

History of the indian removal act of 1830 history essay



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The Indian Removal Act of 1830 was unfolded during a time of contradictions. While it was a period of expanding democratic institutions, it also pointed to obvious limitations of that democracy. States largely abolished property restrictions on voting and as the Western frontier was being expanded, it meant more opportunities of settlement for whites. However, the Western land of promise spelled disaster for the Native peoples who lived with the whites. No one better understood the contradictions of this age of democracy than the Cherokees, who adopted many of the white institutions only to suffer from the tyranny of the majority and were forced to the West against their will.

In this study, I will answer the question: What were the causes of the Indian Removal Act of 1830 and what were its effects upon the Cherokee nation? Before the act, the American government sought to civilize and integrate the Native Americans into their culture, and the Cherokees were an example of the successes of assimilation. I will explore why there was such a significant shift in American policies toward the Native Americans from assimilation to removal. I will also discuss the long term effects of the Indian Removal Act that negatively altered the internal organization of the tribes and created factions within the Cherokee nation.

I relied on both primary and secondary sources to understand both Americans' and the Cherokees' perspectives on the act. In my research, I discovered the grievances harbored by the Cherokee nation when the American policies were changed and implemented. The Indian Removal Act is, without a question, a Cherokee tragedy, but it is also an American

tragedy. The Cherokees had believed in the promise of democracy by the United States, and their disappointment is a legacy that all Americans share.

Introduction:

The Cherokees were only one of the many Native Americans forcibly removed in the first half of the nineteenth century, but their experiences have a particular significance and poignancy. The Cherokees, more than any other native people in their time, tried to adopt the Anglo-American culture. In a remarkably short time, they transformed their society and modified their traditional culture to conform to United States policies, to fulfill the expectations of white politicians, and most importantly, to preserve their tribal integrity.

This "civilization" policy required a total reorganization of the spiritual and social world of the Cherokees. They established schools, developed written laws, and abolished clan revenge. Cherokee women became involved in spinning and weaving while the men raised livestock and planted crops. Some Cherokee even built columned plantation houses and bought slaves. John C. Calhoun, secretary of war, writes to Henry Clay, Speaker of the House of Representatives on January 15, 1820, "The Cherokees exhibit a more favorable appearance than any other tribe of Indians. They are already established two flourishing schools among them." (Ehle 154). By adopting the white culture, the Cherokees hope to gain white respect. Acculturation was also a defensive mechanism to prevent further loss of land and extinction of native culture. Even more adamant Cherokees firmly believed that "civilization" was preferable to their traditional way of life. The progress

of the Cherokees astounded many whites who traveled through their county in the early nineteenth century.

Adding to these achievements, a Cherokee named Sequoyah invented a syllabary in 1820 that enabled the Cherokees to read and write in their own language. They also increased the number of written laws and established a bicameral legislature. By 1827, the Cherokees had also established a supreme court and a constitution very similar to those of the United States. Their educated men even attended the American Board's seminary in Cornwall, Connecticut, and could read Latin and Greek as well as understand the white man's philosophy, history, theology, and politics (Anderson 7).

The Cherokees exceeded the goals proposed for the Indians by various United States presidents from George Washington and Andrew Jackson. In the words of a Cherokee scholar, the Cherokees were the "mirror of the American Republic." On the eve of Cherokee removal to the west, many white Americans considered them to be the most "civilized" of all natives peoples (Anderson 24). What then caused the Cherokees to be removed? Why were they forced to abandon homes, schools, and churches? From demographic shifts to the rise in political factions, the ensuing conflicts that arising from the Indian Removal Act of 1830 still affect the surviving Cherokee nation today.

Causes of the Indian Removal Act:

It is important to recognize that the decision of the Jackson administration to remove the Cherokee Indians to lands west of the Mississippi River in the 1830's was more a reformulation of the national policy that had been in

effect since the 1790's than a change in that policy. In the early years of the Republic, seizure of Indian land was a way of "civilizing" Native Americans. First articulated by George Washington's Secretary of War, Henry Knox, on July 2, 1791 in the Treaty of Holston, the policy of seizing native lands was "that the Cherokee Nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters. The United States will from time to time furnish gratuitous the said nation with useful implements of husbandry."

On the surface, the original goal of the "civilization" policy seemed philanthropic. Making civilized men out of "savages" would benefit the Native Americans and the new nation as well as ensure the progress of the human race (Bernard Sheehan, *Seeds of Extinction: Jeffersonian Philanthropy and the American Indian*, 119). However, the policy represented attempts to wrest the Cherokee lands. Knox and his successors reasoned that if Indians gave up hunting, their hunting grounds will become "surplus" land that they would willingly exchange for funds to support education, agriculture and other "civilized" pursuits (Perdue 25). For this reason, coercing the Indians to cede their hunting grounds would actually accelerate acculturation because they would no longer occupy the forest when they had fields to till. Thomas Jefferson, who became president in 1801, shared Knox's beliefs. Jefferson's negotiating tactics were far more aggressive than anything Knox envisioned as Jefferson ordered his agents to intensify the pressure on tribes to sell more and larger tracts of land. Soon, he let it be known that treats, intimidation, and bribery were acceptable tactics to get the job done (Anderson 35). Jefferson, with his aggression, merely uncovered that these

civilization policies were not for the benefit of the Native Americans. Rather, the assimilation policy was a disguised policy of removal of the Native Americans by the American government. It is therefore important to identify that the cause of the Indian Removal Act did not originate in the 1830's, but rather culminated in the early nineteenth century.

However, more immediate reasons did cause Congress to pass the Indian Removal Act of 1830 during Jackson's presidency. The factors contributing to the fate of the Cherokees were the discovery of gold on Cherokee land, the issue of states' rights, and the emergence of scientific racism. American speculators coveted the nearly five million acres the Cherokee Nation refused to sell. Whites desired land for settlement purposes as property was an obvious measure of wealth in the South. The southerners also desired more agricultural land as the invention of the cotton gin made cotton a lucrative business. In addition, intrusion into Cherokee lands became more urgent with the discovery of gold on its land in 1829.

Also, the Americans began to embrace a belief in white superiority and the static nature of the "red man" in the period after the 1820's. Many Americans concluded, "Once an Indian, always an Indian" (Anderson 35). Culture, they believed, was innate, not learned. However "civilized" an Indian may appear, he retained a "savage" nature. When the civilization program failed to transform the Indians overnight, many Americans supported that the "savages" should not be permitted to remain in midst of a civilized society. Though earlier in his letter to Clay, Calhoun had praised the progress of the Cherokees, he concludes the letter writing, "Although partial advances may have been made under the present system to civilize
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the Indians, I am of an opinion that, until there is a radical change in the system, any efforts which may be made must fall short of complete success. They must be brought under our authority and laws, or they will insensibly waste away in vice and misery." The condescending tone that Calhoun takes to describe the Cherokees reveals the racist attitude of the early nineteenth century and sheds light onto one of the reasons why Americans urged Congress to remove Indians from their homelands.

In this racist atmosphere of Georgia, another vital cause of removal was states' rights. Although the Cherokees saw their constitution as a crowning achievement, whites, especially Georgians, viewed it as a challenge to states' rights because the Cherokee territory was within the boundaries of four states. The 1827 Cherokee Constitution claimed sovereignty over tribal lands, establishing a state within a state. Georgians claimed that such a legal maneuver violated the United States constitution and that the federal government was doing nothing to remedy the situation.

Sympathetic the Georgians cries was Andrew Jackson, who became president 1829. As a follower of the Republican doctrine of state sovereignty, he firmly supported a national policy of Indian removal and defended his stand by asserting that removal was the only course of action that could save the Native Americans from extinction. Jackson's attitude toward Native Americans was patronizing, describing them as children in need of guidance and believed the removal policy was beneficial to them. To congressional leaders, he assured them that his policies would enable the federal government to place the Indians in a region where they would be free of white encroachment and jurisdictional disputes between the states and <https://assignbuster.com/history-of-the-indian-removal-act-of-1830-history-essay/>

federal government. He sought congressional approval of his removal policy and stated to Captain James Gadsden in October 12, 1829 that the policy would be "generous to the Indians" and at the same time would allow the United States to "exercise a parental control over their interests and possibly perpetuate their race." Though not all Americans were convinced by Jackson's and his assurances that his motives and methods were philanthropic, Congress passed the Indian Removal Act in 1830 that allowed: 1) the federal government the power to relocate any Native Americans in the east to territory that was west of the Mississippi River; 2) the president to set up districts within the Indian Territory for the reception of tribes agreeing to land exchanges, and 3) the payment of indemnities to the Indians for assistance in accomplishing their resettlement, protection in their new settlements, and a continuance of the "superintendence and care."

Effects of the Indian Removal Act:

The Removal Act of 1830 left many things unspecified, including how the removal of the eastern Indian nations would be arranged. During Jackson's administration, one of the most important Cherokee groups that decided to leave was led by the powerful Ridge family. At the beginning of the struggle against removal, the Ridge family firmly supported Chief John Ross, one of the elected leaders of the tribe. Ross and his people also believed that the Cherokees' years of peace, achievements, and contributions gave them the right to remain on land that was legally theirs.

However, the Ridges soon decided that the struggle to keep the Cherokee lands in the East was a lost cause. Major Ridge had been one of the first to recognize that Indians had no hope against whites in war. Two factions then

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developed within the tribe - the majority, who supported Chief Ross in his struggle to keep their homeland in the East, and the Treaty Group, who thought the only solution was to emigrate to the West.

Rather than lose all they had to the states in the East, the Ridge party, without the consent of Ross, signed the Treaty of New Echota in December 1835. The treaty conveyed to the United States all lands owned, claimed, or possessed by the Cherokee Nation east of the Mississippi River. Major Ridge explained his decision to give up the Cherokee homeland saying, " We cannot stay here in safety and comfort...We can never forget these homes...I would willingly die to preserve them, but any forcible effort to keep them will cost us our lands, our lives and the lives of our children" (Gilbert 21).

By Cherokee law, the tribe owned all land in common, no individual or minority group had a right to dispose of it. Army officer Major William Davis who was hired to enroll the Cherokees for removal, wrote the secretary of war that " nine-tenths" of the Cherokees would reject the Treaty of New Echota: " That paper called a treaty is no treaty at all" (Gilbert 23). However, on May 17, 1836, the Senate ratified the Treaty of New Echota by one vote, and on May 23, President Jackson signed the treaty into law. The deadline for removal of all the Cherokees from the East was set for May 23, 1838. The Treaty of New Echota was not an honest or fair agreement between the United States and the Cherokee nation. Even Georgia governor William Schley, admitted that it was " not made with the sanction of their leaders" (Ehle 244). However, in January 1837, about six hundred wealthy members of the Treaty Party emigrated west, a full year before the forcible deportation of the rest of the Cherokees.

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Cherokee removal did not take place as a single expulsion but instead spanned many years. In the late summer of 1838, a detachment of Cherokees began to exit the stockade where they had been held for many months awaiting the long journey to their new home west of the Mississippi. Some Cherokees had voluntarily moved west, though most remained in their homelands, still not believing they would be forced to leave. In 1838, the Cherokees were disarmed, and General Winfield Scott was sent to oversee their removals. John G. Burnett, a soldier who participated in the removal described the event saying, " Women were dragged from their homes by soldiers. Children were often separated from their parents and driven into the stockades with the sky for a blanket and the earth for a pillow. And often the old and infirm were prodded with bayonets to hasten them to the stockades" (Ehle 393).

Those forced from their homeland departed with heavy hearts. Cherokee George Hicks lamented, " We are now about to take our final leave and kind farewell to our native land, the country that the Great Spirit gave our Fathers...It is with sorrow that we are forced by the white man to quit the scenes of our childhood" (Anderson 37). For Cherokees, the Georgian land had meaning far deeper than its commercial value. Their culture and creation tied them to this place, and now they were being compelled to surrender their homes and march west. Above all, Cherokees lost faith in the United States. In one Kentucky town, a local resident asked an elderly Indian man if he remembered him from his service the United States Army in the Creek War. The old man replied, " Ah! My life and the lives of my people were then at stake for you and your country. I then thought Jackson my best

friend. But ah! Jackson no serve me right. Your country no do me justice now!" (New York Observer, January 26, 1839, quoted in Foreman 305-307.)

Exposure and fatigue during the deportation weakened immune systems, making the Cherokees susceptible to diseases such as measles, whooping cough, dysentery, and respiratory infections. The number of Cherokees who perished on the Trail of Tears, the name given to the 826 mile route taken took them west, is hard to determine. The most commonly cited figure for deaths is 4, 000, approximately one quarter of the Cherokees, and is an estimate made by Dr. Elizur Butler, a missionary who accompanied the Cherokees (Anderson 85). By his own count, John Ross supervised the removal of 13, 149, and his detachment reported 424 deaths and 69 births along with 182 desertions. A United States official in Indian Territory counted 11, 504 arrivals, a discrepancy of 1, 645 when compared to the total of those who departed the East. Sociologist Russell Thorton has speculated that removal cost the Cherokees 10, 000 individuals between 1835 and 1840, including the children that victims would have produced have they survived (Anderson 93). Therefore, the overall demographic effect was far greater than the actual number of casualties.

When the Ross detachments arrived in the spring of 1839 to the Indian Territory, melding with the " Treaty Party" who left before the forcible removal was a daunting task. Removal had shattered the matrix of Cherokee society, ripping them from their ancestral sources and shaking their infant institutions of government. Civil war burst forth as the political chasm brought on by the Treaty of New Echota divided the Cherokee Nation. For

more than a decade, the Cherokee fought this bloody civil war, and a distorted version of the old clan revenge system reemerged.

In June 1839, between six and seven thousand Cherokees assembled at Takatoka Camp Ground to resolve the looming political crisis. Chief John Ross insisted on the continuation of the eastern Cherokee government for several reasons. The Cherokee Nation had a written constitution and an elaborate law code and government, and they did constitute a substantial majority. However, the United States saw the Treaty Party as true patriots, Ross as a villain, and the recent emigrants as "savages," thwarting all efforts to reconcile the divided factions in the Cherokee nation.

When the meeting ended with a compromise to be voted on a later date, 150 National Party men met secretly and decided that the Cherokees who had signed the Treaty of New Echota were traitors who had violated the Cherokee law prohibiting the unauthorized sale of land. Early on the morning of June 22, one group dragged John Ridge from his bed and stabbed him to death. Another party shot Major Ridge as he traveled along a road in Arkansas, killing him instantly. About the same time, a third group came to Elias Boudinot's house and split his head with a tomahawk. Reacting to these acts of violence, the Treaty Party remained opposed to any government dominated by the National Party. They held their own councils and sent delegates to Washington to seek federal protection and the arrest of the persons responsible for the killings. Most of the Treaty Party continued to resist the act of union and bitterly opposed any concession to the National Party, widening the growing political chasm.

However, as long as the National Party refused to ratify the Treaty of New Echota, the nationalist Cherokees were refused payment of its annuities and funds by the federal government. The relative prosperity of the Treaty Party members ignited the dormant resentments of the impoverished Cherokees who had suffered the agony of the Trail of Tears (McLoughlin 17). In order to affirm the sovereignty of the Cherokee Nation and to alleviate the suffering of his people, Ross pressed for a renegotiation of the fraudulent Treaty of New Echota. While Ross was in Washington in the summer of 1842, violence in the Cherokee Nation escalated as members of the Treaty Party began killing individuals who they believed had been responsible for the death of their leaders. Gangs began to attack and kill other Cherokee citizens, most of whom were identified with the National Party, but became impossible to distinguish between political violence and common crime. The Starr gang, for example, coalesced around James Starr, a signer of the Treaty of New Echota. Under the guise of political resistance, Starr's sons and others terrorized the Cherokee nation. In 1843, they murdered a white visitor to the Cherokee Nation and also burned down the home of John Ross' daughter. The violence gave the federal government an excuse to keep troops at Fort Gibson, decry the inefficacy of the Nation's government and meddle further in Cherokee affairs. The Treaty Party renewed their hope of undermining Ross' authority since federal officials tended to blame Ross for the carnage (Perdue 156).

The letters during the time of this Cherokee civil warfare reflected the fear and anguish felt by the people. In November 1845, Jane Ross Meigs wrote to her father, Chief John Ross, " The country is in such a state just now that

there seems little encouragement for people to build good houses or make anything. I am so nervous I can scarce write at all. I hope it will not be long you'll be at home but I hope that the country will be settled by that time too" (Rozema 198). Less than a year later, Sarah Watie of the Treaty Party wrote her husband, " I am so tired of living this way. I don't believe I could live one year longer if I knew that we could not get settled, it has wore my spirits out just the thoughts of not having a good home...I am perfectly sick of the world" (Perdue 141).

An uneasy peace came to the Cherokee Nation after the United States government forced the tribal factions to sign a treaty of agreement in Washington in 1846. The Cherokees, under Ross' leadership was to be sovereign in their new land. It also brought the per capita payments so desperately needed for economic recovery of the Cherokee Nation. However, with this treaty, the Cherokees were caught in a series of contradictions. Cherokee leaders wanted to convince the white population that they were capable of managing their own affairs if left to their own self-government. But economically, they were tied to the financial aid of the federal government, growing ever more dependent on American funds. Furthermore, in midst of this " peace," the Cherokees could not cast aside old fears that continued to haunt them. If whites could drive them from Georgia, why not from this place? From this fear spawned an attitude of distrust toward the American government that is still present in some Cherokee societies today (Anderson 115).

Conclusion:

The causes of the Indian Removal Policy of 1830 are numerous and varied in interpretation. Some historians have equated Jackson's removal policy with Adolph Hitler's Final Solution and have even called it genocide (Peter Farb's *The Indians of North America from Primeval Times to the Coming of the Industrial State* New York: E. P. Dutton, 1968). Not only did he encourage the geographical separation of Indians and whites, but thousands of Native Americans perished in the process. Whether or not he advocated this mass extinction of Indians, Jackson on the political front was a staunch supporter of state sovereignty and could not deny Georgia's rights to the Cherokees' expansive lands.

In addition to the impact on the Cherokee demographics, the Treaty of New Echota caused factions within the Cherokee Nation that broke loyalties and caused them to revert back to old clan revenge warfare. The resentment that was fostered between the New Party and the Treaty Party created lasting divisions within the Cherokee nation. Moreover, the Cherokee Nation, before the Indian Removal Act, had prided itself on the fact that it had adapted to white institutions with great degrees of success. However, engaging in clan warfare, the Cherokees took a step back in progress when embroiled in such violence that was primarily caused by the Treaty of New Echota. Furthermore, the Cherokees remained dependent on federal government's economic assistance when they were seeking to prove that they could function better as a sovereign nation.

The removal of the Cherokees west of the Mississippi is one of the greatest tragedies in United States history. While the Cherokees have shown
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incredible resilience in recovering from the decimating effects of their removal, the injustice they faced from fraudulent treaties, ethnocentric intolerance, and discriminatory laws will forever stain America's history.