

Displaced and Forgotten: The Indian Removal Act

Lyndsey Litz

Senior Division

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In 1830, the U.S. government passed one of the most damaging laws in American history: the Indian Removal Act. This law authorized the forced relocation of thousands of Native Americans from their ancestral lands to western territories, resulting in the suffering and death of thousands, particularly during the infamous Trail of Tears (Ehle). Cherokee Chief John Ross, a fierce opponent of the removal, expressed the devastating impact this policy would have on his people, stating, “I am unacquainted with the motives which have induced your excellency to recommend this measure; but I do know that it is a measure fraught with evil to the Cherokee people. It will be a most serious and irreparable injury to us, and in the end, must result in the destruction of our nation” (Ross). Ross’s words encapsulate the immense cost to indigenous communities, highlighting the extreme violation of their rights. The Indian Removal Act of 1830 reveals the U.S. government’s failure to uphold its moral and legal responsibilities to honor treaties and protect the rights of Native Americans leading to profound loss, suffering, and long-lasting consequences for Indigenous communities.

The Indian Removal Act, signed by President Andrew Jackson in 1830, authorized the government to negotiate treaties that exchanged Native American lands in the southeastern United States for lands west of the Mississippi River (Pfeiffer). This law fundamentally violated the sovereignty of Native American nations, treating them not as independent nations with legal rights, but as obstacles to U.S. expansion. By forcibly removing Native people from land they had inhabited for centuries, the U.S. government ignored the fundamental rights of Native Americans to self-determination and control over their territories. Prior to the Indian Removal Act, the government had signed a series of treaties that guaranteed Native nations' rights to their lands. For example, the Treaty of Hopewell in 1785 recognized Native American sovereignty

and pledged protection of their lands (Stuart), while the Treaty of New Echota in 1835, signed by a small faction of the Cherokee Nation, led to their forced removal even though the vast majority of the Cherokee opposed it. A quote from Jackson states the following,

"It gives me pleasure to announce to Congress that the benevolent policy of the Government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements is approaching to a happy consummation. Two important tribes have accepted the provision made for their removal at the last session of Congress, and it is believed that their example will induce the remaining tribes also to seek the same obvious advantages" (Jackson).

This treaty was signed under pressure, making its validity questionable. The Indian Removal Act not only violated these existing treaties but also disregarded the legal and moral responsibilities of the U.S. government to protect Native American rights.

The forced relocation of Native Americans, particularly the Trail of Tears, resulted in immeasurable suffering. The Cherokee Nation, along with the Choctaw, Creek and Seminole tribes, were relocated to present-day Oklahoma under harrowing conditions. Thousands of lives were lost during the journey due to malnutrition, disease, exposure, and inhumane treatment (Ehle). During this crisis, Native American leaders, especially Chief John Ross, sought to resist removal through legal means. Ross petitioned the U.S. government to have the Treaty of New Echota declared invalid, arguing that the Cherokee had a legal right to remain on their lands under previous treaties, such as the Treaty of Hopewell. The Cherokee took their case to the U.S. Supreme Court in *Worcester v. Georgia* (1832), where the Court ruled in their favor, affirming their right to sovereignty. However, President Jackson's refusal to enforce the ruling represented

the government's failure to uphold its own legal commitments and responsibilities. This blatant disregard for Native American rights highlights how the Indian Removal Act and its aftermath exemplify the U.S. government's failure to fulfill its moral and legal responsibilities, a failure with lasting, destructive consequences for Native American communities (McLoughlin).

Andrew Jackson's extreme bias against Native Americans was a driving force behind the Indian Removal Act; this racial prejudice is revealed through his rhetoric and policies. Jackson viewed Native Americans not as sovereign peoples but as obstacles to American progress, believing they were unfit to coexist with European settlers. His personal views on Native Americans were rooted in a belief that white settlers were more "civilized" than Native peoples, whom he considered "savage" and incapable of integration into American society (Remini). This ideology was used to justify their removal, as Jackson thought that the Native Americans were better off being relocated to the west to avoid the "corrupting forces" of American civilization. His rhetoric reflected a civilization vs. savagery narrative, where Native Americans were seen as inferior to white settlers, which aligned with the prevailing racial attitudes of the time.

The language of Manifest Destiny further supported this view, promoting the belief that U.S. expansion was part of God's plan and that the forced removal of Native Americans was justified. Under this ideology the suffering and displacement of Native peoples were seen as an unfortunate but necessary sacrifice for the advancement of American civilization. Jackson's policies, driven by racial bias and territorial ambitions, treated Native Americans as mere obstacles to the fulfillment of a vision of territorial dominance (Slotkin). This belief in white superiority justified not only the forced relocation but also the denial of basic human rights to the Native Americans, including their right to stay on their ancestral lands.

During this time, it became clear that the U.S. government was failing to uphold its moral responsibilities toward Native Americans. The Indian Removal Act represented more than a legal or political decision—it was a moral failure. Jackson’s personal and political bias against Native Americans led him to prioritize territorial expansion over human lives. The government’s negligence in providing basic resources for the forcibly relocated tribes, such as food, medical care, and shelter, only compounded the hardships they faced. Thousands of Native Americans died from disease, exposure, and starvation during their forced marches, such as the Trail of Tears. The government’s indifference to the suffering of the Native people not only failed to protect them but also shattered their social and cultural fabric, as entire communities were displaced and their cultures were irreparably damaged (Perdue and Green). The Indian Removal Act, driven by Jackson’s personal prejudices and the ideology of Manifest Destiny, marked a dark chapter in U.S. history where Native American lives and rights were sacrificed for territorial gain and racial ideologies. This failure to uphold both moral and legal responsibilities to Native Americans underscores how the U.S. government’s actions not only disregarded the rights of Indigenous peoples but also set a precedent for the systematic exploitation of Native lands, violating their sovereignty and deeply impacting their communities for generations to come.

The Indian Removal Act of 1830 didn’t just strip Native Americans of their physical land; it also wreaked havoc on their cultural, social, and economic systems. For centuries, Native American tribes built rich cultures rooted in deep relationships with their ancestral lands. These lands were not simply home they were living entities, integral to the stories, traditions, and languages passed down from generation to generation. The forced removal shattered these connections, uprooting entire communities and leaving them to face the challenge of survival in unfamiliar, less fertile lands. For the Cherokee Nation, the loss was particularly devastating: they

had established advanced agricultural systems on their homelands, which were central to their ability to sustain themselves. The new lands they were forced onto, particularly in Oklahoma, lacked the same resources, which drastically undermined their agricultural practices and led to economic struggles that plagued the tribe for generations. Similarly, the loss of critical hunting grounds and natural resources further diminished their ability to provide for their families and perpetuated the suffering for years to come (Findling and Pelle).

These material losses were compounded by an attempted cultural eradication of Native American ways of life. The U.S. government's policies aimed to strip Native children of their identity, sending them to boarding schools where their language, traditions, and spiritual practices were aggressively suppressed. Children were punished for speaking their native languages or practicing their religions. The purpose of these institutions was clear: assimilation into Euro-American culture and the complete destruction of indigenous cultures. For generations, this erasure took place under the guise of civilizing the Native population, when in fact, it was a direct attack on their sovereignty and cultural integrity (Ehle). With each new policy, the U.S. government systematically dismantled the means by which Native American communities could thrive and maintain their cultural practices, further undermining their rights and responsibilities as sovereign nations.

The cultural and economic damage was not just an immediate consequence it laid the foundation for generational trauma that still affects Native communities today. The forced relocations, boarding school system, and continual undermining of Native American sovereignty have left deep scars, physically, emotionally, and psychologically. These injustices are not just part of the past; they continue to reverberate through modern-day Native communities. The legacy of these policies lives on in the challenges Native peoples face today, from poverty and

health disparities to the struggle to reclaim their cultural heritage. However, despite these lasting impacts, Native American communities continue to resist. Movements for justice, such as the Seminole Wars, the Indian Civil Rights Movement, and more recent victories like the Cobell Settlement, reflect the continued fight for legal recognition, cultural preservation, and the restoration of rights and lands. The Cobell Settlement alone resulted in a \$3.4 billion payout to Native American individuals affected by mismanagement of trust funds, marking a significant victory in the struggle for restitution and accountability (Salazar).

The Indian Removal Act, as a central point of U.S. policy, represents a profound failure by the U.S. government to protect Native Americans' rights to their land, sovereignty, and self-determination. The removal itself, along with subsequent policies designed to force assimilation, not only stripped tribes of their material wealth but also decimated their cultural fabric, dismantling systems of governance and social organization that had existed for centuries. This was a complete disregard of the U.S. government's moral and legal responsibility to honor treaties, protect Native American rights, and uphold their sovereignty. As the years go on, the struggle for justice continues, with Native American communities seeking not just reparations for the suffering caused but also recognition of their inherent right to govern themselves, protect their cultures, and preserve their legacies for future generations (Prucha).

The Indian Removal Act of 1830 stands as one of the darkest chapters in American history, embodying a profound failure by the U.S. government to uphold its moral and legal responsibilities toward Native American nations. Through Andrew Jackson's racial bias, the ideology of Manifest Destiny, and a disregard for existing treaties, the government justified the forced relocation of thousands of Native Americans, resulting in immense suffering, cultural destruction, and economic hardship. The Indian Removal Act not only stripped Native

communities of their ancestral lands but also attempted to erase their cultures, leading to generational trauma that continues to affect Native peoples today. Despite these deep scars, Native American communities have demonstrated remarkable resilience, with ongoing efforts to fight for justice, cultural preservation, and the recognition of their sovereignty. The legacy of the Indian Removal Act serves as a stark reminder of the importance of respecting human rights, upholding legal commitments, and protecting the dignity of marginalized communities, lessons that remain critical as we address ongoing issues of social and racial justice in the present day.

Primary Source Annotated Bibliography

Jackson, Andrew. "President Andrew Jackson's Message to Congress 'on Indian Removal' (1830)." *National Archives and Records Administration*, National Archives and Records Administration, 2022, www.archives.gov/milestone-documents/jacksons-message-to-congress-on-indian-removal.

In this message, President Andrew Jackson justifies the Indian Removal policy, arguing that relocating Native Americans would protect them from extinction and promote their civilization. This primary source was key in understanding Jackson's rationale for the Removal Act and his view on Native American relations during his presidency.

Jackson, Andrew. "Search Results for Letters+and+speeches+of+andrew+jackson, Available Online." *The Library of Congress*, 2024, www.loc.gov/search/?in=&q=Letters%2Band%2BSpeeches%2Bof%2BAndrew%2BJackson&new=true&st=.

This collection of Jackson's personal letters and messages provides insight into his views on the Indian Removal, revealing his strong belief in the policy as a means to protect Native Americans from conflict with settlers. These personal documents were crucial in understanding the president's motives and the broader political and moral justifications behind his actions.

Salazar, Ken. "Cobell v. Salazar." *U.S. Department of the Interior*, 1 July 2015,
www.doi.gov/ocl/hearings/111/CobellvsSalazar_121709.

This hearing transcript discusses the legal and financial issues surrounding the Cobell v. Salazar case, focusing on the U.S. government's mismanagement of Native American trust funds. It provided valuable insights into the long-standing legal battles over the trust funds and the federal responsibility toward Native American financial interests.

Worcester v. Georgia, 31 U.S. 6 Pet. 515 515 (1832). *Worcester v. Georgia*, 31 U.S. 6 Pet. 515 515 (1832). 31 U.S. (6 Pet.) 515.

This case study examines the *Worcester v. Georgia* Supreme Court decision of 1832, in which the Court ruled that the state of Georgia could not impose its laws on the Cherokee Nation. The case highlighted the legal struggle for Native American sovereignty and the limits of federal and state authority in relation to Native nations.

Secondary Source Annotated Bibliography

Ehle, John. *Trail of Tears: The Rise and Fall of the Cherokee Nation*. Anchor Books, 1989.

This book examines the Indian Removal Act of 1830, focusing on the legal and political processes that led to the forced relocation of Native American tribes. It provided detailed information about the treaties signed during this period and the role they played in the removal process.

Findling, John, and Kimberly Pelle. *The Trail of Tears: The Forced Relocation of the Cherokee Nation*. Anchor Books, 1988.

This book explores the forced relocation of the Cherokee and other tribes, including the hardships they faced and the failure of the U.S. government to provide proper resources and protection.

Foreman, Grant. *Indian Removal: The Emigration of the Five Civilized Tribes*. Univ. of Oklahoma, 1956.

This book explores the legal, political, and cultural consequences of the Indian Removal on Native American communities, detailing the struggles they faced during and after their forced relocation. It provided valuable insights into the impact of U.S. policies on Native American sovereignty, identity, and survival.

Heidler, David, and Jeanne Heidler. *Manifest Destiny and the Indian Removal Act*. Bloomsbury Academic.

This book explores the relationship between Manifest Destiny and the Indian Removal Act, analyzing how expansionist policies justified the forced displacement of Native American tribes. The authors provide a detailed historical analysis, making this source valuable for understanding the political and social motivations behind U.S. expansion.

Perdue, Theda, and Michael D. Green. *The Cherokee Nation and the Trail of Tears*. Penguin Books, Penguin Group (USA) Inc, 2008.

This book provides a direct account of the Cherokee Nation's forced relocation and the impact of the Indian Removal Act. I used it to support a quote from Chief John Ross, highlighting his emotional response to the devastating consequences of the policy on the Cherokee people.

Prucha, Francis Paul. *American Indian Treaties: The History of a Political Anomaly*. Univ. of California Press, 1994.

This book examines the complex history of treaties between the United States and Native American tribes, exploring how these agreements often served as legal protections. It was useful in understanding the political and legal implications of such treaties and how they shaped the broader narrative of Native American rights and sovereignty.

Remini, Robert V. *Andrew Jackson: His Life and Times*. HarperCollins, 2001.

In this biography, Remini examines Andrew Jackson's life, focusing on his policies toward Native Americans and his personal views on race. Remini argues

that Jackson's belief in the racial inferiority of Native peoples shaped his advocacy for the Indian Removal Act, portraying him as an advocate for white settlers and a staunch proponent of their expansionist goals.

The process of writing my essay on the Indian Removal Act began with an exploration of Native American folklore. I spent several hours studying various cultural stories and traditions, which sparked my interest in Indigenous history. These folktales offered a window into Native American life, and I initially considered focusing on their cultural heritage. However, I eventually decided to center my topic on a more concrete historical event: the Indian Removal Act of 1830. This policy, and its devastating consequences, felt more aligned with my desire to explore how Indigenous peoples were directly affected by U.S. government actions.

Once I chose the Indian Removal Act as my topic, I dove into research to understand its political, cultural, and social impacts. I examined treaties, legal rulings, and documents like the Treaty of Hopewell (1785) and *Worcester v. Georgia* (1832) to understand the legal framework surrounding the forced relocation. I also looked into Andrew Jackson's role, particularly his racial biases and the ideology of Manifest Destiny, which justified the removal of Native Americans in the name of territorial expansion. Researching these elements helped me build a thesis that argued the U.S. government violated both moral and legal obligations to Native Americans, causing long-lasting harm.

After gathering my research, I structured my essay around three main points: the government's legal violations, Andrew Jackson's racial bias, and the cultural and economic destruction faced by Native tribes, especially the Cherokee. I carefully organized each paragraph to connect these points back to the central argument that the Indian Removal Act was not only a legal failure but also a profound moral one, leaving Native communities devastated.

Writing the essay involved multiple drafts and revisions. I first focused on organizing my ideas, then refined my language and structure to avoid redundancy and clarify my argument. In

the conclusion, I emphasized the lasting impact of the removal and the continued struggles of Native American communities for justice and sovereignty. Through this process, I was able to tie together historical facts and broader themes of injustice, creating a cohesive argument that connected the removal to contemporary issues of Native rights.

In conclusion, writing this essay allowed me to move from an interest in Native American culture to a deeper understanding of how systemic injustice has shaped their history. It also highlighted the resilience of Native communities, who continue to fight for their rights despite centuries of hardship.