

THE CHEROKEE INDIAN REMOVAL

OBJECTIVES

- To understand the political, cultural and economic development of the Cherokee Nation in the early 1800s.
- To analyze the political, economic and ideological reasons pushing the idea of Cherokee Removal.
- To understand the positions and interests of the leading individuals involved in the conflict over the land of the Cherokee Nation in Georgia.
- To consider what alternative resolutions might have been possible.
- To recognize the suffering by the Cherokees on their forced westward march, known as the "Trail of Tears."

CORRELATIONS WITH NATIONAL HISTORY STANDARDS

Era Four Standard 1B

The student understands federal and state Indian policy and the strategies for survival forged by Native Americans.

- Compare the policies toward Native Americans pursued by presidential administrations through the Jacksonian era.
- Compare federal and state Indian policy and explain Whig opposition to the removal of Native Americans.
- Analyze the impact of removal and resettlement on the Cherokee, Creek, Chickasaw, Choctaw and Seminole.
- Explain and evaluate the various strategies of Native Americans such as accommodation, revitalization and resistance.

OVERVIEW

From the beginning, the American settlers had pushed the Indians westward. The Europeans brought with them new diseases, new goods, new cultures and a desire for land, all of which threatened the traditions and often the very existence of the various Indian peoples. When several European nations had vied for influence in North America, the Indians could try to play them against each other. But with the emergence of the United States, and the decline of British, French and Spanish power in North America, the eastern Indians were confronted with a single, aggressive, expansionist nation with little to restrain it. Sometimes the pressure for Indian land turned into bloodshed, leaving the names King Philip, Pontiac, Tecumseh, Sitting Bull and Crazy Horse, and the battle sites at Fallen Timbers, Horseshoe Bend, Little Big Horn and Wounded Knee to haunt the American memory. More often, the battleground has been less bloody, though in many ways no less violent and no less important to the course of American history. In the late 1820s and the 1830s, the era named after President Andrew Jackson, there was a great debate among Americans and Native Americans over Jackson's official policy of Indian Removal—the removal of Native Americans from the Eastern coastal areas

to west of the Mississippi River. The debate raged from the Georgia frontier to New England churches, from Indian councils to the floor of the United States Senate, from newspapers to petitions. Indian Removal captured the attention of the American people because it lay at the intersection of a number of issues that were central to the nation's life at the time: relations between the federal government and the states, between the Northeast (which tended to oppose removal) and the South (which tended to support it), and between the executive (which favored removal) and the judiciary (which did not). It also brought out rhetoric about national honor and racial ideologies as well as true concern and compassion for the Native Americans. At the center of this debate was one of the most powerful and acculturated Indian nations—the Cherokees, who lived in the Great Smokey Mountains of the southeastern United States.

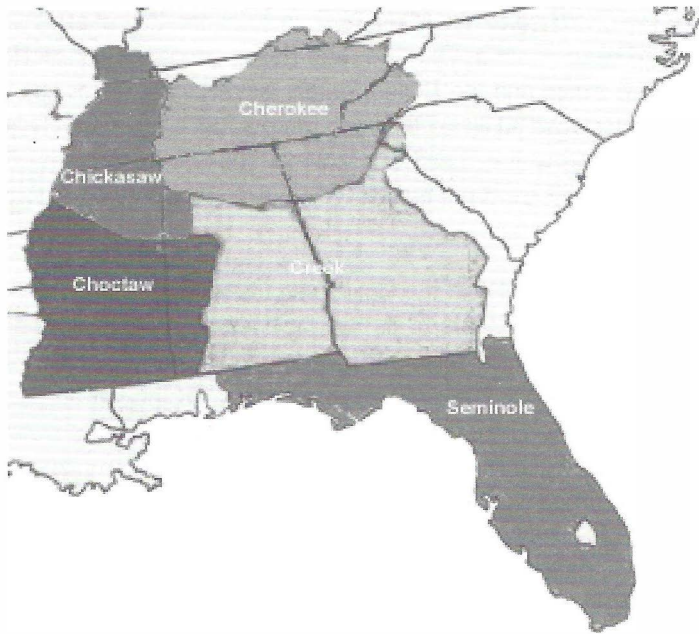
HISTORICAL BACKGROUND

A At the beginning of the American Revolution, the Cherokees inhabited a vast area in the southeastern United States, including much of northwestern present-day Georgia. After more than two centuries of contact with European explorers and settlers, they found themselves bound with European colonists by trade and diplomacy, but there were also times of strife. During the Revolution, the Cherokees had sided with the British, a decision that earned them the enmity of the colonists. After the war with Britain ended in 1783, the new American nation began an expansionist program that was met with verbal and armed resistance by the Native Americans. The 1785 Treaty of Hopewell brought a brief respite when the United States established peace with the Cherokees, proclaimed its sovereignty over them and recognized tribal claims to most of their lands. Unfortunately, the treaty did little to prevent continuing pressures by whites for Cherokee lands in Georgia, North Carolina, and the growing frontier communities west of the Appalachian Mountains.

Beginning in the late 1780s, President Washington and his Secretary of War Henry Knox fashioned what they believed was a more enlightened, more humane, and less costly policy, but one that would allow for the continued expansion of white settlement. Instead of driving the Cherokees out, the federal government would respect Indian sovereignty and land rights, would negotiate land sales freely and fairly, and would “civilize” the natives by sending missionaries to educate and convert them along with agricultural experts and equipment to help them adopt white ways. The aim was to get the Native American men to give up hunting in favor of farming, to move Native American women from farming into the home, to corral Native American children into school and to entice all of them into Christianity.

The Treaty of Holston in 1791 was the first of many treaties that emphasized the new “civilizing” policy while conceding to the Cherokees a degree of sovereignty and recognizing certain tribal laws and customs. This “sovereignty” was always qualified and mostly reflected expediency. Cherokee delegations were received with all the pomp given to diplomats of foreign nations, but their requests were mostly ignored. Through the Federal Trade and Intercourse Acts of 1790, 1802 and 1834, the new nation sought to prevent the exploitation and corruption of the Indians by vicious and unscrupulous traders through a strict system of licenses. These Acts also appropriated federal funds to be used for the education of Indians and for agents who would reside among the Indians and to supply them with “useful domestic animals and implements of husbandry.”

Federal policy toward the Native Americans included the twin threads of “civilizing” them so that they would live more like the whites and trying to obtain the Indian lands for use by white settlers. Thomas Jefferson stated that these two policies were complementary: if the Indians were assimilated to the life-style of white Americans, they would farm rather than hunt and therefore, make more land available for white settlement. As presidents, Jefferson, Madison and Monroe had all seriously considered the feasibility of transferring Indians to land west of the Mississippi River. In the early 1800s, the federal government was sponsoring attempts to civilize



Land Occupied by Southeastern Tribes, 1820s

and assimilate such southeastern tribes as the Cherokees, Chickasaws, Choctaws and Creeks, while at the same time attempting to open Indian land east of the Mississippi River to white settlement. This was based both on a humanitarian desire to bring the "benefits" of white society to the Indians and to absorb them into white society as well as the need to put American expansion and dispossession of the Indians on firmer moral ground. Although some Cherokees migrated across the Mississippi River in 1808–1810, most stayed on their eastern lands. In 1813–14, the Cherokees fought alongside General Andrew Jackson's forces against the "Red Stick" Creeks.

in exchange for western lands, asserting that it would be their last land sale. The U.S. allowed Cherokees who wanted to become citizens of the U.S. and who they considered capable of managing their own property to receive 640 acres of land and to remain on Cherokee lands in Georgia and other southeastern states. Starting in 1817, the American Board of Commissioners for the Foreign [religious] Missions maintained a significant presence in the Cherokee Nation. In 1819, lobbied by the missionaries, Congress appropriated \$10,000 annually for the "civilization of the tribes adjoining the frontier settlements." Protestant missionaries administered the "civilizing fund" and established mission schools. Some Cherokee men, women and children learned well the lessons of literacy, artisan skills and the governmental techniques their agents and missionaries taught them. Many wanted to learn English so that the white men could no longer cheat them. Gradually, some became converted Christians.

In the treaties of 1817 and 1819, the Cherokees ceded territory in the east

The Cherokee Nation, composed of some 16,000 people, experienced a burst of economic and political energy as well as enhanced tribal pride during the decade of the 1820s. Between 1819 and 1829, the Cherokee Nation became economically self-sufficient and politically self-governing. While many Cherokees lived in rough-hewn cabins, at least twenty men registered claims for real property exceeding \$10,000 (a very large amount in 1820) in assessed valuation. This included stores, taverns, mills, ferries and large plantations worked by some 1,500 black slaves owned by the Cherokee economic elite. This economic elite, which consisted mostly of mixed bloods, the offspring of primarily white fathers and Cherokee mothers, was also the political elite. They were educated at white missionary schools, fully conversant in both Indian and white worlds and became wealthy by shifting to white forms of agriculture, including cotton plantations worked by slaves, and commerce, including mills, crops, taverns, ferries and roads. By 1830s, some Cherokee wore frock coats, pantaloons, stiff collars and top hats.



*Sequoyah
Inventor of the Cherokee Alphabet*

A Cherokee alphabet was developed by the Cherokee Sequoyah in 1822. In 1828, the Cherokee Nation began publication of a national newspaper, *The Cherokee Phoenix*. The Cherokee Nation adopted a constitution in 1827 that was modeled after that of the southern states and the United States. It provided for a bicameral legislature, an executive and a judiciary. The first written laws punished theft and murder. Cherokee property law was more egalitarian than comparable legislation among whites. Land was held as common property by the Nation. Unoccupied land could be used by any member but could not be sold. Improvements belonged to those who made them, purchased them or inherited them.

The "civilizing" program was probably more successful with the Cherokees than with any other native tribe, and, in fact, probably more successful than either its authors or its beneficiaries had anticipated. The "remarkable progress" of the Cherokees was the subject of considerable public notice and discussion. However, contrary to the aims of the federal government, this period of Cherokee renaissance under federal auspices (1819–29) strengthened rather than weakened the Cherokee's determination to retain their own separate identity and destiny on their ancient lands. The well-educated Cherokees were not only more difficult to trick or intimidate, they also understood the productive value of their land and had a strong sense of pride in their ancestry. For example, John Ross, who became president to the Cherokee's National Committee (the tribe's legislature) and later its first chief, was a wealthy, slaveowning planter with two hundred acres of choice farmland in Rome, Georgia, where he built a gracious two-storied home in 1827.



Home of John Ross in Rome, Georgia

The Immediate Facts

Despite the numerous treaties guaranteeing the sovereignty of the Native Americans over their land and in spite of (or perhaps because of) the educational, economic and political advances of the Cherokees, Georgia settlers continued to encroach upon the Cherokee land as well as that of the neighboring Creeks. Mississippi and Alabama also violated federal treaties in annexing Choctaw and Chickasaw land. (Mississippi became a state in 1817; Alabama in 1819.) In 1824, the Cherokees presented a memorial to Congress declaring their policy against removal. In 1826–27, the last of the Creek land was forcibly ceded in Georgia. By a law signed December 1828, the state of Georgia asserted sovereignty over Cherokee land, pronouncing the laws of the Cherokee Nation null and void after June 1, 1830.

Andrew Jackson was elected president of the United States in 1828. He came to the presidency after a long career as a Tennessee lawyer, slaveowning planter, and war hero. A man of steely determination, quick temper and iron will, he was passionately, if somewhat paradoxically, devoted both to states' rights and to the security and expansion of the American nation. Jackson was born in South Carolina in 1767. His father died soon after he was born, and his mother died while he was still a child. Jackson lacked the education and polish of the political leaders of the founding generation. While he lacked gentility, he made up for this in his ability to lead and his determination to succeed. Heavily involved in land speculation—some of it Indian lands—from an early date, Jackson pushed for extensive land cessions from the Southern tribes between 1814 and 1820. His view towards the native tribes was as paradoxical as his views on states' rights and federal expansion. He had Indians friends but he was also celebrated on the frontier mainly as an Indian fighter. He did not believe that the native tribes were sovereign entities entitled to self-government. Early in his administration, Jackson made it clear that attempts by "the Indians inhabiting parts of Georgia and Alabama...to establish an independent government would not be countenanced by the Executive of the United States" and "advised them to emigrate beyond the Mississippi or submit to the laws of those states." (See Document 1: President Andrew Jackson's Case for the Removal Act: First Annual Message to Congress, December 8, 1829.)



*Heroic Portrait of Andrew Jackson
at the Battle of New Orleans, 1815*



*"King Andrew The First"
Hostile Political Cartoon*

Jackson pursued his removal policy, winning congressional approval by narrow margins in May 1830 for "An Act to Provide for an Exchange of Lands with the Indians Residing in any of the States or Territories, and for their Removal West of the Mississippi River." (See Document 2: Indian Removal Act, May 28, 1830.) The law made removal voluntary. "It would be as cruel as unjust," Jackson wrote, "to compel the aborigines to abandon the graves of their fathers and seek a home in a distant land." However, Jackson insisted, natives "should be distinctly informed that if they remain within the limits of the States they must be subject to the state's law."

The Cherokees, however, were determined to stay on their land. In 1829, they passed a law making it a capital crime for anyone to sell any of the Nation's land. They campaigned in Congress, in the press and in the courts. After gold was discovered on the Cherokee lands in northwestern Georgia in July 1829, there was a land

stampede. The state of Georgia attempted to exert its authority over the Cherokee land by requiring all white people going into Cherokee country to secure a permit from the state. Several missionaries, including Samuel Worcester, who refused to secure a permit and justify Georgia's policy, were arrested and tried. The case was ultimately appealed to the United States Supreme Court.

Chief Justice John Marshall, a Federalist and ardent nationalist, writing for the majority, held in *Worcester v. Georgia* in 1832 that the Georgia acts were void. He recognized the Cherokee Nation as a "domestic dependent nation" rather than as a sovereign nation as the Cherokees had wanted. Marshall concluded that "the Cherokee nation, then, is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia have no force, and which the citizens of Georgia have no right to enter, but with the assent of the Cherokees themselves, or in conformity with the treaties and with the acts of Congress." (See Document 3: U.S. Supreme Court: *Worcester v. Georgia*, January 1832.) This meant that the Cherokees were subject to the laws and treaties of the federal government, but not the states.

These were grand, bold words, but they neither released the missionaries nor helped the Cherokees. President Jackson is alleged to have said: "John Marshall has made his decision; now let him enforce it." Whether he uttered these words or not, his policy was, indeed, to ignore the court's decision. So, too, did Georgia. In 1832, Georgians surveyed the lands of the Cherokee Nation in preparation for distributing the land to Georgia citizens in a land lottery. By 1835, there were some 15,000 whites living on lands the Cherokees insisted still belonged to the Cherokee Nation. During the period 1830–36, the United States ratified almost seventy treaties, acquiring 100 million acres of Indian land and moving to the west 46,000 Indians (including the Choctaws, Chickasaws and Creeks). In 1834, Congress created a special Indian territory in what later became Oklahoma.

In the presidential election of 1832, the issue of Cherokee Removal became a major national issue used by the anti-Jacksonian Whig Party to mobilize sympathetic northern voters. After Jackson's re-election in 1832, many missionaries began to change course and lapse into silence or to counsel removal rather than supporting the Cherokees in their resistance. At the same time a "treaty" or "removal" party emerged in the Cherokee Nation. Led by Major Ridge, a prominent Cherokee leader, his son John Ridge, and his nephew Elias Boudinot, this group believed that the only road to the salvation of their people lay in moving to the west. Without authorization from the legislative council of the Cherokee Nation, this small group which represented only a tiny faction of the Cherokee Nation signed the Treaty of New Echota in December 1835. The agreement provided for the surrender of all Cherokee lands in the east, new lands in the area that is now Oklahoma, and federal removal and subsistence for a year at federal expense from an appropriation of \$5 million. (See Document 4: The Treaty of Echota, 1835.) Although the "treaty" was ratified by the U.S. Senate in 1836, John Ross and his followers remained steadfast in their refusal to vacate their lands in Georgia.

THE MOCK NEGOTIATIONS



On February 22, 1837, John Ross sent a final memorial and petition to the United States Senate and House of Representatives. He received no reply.

We will instead imagine that President Jackson (lame duck president through March 1837 when Martin Van Buren, his former vice president who would be sworn in as his successor) confers with the Democratic leadership of the United States Senate and House of Representatives and they agree to have Secretary of War, Lewis Cass, as well as Senators Theodore Frelinghuysen and George Troup, Georgia Governor Wilson Lumpkin and Reverend Jones meet with Cherokee leaders John Ross, Nancy Ward and Elias Boudinot to try to negotiate a peaceful resolution to the controversy over Cherokee lands and Cherokee sovereignty.

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THE PARTICIPANTS



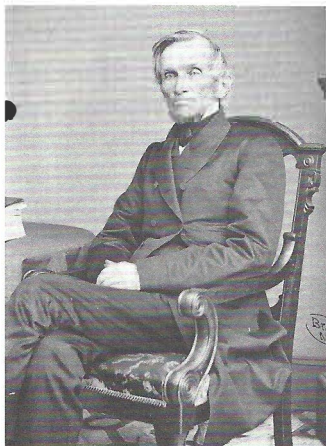
John Ross

John Ross, Anti-Removal Cherokee Chief

John Ross was born in 1791 to a Scottish father and a one-quarter Cherokee mother. He grew up in a prosperous Anglo-Indian world where his father provided his children tutors and other educational advantages. His Cherokee mother instilled in him pride in his Indian ancestry. He established Ross Landing (now Chattanooga, Tennessee) for trading traffic on the Tennessee River, gained lucrative government contracts to supply the Indians and soldiers, and expanded his agricultural holdings and his slaves. Ross began his political career as an occasional clerk to the Cherokee chiefs, became a delegate to Washington in 1816, and in 1819 became president of the National Committee, the Cherokee legislature. After service in the Creek War, he married Elizabeth (Quatie) Brown-Henley, a full-blooded Cherokee, and moved to Coosa (now Rome), Georgia, in 1827, where he built a two-storied house, and became quite wealthy with his fields and ferry. He oversaw the development of the first constitutional government of an American Indian tribe, which placed premier importance on maintaining the Cherokees' homelands. In 1828, Ross was elected the first chief under the new constitution. By the time of Removal, Ross was one of the five wealthiest men in the Cherokee Nation. He opposed Removal. Ross's wife died a victim of Removal in 1839. In Oklahoma, Ross married a young Quaker from Delaware. (See Document 5: John Ross, Petitions and Memorials to Congress.)

Nancy Ward, Anti-Removal Cherokee

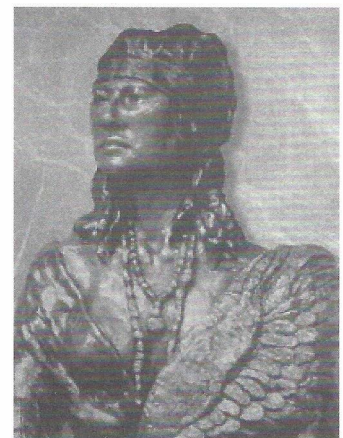
Nancy Ward was called a "War Woman," a title traditionally awarded to women who distinguished themselves while accompanying war parties to cook food, carry water and perform other gender specific tasks, and later a "Beloved Woman." After her husband's death in battle in 1755, Ward had rallied the warriors. She also had aided the patriot cause during the American Revolution. In 1817, 1818, and later in 1831, an elderly Nancy Ward and other women prepared petitions to the National Council, first arguing against the ceding of more land, then against the allotment of land to individuals, and finally against removal (See Document 6: Nancy Ward, Petition, 1821.)



Theodore Frelinghuysen

Senator Theodore Frelinghuysen, Anti-Removal U.S. Senator (Whig)

Senator Theodore Frelinghuysen was a devoutly religious, anti-Jacksonian freshman senator from New Jersey, who had been president of the religious American Board of Commissioners for Foreign Missions. In 1830, he argued for six hours over a period of three days against the removal bill. He based his arguments on the equality of all men, natural law, the United States Constitution, prior treaties, fairness and justice. "Do the obligations of justice change with the



Nancy Ward

color of the skin?" he asked. He became known as the "Christian statesman." Frelinghuysen and other northern congressmen tried to add provisions guaranteeing Indians rights provided by treaties. Frelinghuysen went on to become president of the American Bible Society, chancellor of New York University, vice-presidential candidate for the Whigs in 1844, and president of Rutgers College. (See Document 7: Theodore Frelinghuysen, speech before the Senate, 1830.)

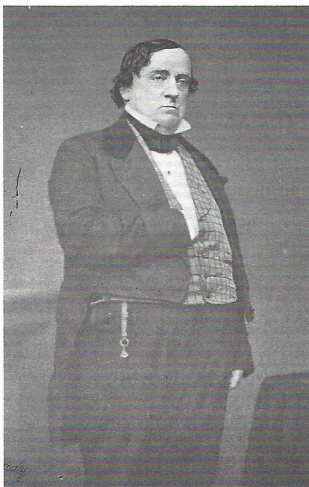
Reverend Evan Jones, Anti-Removal Missionary

Reverend Evan Jones was a Baptist minister. Born in Wales and educated in London, Jones emigrated to Philadelphia at the age of 33. He had no sympathy for slavery and even less for the white frontier people of the South who kept trying to drive the Cherokees to the west. A man of great energy and a domineering personality, Jones headed the Baptist mission to the Cherokees for forty years. By 1827, he had concluded that the Cherokees had made great advances toward civilization and shifted his principal effort from farming and education towards evangelism. He collected an every-expanding team of Cherokee converts and exhorters to assist him in spreading Christianity among the Cherokees in North Carolina, a large part of northern Georgia and a small area in Tennessee, competing with the Methodists and Moravians. He was perhaps the only white missionary to learn to speak with sufficient confidence to preach as well as to write in Sequoyan. Even after many of the other missionaries stopped their resistance to Cherokee removal after 1832, Jones continued wholeheartedly in support of Cherokee Chief John Ross. He was chosen to draft a response to Boudinot's 1937 pamphlet defending the actions of the Removal Party. (See Document 8: Excerpt from "William Penn" essays in Defense of Cherokees, prepared by Jeremiah Evarts for the American Board of Commissioners for Foreign Missions, 1829.)



Reverend Evan Jones

Lewis Cass, Secretary of War (Pro-Removal)



Lewis Cass

Lewis Cass was President Jackson's Secretary of War during the period 1831–1836. His responsibilities included the management of Indian affairs. He had previously been Governor of the Michigan Territory, 1813–31, where he gained a great deal of experience working with Indian tribes since the office of territorial governor included that of superintendent of Indian affairs. By the mid-1820s, Cass had become widely regarded as one of the best informed, most experienced and thoughtful experts in the country on Indian policy. He was reputed to be a hardheaded, tough, but fair, negotiator. By 1830, he believed that, as a practical necessity, the Indians must all be removed west of the Mississippi but advanced humane ideals for organizing the new Indian territory. He published several articles explaining that the land could not be held by the Indians solely for hunting but must give way to the needs of "providence" in using the land for production. Although he was not a racist, his writings were used by the government to rationalize highly discriminatory policies. (See Document 9: Lewis Cass, Removal of Indians, *North American Review*, 1830)



George Troup

George M. Troup, U.S. Senator from Georgia (Pro-Removal Democrat)

George M. Troup was born in the part of Georgia that later became Alabama. He was educated at Princeton University. During the 1820s, while governor of Georgia, Troup orchestrated a campaign of bluster, threat and audacity that enabled him to acquire the rich lands of the Creek Indians for the state of Georgia and earned him great political popularity. He believed that the Indians were an inferior race to the white man, one step above the African slaves, and feared that the North would deal with the Indians in a way that would set a precedent for dealing with the slaves. In the early 1830s, Troup was the U.S. Senator from Georgia. He wanted the Cherokees removed. Responding to the *Worcester v. Georgia* decision, Senator Troup said: "The people of Georgia will receive with indignant feelings, as they ought, the decisions of the Supreme Court, so flagrantly violative of their sovereign state... The jurisdiction claimed over one portion of our population (the Indians) may very soon be extended to another (the Africans), and in both cases they may be sustained by fanatics of the north." Troup was supported by wealthy coastal planters and merchants. Although both Troup and Lumpkin favored Indian removal, they were political rivals. (See Document 10: George M. Troup, letter to the *Georgia Journal*.)

Wilson Lumpkin, Governor of Georgia (Pro-Removal Democrat)

Wilson Lumpkin grew up on the Georgia frontier. He was U.S. Commissioner among the Creek and Cherokee Indians 1818–21. Lumpkin was Congressman from Georgia 1824–31, Governor of Georgia 1831–35 and U.S. Senator from Georgia 1837–1841. He was a devout Baptist and often had the missionaries as well as the traders and smaller planters behind him. Lumpkin had participated in a survey of the northwest corner of Georgia which was claimed by the Cherokees and became an enthusiast for the construction of a railroad link from the agricultural heartland of the state to the state's river network in the northwest. He strongly favored removal of the Cherokees. (See Document 11: Wilson Lumpkin, Message to Georgia Legislature, 1832.)



Wilson Lumpkin



Elias Boudinot

Elias Boudinot, Pro-Removal Cherokee leader

Elias Boudinot was a full-blooded Cherokee who had studied as an adolescent at the missionary boarding school in Cornwall, Connecticut. In 1826, he married Harriet Gould, one of the daughters of a white employee at the school. The managers of the school disavowed these actions, but adverse public opinion forced the school to close. Boudinot was the editor of the *Cherokee Phoenix* from 1828 to 1832. By 1832, Boudinot and his cousin, John Ridge, had concluded that removal was inevitable and that delaying the inevitable might destroy the wealth and moral fiber of the Cherokee Nation. They tried to persuade John Ross to make a treaty. After 1832, Boudinot argued for removal, and became a leader of the "Treaty or Removal Party." He agreed to the Treaty of New Echota in 1835 (See Document 4: The Treaty of New Echota.)

POSITIONS AND INTERESTS

Pro-Removal

Georgians (Lumpkin and Troup)

Positions

- The northerners are being unfair and hypocritical because most of the Natives in northeastern areas have already been either killed or removed.
- The federal government has promised that it would remove the Indians from Georgia since 1802.
- The Cherokees are not a sovereign entity because you cannot have a sovereign state within a sovereign state. They were subject to the laws of Georgia if they chose to reside in Georgia.
- State officials in Georgia have long considered the Indians as “dependent tenants” subject to the will of the state.

Interests

- Maintain states rights
- Fear of setting a precedent regarding the African slaves
- Economic development in western Georgia being prevented by the presence of the Indians
- Believe that the Indian is by nature savage and not subject to civilization
- Have no love for Indians because they have often been victims of Indians attacks (forgetting the causes of the conflicts or that the Indians, too had suffered terrible attacks from whites)
- Are determined to acquire more land (The Creek word for Georgians was “Eccanunuxulgee,” which means “people greedily grasping after the lands of the red people”)

The Federal Government (Cass)

Positions/Interests

- Cass believes that Indian removal is not only legally, economically and morally justified but also morally necessary, because only by emigration can the Native Americans survive as a race and become civilized.
- Indians need hunting grounds (ignoring the fact that their staples are supplied by agriculture).

He is representing the views of President Jackson, who:

- Is motivated by concern for the nation's growth, unity and security
- Wants limited federal power but is a fervent nationalist in regard to territorial expansion
- Believes the federal government is offering extremely generous terms to the Indians
- Argues that removal is the only way to safeguard tribal integrity from rapacious whites.

The Treaty, or "Removal" Party (after 1832) (Boudinot)**Positions**

- The time to resist has passed because removal is going to happen.
- It is better to work with rather than against the federal government in order to preserve the Cherokee Nation.

Interests

- Competing for leadership of the Cherokee nation
- Underlying motives for some might be to make the best deal they can for their holdings in Georgia.

Anti-Removal***The Anti-Removal Missionaries/Congressmen (Sen. Frelinghuysen and Evan Jones)*****Positions**

- The Cherokees are being won to Christianity and as Christians are worthy of benevolent treatment
- It is unfair to rob the Cherokees of the land of their forefathers
- The Constitution as interpreted by the Supreme Court and prior treaties support the claims of the Cherokees to remain of their land
- Jackson's argument that this is for the protection of the Cherokees is hypocritical

Interests (Evan Jones)

- Desire to continue their lucrative and successful missionary activities with the southeastern Indians through the existing "civilizing" fund
- Long personal connections with the Cherokees

Interests (Sen. Frelinghuysen)

- Politics—Whigs want to gain voters sympathetic to the plight of the Cherokees by attacking Jackson and the Democratic Party
- Geopolitical interest in NOT allowing southern settlers to expand in western lands reserved for Indians

John Ross/Majority of Cherokee Indians**Positions**

- Cherokees have resided on and used the lands in Georgia long before the white man arrived.
- The federal government has made repeated promises that it would help the Indians, not move them to other lands.

- The series of treaties with the federal government recognizes their sovereignty
- The Cherokees have become the most "civilized" Indian Nation as the federal government as white society had required.

Interests/Fears

- If they cannot sustain their legal rights in Georgia supported by the U.S. Supreme Court, they will not be able to sustain themselves as a Nation anywhere.
- Bribes, intimidation and fraud will be involved in removal as it had been in the expropriation of Creek and Cherokee lands in 1814–17.
- Some Cherokees welcome the offers to travel the white man's road; others feared that they would become assimilated because they can only maintain their traditional culture in their native woodlands in the Great Smokey Mountains.

TEACHER INSTRUCTIONS

Preparation

1. Either assign the "Historical Background" to be read as homework or present the material to the class as a lecture.
2. Each student should review the positions and interests of all participants.
3. Hand out: The Participants. Students should review all of the brief biographies.

Directions

1. Divide the class into groups of nine or ten.
2. Assign each person a role:
 - a. Chief John Ross
 - b. Nancy Ward
 - c. Senator Frelinghuysen
 - d. Evan Jones
 - e. Lewis Cass
 - f. George Troup
 - g. Wilson Lumpkin
 - h. Elias Boudinot.
 - i. Assign one or two observer/recorder/reporters per group. These may simply be anonymous "observers," or hypothesize that Frances Trollope, a British novelist, and Alexis De Tocqueville, a liberal French aristocrat, both of whom traveled through the United States in 1830 and wrote about what they saw, are invited to observe the negotiations and to write about them. (In fact, neither was in the United States in 1837.)

3. Distribute Handout: The Mock Negotiation.
4. Review the setting and the instructions for the negotiation with the students. Explain to the students that in response to a final petition from the Cherokee Chief, John Ross, they are to imagine that President Jackson has agreed to negotiate with a Cherokee delegation. The mock negotiation should last 30-60 minutes.

Debriefing

1. Once the groups finish their mock negotiations, debrief the activity. Conduct a classroom discussion, beginning with each observer describing how the process worked in their group.
2. Discuss the problem of a great power imbalance between the forces pressing for removal, which included President Jackson, the Georgia government and most of the white southern community. What could be done to try to equalize this imbalance? Note that this is the reason why we have included a mediator—to try to help the Cherokees. See "Questions for Discussion," numbers 2-5 for some ideas.
3. Discuss "The Historical Effects," "The Facts Continued," and "The Cherokees Today," comparing the results of the mock negotiations with what actually occurred in history.

Alternative Activity—Mock Congressional Debate

Research and identify those members of Congress who were involved in the debate about the Cherokees and create a mock congressional debate with a mediator or facilitator.

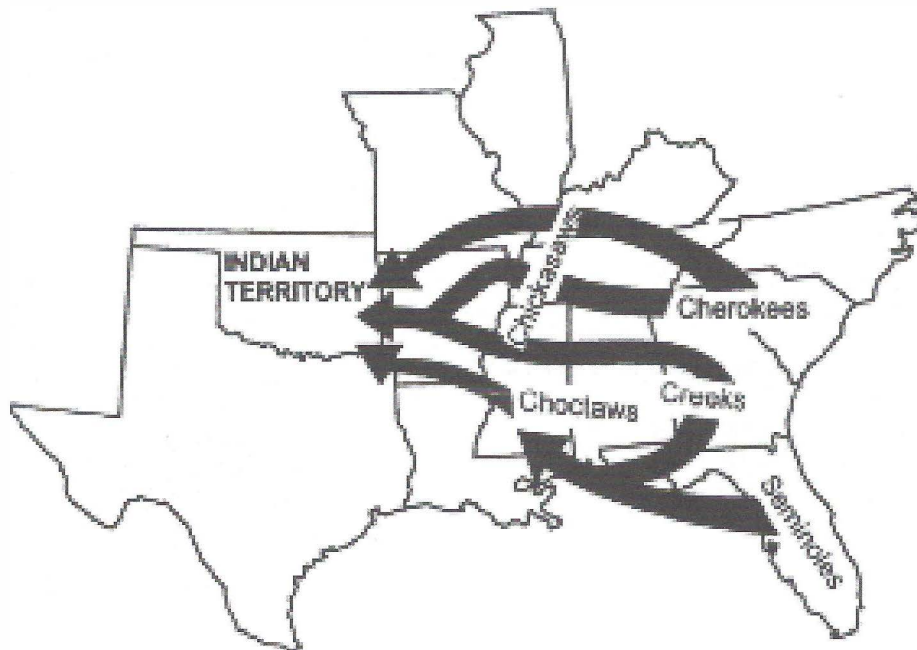


*Depiction of the
"Trail of Tears"*

THE FACTS CONTINUED

The efforts by Chief John Ross to overturn the removal Treaty of New Echota failed, but he continued to work to soften its impact, to ensure Cherokee control of the actual removal process, and to obtain a two-year extension of the final deadline for removal. Initially, civilian contractors were hired to organize voluntary traveling parties of Cherokees, but they proved so corrupt that the military was assigned to relocate the Cherokees. By May of 1838—the deadline for removal—only 2000 of the 16,000 Cherokees had been moved west. Consequently, U.S. soldiers and state militiamen built stockade forts at various points in the nation. In the summer of 1838, thousands of Cherokees were forced often at the point of a bayonet, with no more than the clothes on their backs, into stockades, herded into camps and onto steamboats from which hundreds still managed to escape. The federal government wanted to demonstrate that removal would not be a big burden on the government and limited the amount of funds, resulting in inadequate provisions, a situation which was compounded by the Cherokees' refusal to do any planning about leaving. By fall, Ross and other leaders had convinced the military to permit the Cherokees to conduct their own removal. Ross divided the remaining Cherokees into thirteen parties to leave for the west in October. Although the original plan had been for the Cherokees to move over the summer months, the majority left in the fall and made the 800-mile trip during the fall and winter. The last party arrived in March 1839.

No one knows exactly how many Cherokees perished in the ordeal, called by the Cherokees, the "Trail of Tears." The estimate usually cited is more than 4,000 deaths (one-fifth to one-fourth of the entire Cherokee population). The ordeal was especially hard for babies, children and the elderly. One Georgian involved in the removal of the Cherokees commented: "I fought through the Civil War and have seen men shot to pieces and slaughtered by thousands, but the Cherokee Removal was the cruelest work I ever knew." (See Document 12: Evan Jones, letters about removal, May–December 1838.)



*Removal of Cherokees (and other southeastern Indian Nations)
to Indian Territory (Oklahoma)*

Life in their new home was not easy for the Cherokees. Political strife continued. The Treaty of Echota was viewed by many as treason and was handled in terms of an older tradition of clan revenge. According to a journal kept by a missionary who traveled west with the Cherokees, members of the clans to which John Ridge, Major Ridge and Elias Boudinot belonged agreed among themselves to kill the leading members of the Treaty Party and carried out their intention in the Cherokee Nation West in June 1839. There was no recognized official authority at the time to enforce the law. Federal officials had undermined any remaining tribal sovereignty.

Half a dozen years after removal, there was still civil strife among the Ross party, the Treaty Party and the earlier settlers (Cherokees who had voluntarily moved west before the 1830s). The Treaty of 1846 was aimed at ending the factionalism. The decade of the 1850s was prosperous and tranquil for the Cherokees in the west. A new national newspaper and a new school system were started. The tranquility was broken by the Civil War. Afterwards, although the Cherokees negotiated a fairly lenient treaty with President Johnson during Reconstruction, they never attained the economic or political stability that they had had during the period prior to Removal.

The Historical Effects

The Cherokee Removal—and the removal of other eastern tribes—Creeks, Choctaws, Chickasaws, and later the Seminoles—ended all hopes for Indian sovereignty and deepened Indian mistrust of the federal government, if not all white men. By forcibly removing the Cherokees and others from their ancestral lands in the east to lands set aside for a number of different native tribes in the west, the federal government established a precedent for creating Indians reservations in areas unrelated to their native lands. A negotiated settlement might have saved the lives of thousands of Cherokees and the pride of the Cherokee Nation. The Cherokee Nation might have served as a positive example of what the supposedly “savage” Indian was capable of accomplishing. By remaining in Georgia, the Cherokees might have become an alternative example of Indian integrity within an existing state or of peaceful Indian assimilation within the larger white society.

The Cherokees Today

The Cherokee culture did not die with removal. It evolved during the latter part of the 19th and 20th century. An identifiable culture remains today. The Cherokees are by far the largest group of American Indians. The 2000 census indicated that more than 875,000 individuals identified themselves as having some Cherokee blood, out of approximately 4.3 million people with Native American ancestry in the United States. Only 200,000 were actually registered in 2000. This number increased to 392,000 in the 2020 census. There are a large number of Native American tribes and bands recognized and eligible to receive services from the United States Bureau of Indian Affairs. Three of the federally-recognized Cherokee groups include the large Cherokee Nation of Oklahoma, as well as the United Keetoowah Band of Cherokee Indians in Oklahoma and the Eastern Band of Cherokees in North Carolina. Although three groups have no political connection with each other, they have a shared cultural background. The remainder of the Cherokees are widely distributed geographically in more than 32 states.

At the start of the 21st century, the Cherokees are doing better economically than other Native American groups. Cherokees tend to be older and have fewer children, are better educated, more often employed, have more income and are more likely to live in metropolitan areas than American Indians in general. However, the Cherokee population as a whole is economically below that of the median for the U.S. population as a whole. Although many Cherokees are totally assimilated, most take pride in their heritage and Indian identity. The Cherokee language is still spoken by 15,000–25,000 tribal members, mostly from the western tribes. Some experts predict that Cherokees will assimilate further and be more like the total United States population. Others believe that, given the resurgence of Indian identity and a renewed demand for their rights as sovereign people, the Cherokees will continue as a separate nation long into the future. The primary concern of the Cherokee Nation as a whole is to find a way to define their identity as Indians within the context of also being modern Americans.

QUESTIONS FOR DISCUSSION

1. What were the most influential factors—racial, economic, political, cultural—behind the Indian Removal Policy?
2. Were there alternative strategies that the Cherokees might have been pursued that could have enabled them to maintain their lands in the East?
3. Could the Cherokees have created a broader and more influential coalition of allies to support them? If so, which groups might have joined? (E.g., Railroad interests? The churches? The anti-Jacksonian politicians, such as the Whigs? The anti-Lumpkin faction in Georgia politics?)
4. Are there any ways in asymmetrical power relationships that groups with less power, such as the Cherokee, can enhance their power and make the relationship more symmetrical or even reverse the subordinate/dominant power relationship?
5. Were removal, assimilation, or eradication the only alternatives for the Cherokees? For Native Americans in general? Have there been instances in the United States or other countries in which indigenous populations have maintained their lands, their cultures, and their communities?
6. At what point and why did the Cherokees lose their struggles to maintain their lands?
7. Do you think that it was unavoidable that the Cherokees would be forced out of their ancestral lands? Why or why not?

DOCUMENTS

- Document 1: President Andrew Jackson's Case for the Removal Act: First Annual Message to Congress, December 8, 1829
- Document 2: United States Congress: *Indian Removal Act*, May 28, 1830
- Document 3: U.S. Supreme Court: *Worcester v. Georgia*, January Term, 1832
- Document 4: Treaty of New Echota, December 29, 1835
- Document 5: Nancy Ward Petition, 1821
- Document 6: John Ross Petition to Congress, 1836
- Document 7: Senator Theodore Frelinghuysen speech before Senate, April 30, 1830
- Document 8: Excerpt from "William Penn" essays in Defense of Cherokees, prepared by Jeremiah Evarts for the American Board of Commissioners for Foreign Missions, 1829
- Document 9: Lewis Cass "Removal of Indians" in *North Atlantic Review*, 1830
- Document 10: George Troup letter to the *Georgia Journal*, March 5, 1832
- Document 11: Wilson Lumpkin Message to Georgia Legislature, November 24, 1832
- Document 12: Evan Jones, Letters, 1838

STUDENT HANDOUTS

1. Objectives
2. Historical Background, 1787-1820
3. Historical Background: Treaties
4. Historical Background: Civilizing Policy
5. Map of Major Southeastern Tribes, 1820's
6. Cherokee Renaissance, 1819-1829
7. Cherokee Renaissance: Sequoyah
8. Home of John Ross
9. Cherokee Resistance
10. Andrew Jackson is elected president
11. Timeline: Historical Background
12. Decision for Indian Removal ignored the U.S. Supreme Court
13. Split in Cherokee Resistance: The Treaty of New Echota
14. Directions for Mock Negotiations, March 1837
- 15-22. Biographies of the Participants
- 23-27. Positions and Interests
28. The roles
29. Debriefing
30. What Really Happened?
31. The Trail of Tears
32. Trail of Tears Map
33. The Legacy
34. Cherokees today
35. Questions for Discussion

SOURCES AND CREDITS FOR ILLUSTRATIONS

- p. 161: Map of Southeastern Tribes c.1820, *National Park Service*
- p. 161: Sequoyah, Inventor of the Cherokee Alphabet, *LC-USZC4-3156*
- p. 162: Home of John Ross, *National Park Service*

- p. 164: Andrew Jackson as Indian Fighter, *LC-USZC4-4084*
- p. 164: Andrew Jackson as "King Andrew," *LC-USZ62-1562*
- p. 165: John Ross, Cherokee Chief, *LC-USZC4-3156*
- p. 165: Nancy Ward, *The Tennessee Overhill Experience*
- p. 165: Theodore Frelinghuysen, *LC-BH82-4989C*
- p. 166: Reverend Evan Jones, *Early Missionaries to the Cherokees*
- p. 166: Lewis Cass, *LC-DIG-cwpbh-02843*
- p. 167: George Troup, *Biographical Dictionary of the United States Congress*
- p. 167: Wilson Lumpkin, Governor of Georgia, *LC-USZ62-15349*
- p. 167: Elias Boudinot, *Oklahoma Historical Society*
- p. 171: Trail of Tears Map, *National Park Service*
- p. 172: "Trail of Tears," *Woolaroc Museum, Bartlesville, Oklahoma*

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