deserves further attention because extralegal trade helps scholars measure the porousness of the border, and conversely, the power of the nation-state.

In a similar vein to the dearth of discussion concerning illicit trade, more information on the Laurentine merchants' trade partners (settlers and indigenous peoples) would be illuminating. Hatter mentions the threat of western separatism (due to foreign influence) and cites an episode associated with the Duc d'Orléans (an exiled Frenchman). However, the article does not discuss what connections, if any, Laurentine merchants established with western Euro-American settlers. Instead, the article stresses how U.S. officials viewed British trade with indigenous peoples as the central national security threat. Yet, even in the case of native groups, the article has scant information on the merchants' native trade partners. This is perhaps a reflection of U.S. officials' tendency to exaggerate the role of British agents in manufacturing indigenous resistance. Rarely did Euro-Americans attribute native people's actions solely to their own foreign policy calculations.¹⁰ Consequently, U.S. government reports and correspondence were more likely fixated on British merchants rather than on native groups.

Although Hatter's arguments will not settle the continuing debates prefaced at the beginning of this review, his well-written article makes a significant contribution. Although scholars such as Hämmäläinen and Truett advocate for narrative arcs that avoid the familiar 'borderlands to borders' framework, Hatter's work nonetheless demonstrates its utility. This perspective allows the author to extract insight about state formation from historical content that could be simply treated as the history of U.S. economics and foreign policy. Additionally, Hatter successfully demonstrates that the nation-state had access to tools and strategies, which allowed it to assert control (at an early date) over cross-border trade. Scholars will need to grapple with Hatter's conclusions, and whether they apply to other borderlands or are limited to the early nineteenth century Anglo-American northern borderland.

⁹ Although Laurentine merchants were guaranteed trading rights (theoretically eliminating the need for smuggling), they nonetheless faced regulatory oversight related to customs duties, access to indigenous settlements, and geographic restrictions.

¹⁰ In the Southern Borderlands, British influence, in particular the Panton, Leslie & Company trading firm, was blamed for stirring up tensions among the Creek and Seminole towards the United States. During the turn of the nineteenth century, the British adventurer William Augustus Bowles was seen as an agitator among the Mikasuki and Creek against the Spanish and the United States. In both cases, indigenous grievances were downplayed while conflicts were blamed on European influence. For sources on this topic, see: William S. Coker, *Indian Traders on the Southeast Border* (University Press of Florida, 2000); J. Leitch Wright Jr., *William Augustus Bowles: Director General of the Creek Nation* (Athens: University of Georgia Press, 1967); and Gilbert C. Din, *War on the Gulf Coast: The Spanish Fight against William Augustus Bowles* (Gainesville: University Press of Florida, 2012).

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