

Andrew Jackson and Indian removal essay



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Andrew Jackson's presidency from 1829 to 1837 the decision to remove the Cherokee Indians to land west of the Mississippi River was made. This was more a change of the national policy rather than a reformulation of it. Since the Spanish came to the New World in the 1500's, the Natives, were there. Starting with Washington's administration in the 1790's, the policy was to civilize the Natives and assimilate them into society.

Under the administration of Andrew Jackson, who was in favor of Western speculation, the Natives were forced to move from their homeland. From the beginning of the United States, Native Americans were given rights to act as independent nations, and those rights were to be respected by following the Constitution. For example, Henry Knox, the Secretary of War in 1789, wrote to President George Washington, "The Indians, being the prior occupants, possess the right of the soil.

It cannot be taken from them unless by their free consent, or by the right of conquest in case of a just war," (Document B). Because of this, the US allowed the Natives on American land their independent nations as they were the "prior occupants," and their land should've never be taken unless they agreed to it or they were to lose it in a war. Although the United States' policy sounded fair, for many years, the Natives were intentionally tricked into treaties that ceded huge amount of territory to the whites.

To pay for the stealing of the Native Americans' land, US government brought up ideas like that it is their "duty to make new efforts for the preservation, improvement, and civilization of the native inhabitants" as in the First Annual Message to Congress of President James Monroe (Document

I). As time passed, the Native American nations near the States showed progress. In the letter of John C. Calhoun written to Henry Clay in 1820, he said that the Native tribes “ appear to be making gradual advances in industry and civilization... and among them; the Cherokees exhibit a more favorable appearance than any other tribes of Indians” (Document J).

By 1825, the Cherokee Nation created schools and an agricultural basis of civilization, instead of hunting to survive. The Cherokee even invented the Cherokee alphabet (Document K). These were all signs of progress of assimilation. The Indians and other southern tribes became more civilized and assimilated into the culture, it was more difficult for the US to take land from them, because “ they have learned to place a higher value upon the lands than more rude and savage tribes”, as John C. Calhoun wrote to President James (Document M).

Before Andrew Jackson, the US was trustworthy with the Native tribes. Andrew Jackson violently achieved his political goals of expanding into the west with violence. In his First Annual Message to Congress on 1829, Andrew Jackson agreed that “ It has long been the policy of Government to introduce among them (Natives) the arts of civilization” (Document O). But, he left hints of forced removal of Natives by saying that the United States “ lost no opportunity to purchase their lands and thrust them farther into the wilderness” (Document O).

In the full message exposed his ideas of expansion by advising the Natives “ to emigrate beyond the Mississippi or submit to the laws of those States,” (Document O). It was not unexpected to see Andrew Jackson’s purpose with

the Natives. When he was still a General in 1817, he commented about the Indians in the letters he wrote to the government officials. In his letters, he said that “ the Natives are the subjects of the United States” and he expected that every Native American would naturally agree the removal. Document H) Finally he accomplished his goal of the removal because the Indian Removal Act was passed by Congress in 1830. The journey of Native tribes is now known as the “ Trail of Tears”, because many Indians died from the weather and starvation on the road to the Indian Territory, today Oklahoma. Andrew Jackson’s decision to remove Natives was unconstitutional. During Washington’s presidency, the Natives’ rights as distinct nations were recognized.

In 1832, Chief Justice John Marshall stated that Natives’ exclusive rights as a sovereign nation “ is not only acknowledged, but guaranteed by the United States” when Georgia attempted to capture Cherokee lands in 1832 (Document P). Andrew Jackson ignored the decision of the Supreme Court even used force to remove the tribes. This action was considered unconstitutional because he did not acknowledge the Supreme Court’s authority to define the Constitution. To reach his own political goals and to fulfill his own interests in Western land, Andrew Jackson abandoned the policies of managing Native Americans that some past presidents left him.

His decision to remove Natives without their consent was also unconstitutional, as many sources have shown that the Supreme Court’s decision deemed it unconstitutional. Andrew Jackson’s decision benefited the Americans in some way because more land was now available, but it is not hard for one to confirm that his policy in the 1830’s was not “ more a
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reformulation of the national policy” than “ a change in that policy” because it redirected the policy that was already in place.