

Indian which proved
that indian removal
was unlawful



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Indian removal has always been one of the most disputable issues. More so, a lot of people and even states participated in the debate. Much has been said for and against it.

Interestingly, people promulgating Indian removal focused more on Americans' superiority due to their being civilized. At the same time, their opponents resorted to history providing many facts which proved that Indian removal was unlawful in terms of basic human rights which Americans respected that much. However, those whose arguments were weaker gained the upper hand over those who were against Indian removal. It is possible to take a closer look at key arguments of the sides to try to understand why Indians had to leave their homelands.

As far as Indian removal supporters are concerned it is important to point out that they focused on assumption that Indians were inferior as a nation. In other words it was articulated that Indians were barbarians who could not possibly have any rights over the lands. One of the most extreme key arguments articulated by Indian removal supporters can be illustrated by claims that Indians never did possess the lands since they did not cultivate them and, what is more, they left "no object of memory or tradition behind" (Grund). Notably, those who supported the removal used to stress that Indians were uncivilized and this was the reason why they had to leave the land for the sake of industrial and agricultural progress since no "good man would prefer a country covered with forests" with "a few thousand savages" to a prosperous country where more than twelve million people enjoy benefits of civilized life (Jackson, "Second Annual Address to Congress"). It

goes without saying these arguments are far from being strong. In the first place, Indians had great history and unique civilization.

Apart from this Indians cultivated their lands. On the other hand, those who were against Indian removal had more precise, scientific, approach. This made their arguments much stronger. For instance, these people focused on basic human rights. They pointed out that people can have no "better right" to a country than "the right of inheritance and immemorial peaceable possession" ("Memorial of the Cherokee Indians"). Apart from this it was noted that nowhere in the world (especially in Europe) people did make other nations leave only because fewer people lived on those lands or because the soil was cultivated worse ("The North American Review").

More so, Indian removal opponents reminded the government of numerous treaties, signed at different times, where the government acknowledged the rights of Indians ("Memorial of the Cherokee Indians"). However, as was stated "the law of the strongest has been the only governing rule of action" ("The North American Review"). Eventually, Indians were removed from the lands of their fathers because no reasonable arguments were taken into account since stronger nation followed the law of the strongest. On balance, it is possible to state that the debate over Indian removal was quite specific since the party which had rather weak arguments achieved more.

Admittedly, those who promulgated Indian removal based on doubtful arguments concerning western civilization superiority. On the other hand, Indian removal opponents provided definite arguments concerning human rights and focused on the historical background. Nonetheless, many Indians

had to leave their native lands because the law of the strongest was stronger than certain (even scientific) arguments of the weaker party.