

## ***Faren R. Siminoff Replies***

Over the last half-century, scholarship in the field of early American history has inexorably edged away from a tale told simply from the viewpoint of the winners to that of a more nuanced story of complex interactions that gave rise to British colonial America and ultimately a new nation. John Strong rightly points out a long list of scholars who began to turn the conversation away from this older paradigm. Most of the scholarship that Strong refers to is focused on reconstructing a myriad of discrete local histories, both native and settler. In recent years, however, this scholarship has been further enlarged by theoretical analysis from the perspective of an Atlantic world framework. This framework examines the effects of the global reshuffling set in motion during the latter half of the fifteenth century.

*Crossing the Sound* builds on all of this prior scholarship. It uses the history of seventeenth century eastern Long Island as a vehicle to propose a community building in colonial America that is based less on a clash of monolithic cultures and more on the complex interactions between a multiplicity of communities that were present in the region. Consequently, both settlers and natives underwent a process of negotiation resulting in the hybrid society of Atlantic America, that was neither wholly the product of transported traditional European systems nor native ones.<sup>1</sup> It was this diversity of voices that shaped the communities of colonial America. This is more than a restatement of Turner's frontier thesis or the older germ theory. *Crossing the Sound* also aims to add to the current historiography by drawing attention to the role of the many "communities of interest" present in the region.<sup>2</sup> This approach moves beyond understanding seventeenth century America from the perspective of large monolithic groups – native versus settler – and examines the impact of the many diverse interests and agendas in shaping community and culture in the region. I offer numerous examples of this in *Crossing the Sound*. The settlement of Connecticut was one of the earliest examples of this negotiation. The English did not converge on

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<sup>1</sup> I use the term "Atlantic America" to refer to the new society that emerged in the Americas as a result of the assemblage of peoples, products, and cultures from both sides of the Atlantic.

<sup>2</sup> Communities of interest, is a term used here to denote the existence of multiple smaller communities within the larger traditional aggregates of peoples (English, Dutch, native) in southern New England, who articulated their own specific goals and gave shape to the formation of the Atlantic world.

Connecticut as a single monolithic group but quickly divided into separate and competing communities of interests staking out conflicting and overlapping claims to the area, along with those of the Dutch and native groups. These communities whether of English, Dutch or native origin, produced fluid and dynamic alliances and agendas within these larger aggregates in which cultural and institutional practices were exchanged and transformed. While *Crossing the Sound* uses the southern New England-Long Island Sound region to illustrate interactions and the impact of such “communities,” this type of analysis can be applied across colonial America.

Jurisdictional conflicts did not simply promote the wholesale importation of transplanted institutions and ways into the region, but introduced a constant conversation within and between groups that opened the way for shared, altered, and fluid perceptions of identity. Boundary crossers, cultural intermediaries, assisted in this process and themselves became agents for promoting these changes. The Montaukett sachem Wyandanch and Lion Gardiner, the onetime English engineer and master of fortifications for the Prince of Orange, commander of Saybrook Fort in Connecticut and by, 1639 the first owner of Gardiner’s Island, were both boundary crossers and prominent leaders of their respective East End communities. Each became conversant with the language, culture, and agendas of the other group and were instrumental to land transactions and central to both the individual’s and communities’ reassessment of life in the rapidly changing environment of seventeenth century America. Wyandanch and Gardiner facilitated this process through their actions as mediators of both cultural artifacts as well as actual goods and services. Such devices as deeds both added to the fledgling settlements’ ability to secure their claims against competing claimants as well as securing selected rights and privileges to the land that the indigenous peoples considered vital to their physical and spiritual existence.

The extent to which Gardiner became embedded in this kind of cultural transformation is seen in his memoir of the Pequot War written in 1660, a little more than twenty years after that war’s end. In it, he strongly criticized the settlers’ and in particular, the Massachusetts Bay Colony’s pursuit of a policy that had led to the utter destruction of the Pequots solely in the pursuit of self-interest and regional dominance. He further admonished his audience that during the more than two decades since that war’s end he had watched the English desert those who should have been catalogued among their friends and allies, “Uncas of Mistick Fort, and Waiandance at the great Swamp and ever since your trusty friend is forgotten and for our sakes persecuted to this day with fire and sword.” He concluded his recollections with a warning to the current settlers that

their numerical superiority over the native peoples would neither guarantee the English colonists' future security nor their hegemonic aspirations. He predicted the outbreak of a conflict that would make the Pequot War appear "but a comedy" in comparison "if God do not open the eyes, ears, and hearts of some that I think are willfully deaf and blind."<sup>3</sup> Gardiner's recollections reflect the attitudes and perspectives of a man formed by his experiences in Atlantic America and provide a window through which modern eyes can glimpse the interests that were at the heart of the Atlantic American experience in seventeenth century southern New England.

I reject the notion that there was generally a "working misunderstanding" between settlers and natives. Instead, I believe that in both the negotiated documents and actions of natives, we see that the indigenous peoples very quickly became adept at interpreting the significance of the newcomers' claims to the region and took positions and adopted tactics countering them. The treaties and deeds cited point to a continuing attempt by native peoples to preserve their interests. The reservation in these documents of a variety of rights and prerogatives denotes this conscious understanding and deliberate activism. There is no reason to believe that the settlers would have gratuitously inserted such provisions, which both benefited and created a broadening of jurisdictional claims that reified indigenous culture and identity and ultimately tied it to and bound the settlers as well.<sup>4</sup> As a result the settlers' claims and legitimacy in the area were often anchored in these indigenous rights and traditional perceptions. Indeed the East End's protest to the Duke of York's jurisdictional claims, in part, hinged on native title along with a variety of forms, including peopling and planting and English patents.<sup>5</sup> Peopling and planting,<sup>6</sup> Indian deeds and treaties,

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<sup>3</sup> Lion Gardiner, *Lieft. Gardener His Relation of the Pequot Warres*, (1660), reprinted in *Collections of the Massachusetts Historical Society*, 3<sup>rd</sup> ser.3 (Boston, 1883), 151-158.

<sup>4</sup> The fact the settlers and their descendants often breached these agreements is not evidence of a "working misunderstanding." Contracts are breached all the time and can be motivated by many factors: changed circumstances, bad faith etc.

<sup>5</sup> *Crossing the Sound*, 145-146.

<sup>6</sup> Patricia Seed, *Ceremonies of Possession in Europe's Conquest of the new World, 1492-1640* (New York: Cambridge University Press, 1995). Seed has named and pioneered this concept.

and obtaining an English patent or derivative permission, accomplished in no particular order, became the accepted *process* by which land was possessed and ultimately converted into property in Atlantic America in areas that were still subject to multiple claims.<sup>7</sup> In the fluent and turbulent world of seventeenth century Atlantic America the process of turning land into property in an environment outside the reach of established English property laws was complicated and unsure, because it was potentially subject to multiple and competing systems, claims, and interests, from settler and native groups. The newcomers' attempts to turn land into property forced all groups, settlers and natives alike, to each break with certain traditional ideas and relationships about land. Consequently, settler groups made a final break with certain English notions of and expectations about the nature of land tenure, while native communities also had to accept altered notions of property and land transfers. The result was the creation of a landholding system throughout the region in which freeholds became the most common form of ownership.<sup>8</sup>

These American style freeholds were not solely dependent on English-derived grants and patents, but deeply rooted in native title and landholding practices as well. The result was that the underlying settler title was a tacit acknowledgment that native title not only existed but also had intrinsic value and legitimacy, which until properly extinguished, was good against all claimants except the sovereign. This added a new dynamic to the process of actual land acquisition and to the settlers' very notion of the role and nature of land, property rights, and community itself.<sup>9</sup> For these reasons the legal and symbolic construction of land is particularly illustrative of the transformative processes that were at work in the region and became a primary tool for negotiating and formulating the precise nature of these communities. The examples cited by Professor Strong of land sales by John Ogden to John Scott and Lion Gardiner to Richard Smith is consistent with these processes. This type of commodification of land during the seventeenth century by individuals

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<sup>7</sup> *Crossing the Sound*, 7.

<sup>8</sup> A freehold is the ownership of real property of undetermined duration, alienable by the owner either through sale, gift or inheritance. It is not subject to traditional feudal obligations and conditions.

<sup>9</sup> Indeed, the Indian non-Intercourse Act first enacted by Congress in 1790 and existing today as 25 U.S.C. 177 is evidence of the lasting effect of native land holding systems and perceptions and forms one of the basis, where applicable, for perfection of legal title to land.

such as Gardiner and Ogden were not necessarily prohibited nor opposed, particularly when the individuals involved were resident somewhere in the region. On the other hand, local authorities, while not always successful, attempted to proscribe the engrossment of large tracts of land by absentee landlords, defined as those not resident in the region.<sup>10</sup>

It is important to remember that the triadic procedure I describe in *Crossing the Sound* is a *process* for securing possession of land and its subsequent transformation into property in *contested* regions, particularly by the claiming authority, as opposed to individuals.<sup>11</sup> In these contested regions, peopling and planting was a *de facto* and not *de jure* method.<sup>12</sup> Moreover, “peopling and planting” does not mean that every inch of claimed land was transformed in the manner seen in modern suburban sprawl. What was required was a sufficient transformative nexus over a general swath of land to make a claim to constructive possession.

The product of this ongoing renegotiation of political, legal, and cultural structures between groups contributed across the region to the rise of the reordering of identity and institutions. In looking at this process of community development I hope that the history of the development of the United States specifically, and the Americas generally, will become more a story without a single dominant voice. Indeed, from this perspective, the continuing American challenge and ability to not simply absorb new peoples, but to interact with waves of immigrants and their cultures, and to change and be changed by these, becomes understandable as a hallmark of American culture and identity.

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<sup>10</sup> John Martin, *Profits in the Wilderness* (Chapel Hill: University of North Carolina Press: 1991), 28-30, 37-38 and *Crossing the Sound*, 90-91.

<sup>11</sup> *Crossing the Sound*, 7.

<sup>12</sup> It is interesting to note, however, that a version of peopling and planting as a prerequisite to initiate the transformation of land to property was retained in the nineteenth century Homesteading acts. Most of these required the prospective landowner to live on and undertake minimum improvements for a certain number of years to perfect title.