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U.S. INDIAN POLICY, 1815–1860: REMOVAL TO RESERVATIONS

A Unit of Study for Grades 8–12

DAVID L. GHERE
JAN F. SPREEMAN



ORGANIZATION OF AMERICAN HISTORIANS
AND THE
NATIONAL CENTER FOR HISTORY IN THE SCHOOLS

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Introduction

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Gary B. Nash and David Vigilante of the National Center for History at UCLA worked with the authors in developing this unit. Production staff at the OAH included Amy Stark and Michael Regoli. Marian McKenna Olivas was the layout and photo editor.

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INTRODUCTION

I. APPROACH AND RATIONALE

This teaching unit, *U.S. Indian Policy, 1815–1860: Removal to Reservations* is one of several such units co-published by the Organization of American Historians (OAH) and the National Center for History in the Schools (NCHS). The fruits of collaborations between history professors and experienced teachers of both United States and World History, the units represent specific issues and “dramatic episodes” in history from which you and your students can pause to delve into the deeper meanings of these selected landmark events and explore their wider context in the great historical narrative. By studying crucial turningpoints in history the student becomes aware that choices had to be made by real human beings, that those decisions were the result of specific factors, and that they set in motion a series of historical consequences. We have selected issues and dramatic episodes that bring alive that decision-making process. We hope that through this approach, your students will realize that history is an ongoing, open-ended process, and that the decisions they make today create the conditions of tomorrow’s history.

Our teaching units are based on primary sources, taken from government documents, artifacts, magazines, newspapers, films, private correspondence, literature, contemporary photographs, and paintings from the period under study. What we hope you achieve using primary source documents in these lessons is to have your students connect more intimately with the past. In this way we hope to recreate for your students a sense of “being there,” a sense of seeing history through the eyes of the very people who were making decisions. This will help your students develop historical empathy, to realize that history is not an impersonal process divorced from real people like themselves. At the same time, by analyzing primary sources, students will actually practice the historian’s craft, discovering for themselves how to analyze evidence, establish a valid interpretation and construct a coherent narrative in which all the relevant factors play a part.

II. CONTENT AND ORGANIZATION

Within this unit, you will find: Teaching Background Materials, including Unit Overview, Unit Context, Correlation to the National Standards for History, Unit Objectives, and Historical Background; A Dramatic Moment; and Lesson Plans with Documents. This unit, as we have said above, focuses on certain key moments in time and should be used as a supplement to your customary course materials. Although these lessons are recommended for use by grades 8–12, they can be adapted for other grade levels.

The Teacher Background section should provide you with a good overview of the entire unit and with the historical information and context necessary to link the specific Dramatic Moment to the larger historical narrative. You may consult

it for your own use, and you may choose to share it with students if they are of a sufficient grade level to understand the materials.

The Lesson Plans include a variety of ideas and approaches for the teacher which can be elaborated upon or cut as you see the need. These lesson plans contain student resources which accompany each lesson. The resources consist of primary source documents, any handouts or student background materials, and a bibliography.

In our series of teaching units, each collection can be taught in several ways. You can teach all of the lessons offered on any given topic, or you can select and adapt the ones that best support your particular course needs. We have not attempted to be comprehensive or prescriptive in our offerings, but rather to give you an array of enticing possibilities for in-depth study, at varying grade levels. We hope that you will find the lesson plans exciting and stimulating for your classes. We also hope that your students will never again see history as a boring sweep of facts and meaningless dates but rather as an endless treasure of real life stories and an exercise in analysis and reconstruction.

TEACHER BACKGROUND MATERIALS

I. UNIT OVERVIEW

The circumstances in which a nation finds itself are less significant than the context in which those circumstances are perceived, and the ultimate decisions informed by those perceptions define the character of the nation. The cultural interaction between Euro-Americans and the original inhabitants constitute one of the most compelling and defining conundrums in American History. This teaching unit, *U. S. Indian Policy, 1815–1860: Removal to Reservations*, plumbs the depths of nineteenth-century ideology as it manifested itself in prevailing public attitudes, justifications for actions, and the formation of government policy. Opposing viewpoints are presented on the policy of Indian Removal as well as a variety of Native American responses providing substance for discussion and debate. Specific attention is paid to shifting attitudes among the Cherokees as their circumstances changed. The teaching unit concludes with an examination of the transition in U. S. policy from Indian Removal to concentrating the remaining eastern Indians on reservations.

Lessons One and **Two** present two different cultural perspectives and the circumstances and decisions that defined the nature of the relationship between those cultures. The roots of Euro-American ideology and prejudice are examined as well as the establishment and perpetuation of those biases in the institutions of a young democracy and their influence in directing federal and state policies toward Native Americans during the early nineteenth century.

Lessons Three, Four and **Five** concentrate on the establishment and implementation of U. S. Indian Policy between 1815 and 1860. These lessons provide primary documents that present multiple perspectives on the policy of Indian Removal and reveals the transition to a policy of confinement on reservations while illustrating throughout the variety of attitudes towards the Indians' adoption of and assimilation into Euro-American culture. Discussion questions and activities are provided to guide students through an analysis of the historical documents and to engage them in the arguments and ideology of these issues in this time period. The current relevance of these issues can be highlighted by a comparison of Indian Removal with ethnic cleansing or an examination of recent disputes over treaty rights in Wisconsin and Minnesota based on the 1837 and 1854 treaties contained in this unit.

II. UNIT CONTEXT

In the typical United States History survey course, this unit would be most appropriate following class topics on the War of 1812 and the diplomatic boundary agreements during the next decade. It could also be the concluding issue in the Jacksonian period while providing a springboard into the topic of western expansion and the overland trails. A discussion of the antebellum Age of Reform could either precede or follow this unit to enable comparisons and contrasts.

This unit is designed for a two to three week time period but is structured to be easily modified for use in a variety of secondary and post-secondary classroom situations and to provide great flexibility in the use of class time. The unit can be used as a whole, independently in separate sections, or by extracting selected documents to enhance other classroom strategies. Should the unit be used in its entirety, class time can be conserved by assigning specific documents to different student groups that would examine them and then report their findings to the rest of the class. Student activities could include analyzing documents, negotiating treaties, engaging in debates, writing mock newspaper articles about specific events, producing posters, staging demonstrations, and role playing. Students will be encouraged to examine issues and events from a variety of Euro-American and Native American perspectives.

III. CORRELATION TO NATIONAL HISTORY STANDARDS

U.S. Indian Policy, 1815–1860: Removal to Reservations presents students with opportunities not only to examine Euro-American—Native American relations during the early nineteenth century from multiple perspectives using primary documents, but the European ideology which pervaded and in turn was perpetuated by the institutions of American Democracy. The unit provides documentary materials and learning activities relating to the *National Standards for History, Basic Edition* (National Center for History in the Schools, 1996), **Era 4, Standard 1B**: *Demonstrate an understanding of federal and state Indian policy and the strategies for survival forged by Native Americans*. Exercises designed to address Euro-American attitudes and ideas that contributed to the myth of Manifest Destiny are incorporated into the unit, satisfying **Standard 1C**. The unit also addresses the five Historical Thinking Standards outlined in Part 1, Chapter 2 of the *National Standards for History, Basic Edition*. Lessons provide primary source materials which challenge students to distinguish between fact and fiction, compare different stories about historical events, consider multiple perspectives, explain causes in analyzing historical actions, hypothesize influences of the past, identify causes of a problem, and evaluate the consequences of a decision.

IV. UNIT OBJECTIVES

1. To analyze primary documents that reveal attitudes that helped provide a basis for U.S. Indian policy.
2. To compare, contrast and evaluate various arguments concerning the U.S. policy of removing Native Americans west of the Mississippi and to consider differing interpretations of the same historical events.
3. To examine treaties and statements of official policy outlining the shift in U.S. Indian Policy from removal to reservations.
4. To develop an understanding of how the historical documents in this unit and the attitudes revealed by them are relevant to current social-political issues which continue to guide official government policies towards Native Americans
5. To expose students to the viewpoints and political positions of Native Americans whose voices have been largely ignored in standard texts.

V. HISTORICAL BACKGROUND

Ideally, relations between two peoples should be an exchange of ideas and a search for mutually beneficial relationships based upon and promoting respect for each other's cultural differences. In an autocratic or aristocratic government, this ideal can be thwarted by narrow concerns of economic interest or social prejudice that control government policy. However, in a democracy, government policy must be supported by commonly held perceptions, and if that policy is prejudicial towards another people, that prejudice must be institutionalized so that no significant group of constituents questions the basic premises from which the policy emanates. Political discourse then focuses on the choice of the various policy options that are dictated by the unquestioned premises.

The perceptions that were later to shape the beliefs of the early Euro-Americans and guide their policies toward Native Americans were clearly articulated during the Middle Ages and Renaissance. The feudal system of Medieval Europe planted the seeds for the belief that property ownership brought greater freedom. The decline of feudalism led to an attendant rise in social status of some peasants to that of landowners. This in turn created within the new propertied class a greater degree of independence. The desire for land and all of its promises were passed on and became a compelling motive for future colonizers. The connection between land and freedom had been firmly established by the end of the Renaissance.

As land was seen as liberating the oppressed, reason was perceived as the means to understand the workings of the world, freeing the mind from the rule of passion. Enlightened thought added moral and scientific weight concerning the superiority of reason over emotion by suggesting that humanity was on a continuum with the men of logic (those who created the concept) at the top and

those enslaved by their passions (those perceived as unenlightened) on the bottom. The creators of the concept, by definition, found themselves on the highest rung. This perception focused on the benevolence of the “superior” culture bringing progress to the “inferior” culture while at the same time dismissing its contributions. To do otherwise would be to contradict the notions of superiority and suggest equality between the cultures that would be anathema to European beliefs and desires.

As European discovery and exploration ultimately led to colonization, the seeds of enlightened thought were scattered with the settlement of new territories. The instruments of exploration and conquest, combined with the moral imperative of Christianizing and civilizing were seen not only as evidence of technological superiority but divine mandate as well. The subjugation of native peoples was justified and even consecrated. By the time the United States had established its new government, enlightened thought was firmly imbedded in the institutions of the new democracy. This provided a justification for the harsh treatment of indigenous peoples while at the same time silencing almost all criticism of the basic assumptions inherent in Indian policy, leaving only the methods of implementation to be disputed.

Prejudicial attitudes concerning Native Americans permeated virtually every institution of the new republic, at once instilling and reinforcing an Euro-American perspective. Education, religion, arts, and science informed one another, each confirming the perceptions of the other and creating a consensus of opinion among the general populace. The education of the citizenry was deemed indispensable to the perpetuation of American democracy, and public schools became the instruments for creating an informed population. Along with reading, writing, and arithmetic, they passed along a version of the world from the Euro-American perspective. Many textbooks used during the early nineteenth century defined Native Americans as “rude,” “savage” and “uncivilized,” incapable of using the land “productively.”

Literature of this period portrayed Native American characters as representatives of two oversimplified and contrasting stereotypes, the “Bloodthirsty Savage” or the “Noble Savage.” Images of the former are prevalent in the many captivity narratives popular in the early 1800s as well as in impressive literary works such as James Fenimore Cooper’s, *The Last of the Mohicans*, in which Maqua and his followers commit the famous massacre at Fort William Henry. In contrast, Cooper depicted Chingachgook and Uncas as representatives of the “Noble Savage” uncorrupted by the vices of civilized society. This romantic image reached its highest expression in Henry Wadsworth Longfellow’s poem “Hiawatha” but was also prevalent in popular literature. These contrasting images, praising and condemning Native Americans, are both based on the same ethnocentric views of Indian culture and both portray Indians as stereotypical caricatures rather than complex human beings.

Politicians found ample evidence to reinforce their policies in the scientific views of the time while religion added its blessing as it endeavored to Christianize the heathens. Renowned political and public figures such as John C. Calhoun, President James Monroe, Lewis Cass and Horace Greeley relied upon these “proofs”

as irrefutable evidence of the inferiority of Native American cultures. Horace Greeley wrote in 1859 that Indians were “. . . a slave of appetite and sloth . . .” and continued with “God has given this earth to those [Europeans] who will subdue and cultivate it. . . .” Such views can be found in many political documents that outline a course of action regarding the disposition of native peoples.

The institutions of Euro-American culture and the theoretical foundations upon which they were based provided a paradigm of shared perceptions and interlocking assumptions that informed policy makers and shaped Native American policy. Scientifically, Indians had been described, defined, analyzed and evaluated, only to be found wanting. Theologically, they were a pagan culture in need of redemption. Socially, they were enslaved by passion and wandering the earth. Economically, they were inefficient and squandering their abundant resources. Viewing Native Americans in this manner, those who sought political remedies could resort to removal, reservations and assimilation as viable and even benevolent solutions to the “Indian problem.”

The policies of the United States government and the attitudes expressed by political leaders were met by eloquent responses from a number of Native Americans who spoke from a different cultural perspective. While European thought dissected and examined the natural world, Native Americans embraced the belief that all things were connected. The ideal was not to conquer nature, but to live in harmony with it. Land was not property, but a sacred and nurturing spiritual force. While biblical interpretations by European theologians suggested man’s domain over the earth, native belief envisioned harmony among all things. While scientific thought gave rise to a “Great Chain of Being,” most native belief placed all things in a circle, with all of creation sharing an equal status. When the “Great Chain of Being” collided with the “Great Circle of Life” the conflict over land use became a spiritual struggle for ideological supremacy.

As the United States government adopted Indian Removal as an official policy, those tribes that were most affected responded in various ways according to their circumstances. From the statements of Elias Boudinout embracing assimilation to the pleas to be left alone voiced by George Harkins, district chief of the Choctaw Nation, to Black Hawk’s call to arms, Native American leaders sought to preserve their lives and culture despite the encroachments of Euro-American settlement. Often the choices available to Indian leaders were limited to opting for physical existence at the cost of their cultural heritage. Unfortunately, virtually every response to Euro-American incursions, regardless of how measured, was interpreted through the paradigms of a non-receptive culture.

Despite the protestations of Native Americans and Euro-Americans sympathetic to their plight, the government of the United States fashioned Indian policy from the prevailing ideology of the early 19th century that set the stage for removal and concentration. Espousing rationale ranging from benevolence to cultural superiority, politicians such as John C. Calhoun, Andrew Jackson and Lewis Cass created justifications for the removal of Native Americans from their lands. Yet, as these policies were put into action, the Cherokees, with the support of friendly Euro-Americans, sought legal redress in the judicial system. The Supreme Court case, *Worcester v. Georgia* in 1832, eventually defined the relationship

between Indian nations and the federal government in ways that continue to affect their interaction to the present. However, at the time, Euro-American observers focused their concern on the conflict between two branches of the federal government and the issue of state's rights v. federal power. The results of these policies are recorded in such events as the Trail of Tears

Removal alone proved insufficient, as the encroachment of Euro-American settlement on lands set aside for native tribes increased the pressure for new solutions. President Andrew Jackson in his annual message to Congress in 1835 stated the intentions of the government to protect the new lands set aside for Indians west of the Mississippi. Indian Commissioner William McDill's 1848 commentary on the state of Native Americans revealed that the basic premises for removal had changed and indicated the shift towards the reservation policy. By 1858, Indian Commissioner Charles Mix provided a much more candid appraisal of past and future Indian policy. Treaties signed with the Chippewa in 1837 and 1854 reveal this transition in government policy as well as the government's method of first defining tribal territories and then acquiring Indian land. These particular treaties also provide much of the basis for current legal disputes over Indian hunting and fishing rights in Wisconsin and Minnesota.

The instances of opposition to U. S. Indian policy are instructive. Most criticism of the policy was based on issues of compassion for an inferior people or an appeal to honor in fulfilling government treaty obligations and promises. Bishop Henry Whipple of Minnesota was perceived by whites as an ardent defender of the Indians. Yet, he only championed their continued life, not the continuation of their culture. His arguments for fair and compassionate treatment of Native Americans, as well as William Seward's two decades earlier, are totally within the accepted context of their total assimilation into white culture. Senator Theodore Frelinghuysen (Whig, New Jersey) provides a rare instance in which Native Americans and their culture are afforded respect and his arguments treat them as any other nation or people.

By the mid-nineteenth century, European philosophies of the Enlightenment were embedded in the Indian policies of the United States government. The institutions of American democracy were predicated upon Eurocentric rationale based on enlightened thought. Those institutions in turn translated that ideology into the context of the American frontier. Public education, thought to be the cornerstone of democracy, promoted a viewpoint of the dominant culture that explained and justified interactions with native cultures. Once the benevolent goal of civilization was firmly ensconced in American ideology and policy, almost any actions were permissible if they furthered that goal. Many Native Americans protested, advocating actions from capitulation to armed resistance, but each action could be interpreted as evidence of the inherent inferiority of native cultures. Some Euro-Americans sympathetic to the Indians circumstances advanced the notion that culture must be sacrificed in order to preserve the lives of Native Americans. On rare occasions when someone, such as Senator Frelinghuysen, presented arguments defending native culture as equal and deserving of respect, they were as those crying in the wilderness. As a civil war threatened to redefine America, the institutionalization of ideas and attitudes that would shape the context of Native American policy for the next century had been firmly established.

DRAMATIC MOMENT

Speckled Snake, a very old Creek elder, 1829

Brothers: We have heard the talk of our Great Father [President Andrew Jackson]; it is very kind. He says he loves his red children. . . .

When the first white man came over the wide waters, he was but a little man. . . . His legs were cramped by sitting long in his big boat, and he begged for a little land. . . . But when the white man had warmed himself at the Indians' fire and had filled himself with the Indian's hominy, he became very large. He stopped not at the mountain tops and his foot covered the plains and the valleys. His hands grasped the eastern and the western sea. Then he became our Great Father. He loved his red children, but he said: "You must move a little farther, lest by accident I tread on you."

With one foot he pushed the red men across the Oconee and with the other he trampled down the graves of our fathers. . . . On another occasion he said, "Get a little farther; go beyond the Oconee and the Ocmulgee [Indian settlements in South Carolina and Georgia]—there is a pleasant country." He also said, "It shall be yours forever."

Now he says, "The land you live upon is not yours. Go beyond the Mississippi; there is game; there you may remain while the grass grows and the rivers run." Will not our Great Father come there also? He loves his red children and his tongue is not forked.

Brothers! I have listened to a great many talks from our Great Father. But they always began and ended in this—"Get a little further; you are too near me."

Source: Frederick W. Turner III, ed., *The Portable North American Indian Reader* (New York: The Viking Press, 1974), pp. 249–50.

LESSON ONE

THE ROLE OF EDUCATION

A. OBJECTIVES

- ◆ To identify Eurocentric biases passed on in educational texts used in American schools during the early nineteenth century and assess their effects on forming public opinion and attitudes concerning Native Americans.
- ◆ To understand the role of ethnocentrism in creating the roots of prejudice and the subsequent institutionalization of prejudice in public education.
- ◆ To analyze primary documents to discover prevailing attitudes and assumptions.

B. BACKGROUND INFORMATION

Public schools of the early nineteenth century were instruments for educating the citizenry of the growing republic and for promoting a shared American identity that included common attitudes and perspectives on important issues. The resulting attitudes towards western expansion and frontier relations, which would eventually become incorporated into the concept of Manifest Destiny, provided a context which allowed the conquest of Native Americans and expropriation of their land to be interpreted as moral, just and inevitable. Dictionaries published during the period provide the connotative and denotative meanings of certain terms used to describe or distinguish Native Americans. The pejorative nature of the terms used to describe American Indians established the context in which that group was perceived. Likewise, textbooks used in the educational system were both the repositories for and the purveyors of the collected lore as interpreted from a Euro-American perspective. Their accounts of Indian history, culture and government as well as their assessment of the physical and personal traits of Native Americans crystallized the social paradigm through which each individual Native American became viewed as a caricature that in turn provided evidence to support the stereotype.

C. LESSON ACTIVITIES

Inform the class that they will be examining several nineteenth-century textbooks to determine what students of the period were learning about Native Americans. Distribute copies of a vocabulary list from Webster's 1806 dictionary (**Student Handout 1**) and review the words and definitions with students.

Divide the class into three groups and assign each a different document (**Documents 1-3**). Have students use Webster's definitions as they read the excerpts from these nineteenth-century textbooks. Questions are

provided with each document as a guide for student discussion of the documents in the set. Each document also includes one or more activities that may be assigned to help students engage these readings.

After groups have examined and analyzed the short readings, each will report its finding to the class. Discuss the differences and similarities in these passages and speculate about what is revealed concerning the attitudes and beliefs inherent in educational materials during the early nineteenth century. You may wish to have students analyze sections from current texts for evidence of ethnocentric perspectives.

In 1822 William Channing Woodbridge wrote *Rudiments of Geography*, in which he described the five states of society in the world. Woodbridge's definition became widely accepted. Distribute Woodbridge's Five States of Civilization and excerpted notes on government and religion (**Document 4**) to the class. Use the questions as a guide for discussion of the document. According to the readings previously discussed, where would you place Native American peoples in Woodbridge's five states of society?

Conclude the lesson by having students write a paragraph describing attitudes that early nineteenth century students would develop toward Native Americans if their knowledge of native cultures was based upon information imparted by texts of that time.

This assignment and the earlier discussion about racial attitudes should provide a number of "teachable moments" but the teacher must guide discussion of this emotional issue in productive directions while being sensitive to all points of view.

D. EXTENSION ACTIVITIES

1. Native Americans are usually portrayed in early American literature as one of two stereotypes, the "Bloodthirsty Savage" or the "Noble Savage." Reexamine all of the excerpts in this lesson, identifying evidence that would support one stereotype or the other. Students could write newspaper editorials using one of these images and the supporting evidence to argue for a particular policy between Indians and the government. Students could also engage in a debate over these policies, based on this evidence.
2. Assume the role of a textbook writer in early nineteenth century America. Write a paragraph about the character and nature of Native American peoples for a history text that will be used in a public school to educate middle elementary level students.
3. Create a statement for release to a newspaper in 1822 justifying the procurement of western lands by the United States government.

Student Handout 1

The following is a list of words taken from Noah Webster's *A Compendious Dictionary of the English Language* published in 1806.

- Aboriginals (n) – primitive inhabitants
- American (n) – a native of America
- Barbarian (a) – savage, cruel, wild, rude, uncivilized
- Civilization (v) – act of civilizing,
- Civilization (n) – a civilized state, refinement, improvement, politeness
- Civilized (a) – polished, improved, polite, civil
- Enlighten (v) – to give light; to instruct
- Enlightener (n) – one who illuminates or teaches
- Heathen (n) – a pagan, one destitute of revelation
- Heathenism (n) – paganism, ignorance of the true God
- Indian (n) – a native of the Indies, an aboriginal
- Indian (a) – pertaining to the Indians (of America)
- Pagan – (n) heathen; (a) heathenish, savage, wild
- Primitive (a) – ancient, original, native, formal
- Rude (a) – rough, brutal, harsh, uncivil, ignorant
- Sachem (n) – a prince, the chief of an Indian tribe
- Savage (n) – person uncivilized, a genus of flies
- Savage (v) – to make cruel or barbarous
- Uncivilized (a) – rude, rough, indecent, barbarous



Noah Webster

Frontispiece, Noah Webster, *An American Dictionary of the English Language*
(New York: S. Converse, 1828)

Document 1
Excerpts from Geography and History Texts

The following excerpts are taken from geography and history textbooks published in the early 1800s.

“The population of this extensive country; when first visited by Europeans, consisted of numerous wild and rude tribes, in a savage state of society, and who were denominated by the early navigators, Indians, from a mistaken notion that the land they had found, bordered on the East Indies. And, since, also called aboriginals or aborigines. . . . The Indian tribes have governments peculiar to themselves, and differing from each other. They are very simple, and but a little advanced from a state of nature.

“It is melancholy to think that so great a part of mankind are sunk in ignorance, superstition, and barbarism. It should serve to increase our thankfulness that we enjoy such great privileges as we do, and excite us to a diligent improvement of them. We have reason to believe that the time will come, when all mankind will be good Christians, and live together in love and peace. . . .”

—Horatio Gates Spatford, *General Geography* (1809) pp. 64, 66, 132.

“The good and bad qualities of Indians are few, or confined to a few objects. In general, a savage is governed by his passions, without much restraint from the authority of his chiefs. He is remarkably hospitable to strangers, offering them the best accommodations he has, and always serving them first. He never forgets a favor or an injury; but will make a grateful return for a favor, and revenge an injury, whenever an opportunity offers, as long as he lives; and the remembrance is hereditary; for the child and grandchild have the same passions, and will repay a kindness or revenge a wrong done to their ancestor.”

—Noah Webster, *History of the United States* (1833), p. 64.

“The independent Indian nations inhabit the interior parts of North America, . . . dispersed over almost the whole continent.

“There is among the various tribes a general resemblance, though not a perfect similarity. They are of common stature, straight and erect in their gait, and of an olive, or copper complexion. Their hair is long, straight, and black; their motion is generally slow, though they are capable of great speed; their countenance is sedate and thoughtful. They are averse to labour and study, and much addicted to intoxication. They are faithful to their friends, but cruel and implacable to their enemies; are patient of suffering, and seem almost to exult under the tortures, inflicted by their conquerors. They will never forgive an injury, nor rest satisfied, till they have requited a favour.

“The men are mostly engaged in war, hunting, and fishing; the women in more servile employment, imposed on them by the men. They are frequently, especially in warm climates, almost destitute of clothing; and such as they have; is mostly made of the skins of beasts.

“They live in low, miserable huts, called *wigwams*; are fond of ornaments, which are profusely attached to their nose, ears, arms, etc. Many attempts have been made to civilize and instruct those within the territory of the United States; but to little purpose. They retire from the cultivated field and the abode of industry, and delight to range their native woods.”

—Jacob Abbot Cummings, *An Introduction to Ancient and Modern Geography*, (1814), pp. 6–7.

Understanding the Document

1. What generalizations are made in each excerpt concerning Native Americans?

Are such comments racist from our present day perspective? Explain.

2. In what ways can these generalizations influence Euro American attitudes toward Native Americans and affect future negotiations between the two cultures?
3. Find examples of statements made about Native Americans that are Eurocentric.
4. According to the last excerpt, what are “the good and bad qualities of Indians,” and what accounts for them exhibiting those traits?
5. Are these accounts “hopeful” that Native Americans will adapt to Euro-American ways? Explain.

Activities

Activity I: Assume the role of a teacher using one of these texts. Prepare a lesson that will instruct students about Native Americans. What conclusions do you think that students would draw based upon the text and the lessons?

Activity II: Most Native American peoples were primarily agriculturists, yet this aspect of Indian society is ignored in the excerpts. Have students create a list of other aspects of Native American society that are ignored or misrepresented and discuss why this occurred.

Document 2

Indian Land and Ancient Civilizations

The following excerpts are taken from *A Practical System of Modern Geography* by Jesse Olney, a popular geography text published in 1840.

“The Indians are the descendants of those who occupied the country at the time of its discovery by Europeans. Most of these prefer their own modes of savage life to those of the whites, and as the latter have extended their settlements, they have removed farther and farther back into the wilderness: at the present time but a small number of them are found east of the Mississippi River.” (p. 63)

“The Valley of the Mississippi embraces the vast region lying between the Allegheny and Rocky Mountains, watered by the Mississippi and its numerous branches. It extends 20 degrees in latitude and about 30 in longitude. If we except the Amazon, probably no other valley on the globe will compare in size with it; and it probably surpasses all others in the richness and variety of its soil, and its general adaptation to the support and comfort of civilized men. In extent it is like a continent; in beauty and fertility, it is the most perfect garden of nature. If we glance an eye over this immense region, connected by navigable rivers—if we regard the fertility of soil, the variety of productions, and if we combine those advantages offered by nature, with the moral energy of the free and active people who are spreading their increasing millions over its surface—what a brilliant prospect opens upon us through the darkness of future time! We see arts, science, industry, virtue, and social happiness already increasing in that region beyond what the wildest fancy would have dared to hope, thirty or forty years ago.” (p. 128)

“The Western States are remarkable for the remains of antiquity with which they abound. These consist of the ruins of forts or fortifications, mounds of earth, or graves, walls, hearths, &c. To judge from these works, the nation that constructed them, must have been far more civilized, and much better acquainted with the useful arts than the present Indians. From the lofty trees with which they are overgrown, it is concluded a long period must have elapsed—perhaps 1000 years—since the desertion of these fabrics, and the extinction of the people by whom they were erected. They are found in the vicinity of each other, spread over the great plains from the southern shore of Lake Erie to the Gulf of Mexico, generally in the neighborhood of the great rivers. Their structure is regular, and they have been supposed to warrant the opinion of the existence, in ancient times, of great cities along the Mississippi. The mummies, or dried bodies enveloped with coarse cloth, and found in some of the saltpetre caves of Kentucky, indicate the existence formerly of a race in these parts, different from that of the

present Indians, and that had probably become extinct long before the discovery of this continent by Columbus.” (p. 130)

“INDIAN TERRITORY—This Territory embraces a large extent of country, noted for its numerous rivers, its extensive forests, mild climate and abundance of game. The United States’ government set apart this Territory for the future residence of those Indians who have emigrated from the States east of the Mississippi. The present population is not far from 75,000. The tribes that have made the greatest advances towards civilization, are the Cherokees, Choctaws, Creeks, and Shawnees. A number of missionaries reside among them and have exerted a happy influence on their habits, manners, and moral condition. . . . What Desert is in the western part of this territory? By what is this Desert traversed? Did you ever see a Buffalo? An Indian?” (pp. 146–47)

“MISSOURI TERRITORY—This is an extensive region remarkable for its large rivers and immense prairies. It is inhabited by Indians and wild animals, with the exception of a few posts held by troops of the United States. For the most part, this country is a plain more or less covered with grass, and in many places very fertile. The richest and most valuable lands are found on the margins of the rivers, which are usually covered with well-timbered forests. At a short distance, however, the trees disappear, and the soil becomes dry and barren. Indeed, some parts of this territory, especially towards the Rocky Mountains, are almost a moving sand, and may be likened to the Great Sahara or African Desert.” (pp. 147–48)



Jesse Olney

Dictionary of American Portraits
Dover, 1967

Understanding the Document

1. What general attitude is revealed about Native Americans? In what ways would Euro-American use of the land differ from that of Native Americans?
2. The description of the region “between the Allegheny and Rocky Mountains” in the second paragraph could not be more flattering if it was an advertisement for western expansion. Is that what it is? What would be the impact on Indians?
3. A statement in the second paragraph refers to “. . . the moral energy of a free and active people. . . .” What is “moral energy”? Why might the author make reference to it in the context of this paragraph?
4. In the final sentence of the second paragraph the author links arts, science and industry with virtue and social happiness. In what way is this statement damaging to future relations between Euro-Americans and Native Americans?
5. The author describes the remains of ancient civilizations in paragraph three. Why does the author assume these people were unrelated to Indians of the early 1800s?
6. Contrast the description in paragraph 2 with the descriptions of Indian Territory and Missouri Territory. What might be the implications for Indian policy of describing the Great Plains as “likened to the Great Sahara?”

Activities

Activity I: Assuming the role of a U.S. senator knowledgeable about this information, create a policy for the treatment of Native Americans that would be politically feasible.

Activity II: Conduct research about the Mississippian Culture in ancient America. Compare the comments in the third paragraph with your findings. Why have modern textbooks only recently included information about ancient American civilizations, while Olney’s text, written in 1840, refers to great cities along the Mississippi River?

Document 3

Indian Government

The following excerpt on Indian government is taken from Bishop Davenport's *A New Gazetteer or Geographical Dictionary*, published in 1837. (p. 7)

“There is established in each society a certain species of government, which prevails over the whole continent of America, with exceeding little variation; because over the whole of this continent the manners and way of life are nearly similar and uniform. Without arts, riches, or luxury, the great instruments of subjection in polished societies, an American [Indian] has no method by which he can render himself considerable among his companions, but by superiority in personal qualities of body or mind. But, as nature has not been very lavish in her personal distinctions, where all enjoy the same education, all are pretty much on an equality, and will desire to remain so. Liberty, therefore, is the prevailing passion of the Americans [Indians]; and their government, under the influence of this sentiment, is, perhaps, better secured than by the wisest political regulations. They are very far, however, from despising all sort of authority; they are attentive to the voice of wisdom, which experience has conferred on the aged, and they enlist under the banners of the chief in whose valor and military address they have learned to repose a just and merited confidence. . . . His power, however, is rather persuasive than coercive; he is revered as a father, rather than feared as a monarch. He has no guards, no prisons, no officers of justice, and one act of ill-judged violence would pull him from his humble throne. The elders in the other form of government, which may be considered as a *mild* and *nominal* aristocracy, have no more power. In most countries, therefore, age alone is sufficient for acquiring respect, influence, and authority. It is age which teaches experience, and experience is the only source of knowledge among a savage people.”

Understanding the Document

1. What generalizations are made about Native American government? In what ways might such generalizations be detrimental to U.S.-Indian relations?
2. According to this excerpt what is the basis of the chief's authority?
3. How is the power of the chief described?
4. Why is liberty the "prevailing passion" of Native Americans?
5. Why is age alone seen as sufficient for acquiring respect, influence and authority in Native American societies?
6. If "... experience is the only source of knowledge among a savage people," what has experience taught many Native American tribes about Euro-Americans?
7. How could Euro-American perceptions of Native American governments influence political relationships between the two cultures?

Activity

Activity I: The paragraph describing Native American government discusses at some length the relationship between age and leadership in tribal societies. To what extent is age a factor in selecting leaders in our society today? Support your answer with at least three examples. To what extent should it be a factor in selecting leaders? Does American society today attribute general characteristics to certain age groups?

Document 4

The Five States of Society

The following excerpts, taken from William Channing Woodbridge's *Rudiments of Geography* published in 1822, delineate the accepted definitions of the five states of society in the world, from the perspective of the United States in the early nineteenth century. Other excerpts include some related comments about government and religion. The last excerpt from Woodbridge's volume is a map.

Men are found in five different states of society; the Savage, Barbarous, Half-Civilized, Civilized, and Enlightened.

1st. The Savage state is that which men gain their support chiefly by *hunting, fishing or robbery*, dress in skins, and generally live in the open air, or in miserable huts. They have little knowledge of agriculture or the mechanic arts, no division of lands or system of laws, and they seldom collect in towns or villages.

2nd The Barbarous state is that in which nations subsist by agriculture, or the pasturage of cattle and sheep, with some knowledge of the mechanic arts. They collect in villages and have some regular forms of government and religion, but *no written language or books*.

Savages and Barbarians are usually cruel and revengeful, and oblige their women to labor like slaves.

3rd The Half-Civilized state is like that of the Chinese, and other nations in the south of Asia, who understand agriculture and many of the arts as well, and have *some books and learning*, with established laws and religion. Still *they treat their women as slaves*, usually keeping them in confinement, and have many other customs like those of barbarous nations.

4th The Civilized state which is found in Poland and South America. Civilized nations are those in which the sciences and arts are well understood, especially the art of printing, and *females are treated as companions*. Many of their customs are still barbarous, and most of the people remain in the grossest ignorance.

5th Enlightened nations are those in which knowledge is more general, and the sciences and arts are found in the greatest perfection, as in most of the nations of Europe.
(pp. 48–9)

GOVERNMENT

The first kind of government in the world was the *Patriarchal*, in which every father, or *patriarch*, governed his own family and servants. Some patriarchs became governors of many kindred families, or a tribe, and were called *chiefs*. The government of savage and barbarous nations is usually that of patriarchs, or chiefs. (p. 50)

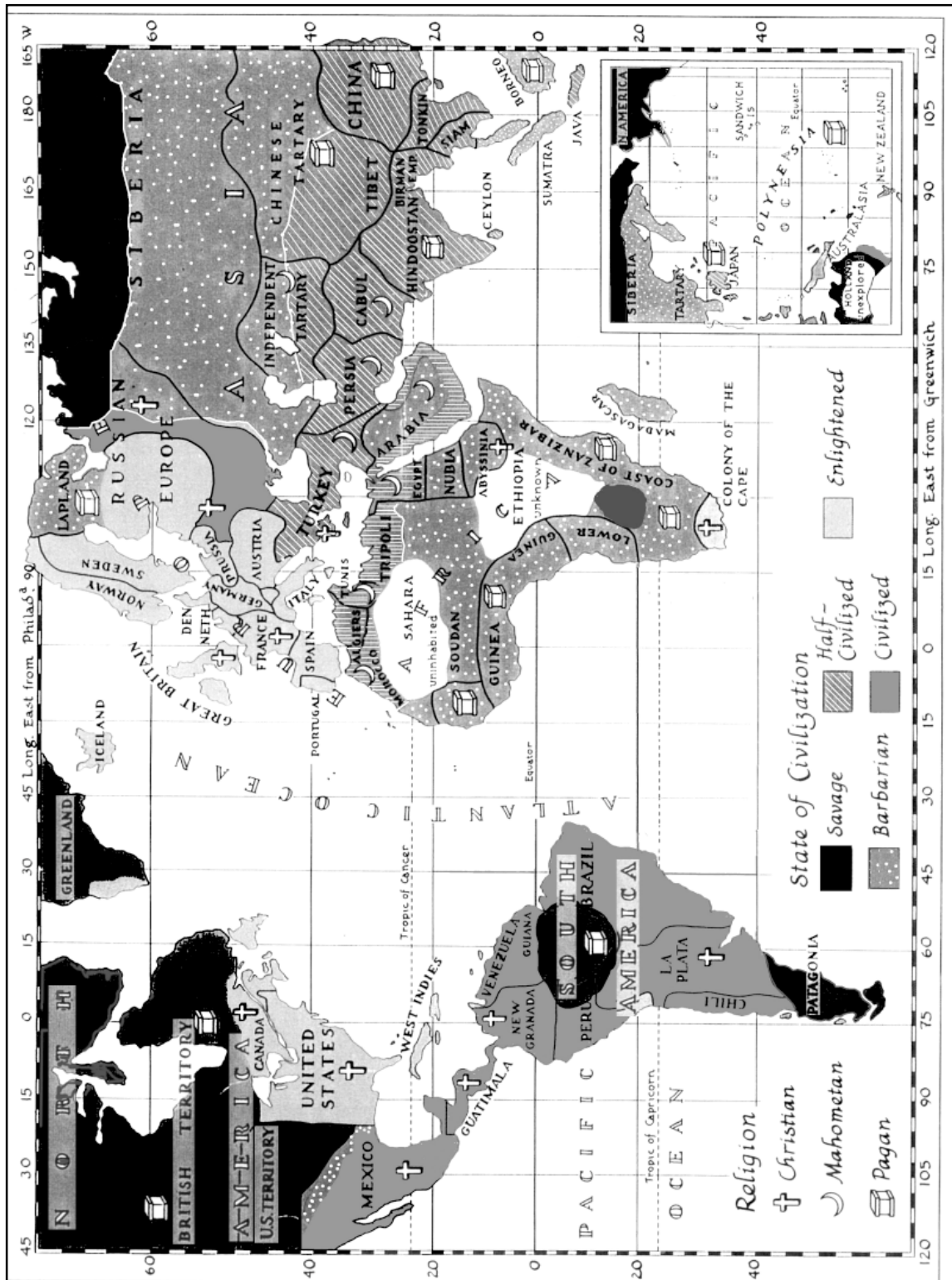
RELIGION

It is supposed that there are more than 700 millions of people on the earth, of whom 400 millions are Pagans, 200 millions Christians, 90 or 100 millions Mahometans, and 8 or 10 million Jews. The savage, barbarous and half-civilized nations of the world are either Pagans or Mahometans; except the Abyssinians, who profess to be Christians; but their religion is very corrupt. (p.52)

Understanding the Documents

1. What criteria are used to distinguish one stage of civilization from another?
2. To what extent are these criteria Eurocentric?
3. To what extent are the comments about religion and government Eurocentric?
4. What parallels can be drawn between religion, government and state of civilization?
5. What does the map suggest about the influence of certain religions on the level of civilization? Which religion is the most advanced? Least advanced?
6. What parts of the world contain the highest level of civilization? The lowest?
7. In what part of the world do the highest and lowest forms of civilization share a common boundary?
8. In the United States, what people (culture) occupied the area west of the Mississippi River? What is their state of civilization? What is their religion?
9. How could the ideas presented in the text and map justify Euro-American attitudes and government Indian policy?

Civilization Map of the Inhabited World



Source: adapted from William Channing Woodbridge, *Rudiments of Geography*, 1822

LESSON TWO

EURO-AMERICAN JUSTIFICATIONS AND INDIAN RESPONSES

A. OBJECTIVES

- ◆ To analyze primary documents revealing the religious, scientific, philosophical and social assumptions and attitudes that provided the basis for U. S. Indian policy.
- ◆ To recognize the variety of Native American responses to U. S. policy, depending upon their own circumstances and historical experiences.
- ◆ To synthesize the Euro-American justifications and Native American responses to evaluate the historical policy as well as possible alternates.
- ◆ To expose students to the viewpoints and political positions of Native Americans whose voices have been largely ignored in standard texts.

B. BACKGROUND INFORMATION

Euro-Americans justified their attitudes and policies with a variety of religious, scientific, social, economic, and philosophical arguments. These theoretical foundations provided a paradigm of shared perceptions and interlocking assumptions that silenced almost all opposition to the goals of government Indian policy, leaving only the methods to be disputed. Inherent in this paradigm lay assumptions about the superiority and ultimate dominance of Euro-American culture, the beneficial destruction of inferior cultures resulting from the inevitable spread of European culture, and the special role of the United States in the divinely sanctioned plan for world progress. This ideology would eventually be coined “Manifest Destiny,” a concept that could be used to justify almost any action as inevitable and, ultimately, moral.

Indian responses varied from individual to individual and tribe-to-tribe depending upon the current situation and past experience of that particular people. However, Indian responses would be interpreted by Euro-Americans from their own ethnocentric perceptions. If the Indians were reasonable and accepted U. S. policy, they were tacitly accepting their own inferiority, confirming the validity of the policy and condemning themselves to cultural destruction. If the Indians objected to the policy, they confirmed their inability to recognize the superiority of Euro-American culture and its eventual benefits to the Indians. If the Indians resisted the policy, they provided proof of their irrational and passionate nature that was the very foundation of Euro-American views of Indians. Given prevailing attitudes, any Native American response would be viewed in a way that would confirm negative stereotypes.

C. LESSON ACTIVITIES

Have students examine short quotes from a variety of sources to determine attitudes and biases toward Native Americans that were commonly accepted by Euro-Americans (**Document 5**). Use the series of questions included with the document as a guide for general class discussion.

Write across the top of the chalkboard the following five categories: Religious, Superior Civilization, Biological, Demographic Inevitability, and Economic (higher use of land). Have the class examine each quote and discuss how an author's justification of U.S. policy correspond to these categories. Are any justifications given that don't fit the five categories? What categories should be added? Note that biblical references can be found to support all of these categories but only three quotes explicitly refer to God.

Guide for Teachers:

Religious—Adams, Gilmer, Cass

Superior Civilization—Calhoun, Monroe, Gilmer, Herring

Biological—Nott, Gliddon, Caldwell, Brackenridge, Cass

Demographic inevitability—Calhoun, Monroe, Gilmer

Economic—Sevier, Adams, Cass, Herring

Following the class discussion, have students read selected Native American responses to the perceptions that most Euro-Americans held of them (**Document 6**). Determine the basic arguments presented by Native Americans and list on the chalkboard. Have students choose which of the arguments they think would be the most effective response to the Indians' circumstance and argue the relative merits of each in either a class discussion or debate. The instructor may wish to introduce the dilemma posed in the second paragraph of the Background Information for this lesson that any Native American response would only confirm negative stereotypes and ultimately be disastrous for them.

Examine the circuitous logic based on the definitions and employed in the Attitudes and Justifications provided in **Lessons One** and **Two**. What other groups or societies have been subjected to the same circuitous logic resulting in stereotypes?

Insure that students understand the pressures that increasing population created for new lands. Remind the class that Enlightenment philosophies identified property rights as the source of societal organization and influenced the founders of the United States government. To what extent did these beliefs contribute to the conflict between Euro-American and Native American disputes over land use?

Culminate the lesson by asking students to list arguments that Euro-American settlers would use to justify and legalize the acquisition of Native American lands. Pose the question: Did the need for land lead to the creation of a philosophy which justified subsequent Euro-American actions or did the pre-existing ideology held by Euro-Americans lead to the desire to acquire more land and subsequently shape policies towards Native Americans? Have students select a position and write a defense of his/her choice.

D. EXTENDED ACTIVITIES

1. The eleven quotes are all justifications of U. S. policy, but, this period is known for its religious enthusiasm and fervent reform activity. To what extent was the plight of Native Americans embraced by individuals or groups involved in these idealistic endeavors? Have students conduct research to identify defenders of Indian rights [some can be found in the next three lessons] and to assess their motives, actions and logic.
2. Identify historic instances that correspond to arguments presented by Native Americans in **Document 6**.
3. What are the roots of prejudice? From where do prejudicial attitudes arise regarding Euro-American attitudes towards Native Americans? What institutions reinforced prejudice during the early nineteenth century? Why is the institutionalization of prejudice more dangerous than general attitudes expressed by the public?
4. Given the attitudes toward Native Americans expressed in **Document 5**, do you hear similar or comparable attitudes expressed today towards Native Americans, other domestic groups or foreign peoples and societies?
5. *The Last of the Mohicans*, one of the great works of early American Literature, portrays its Native American characters as representative of the conflicting stereotypes, the "Bloodthirsty Savage" or the "Noble Savage." Have students read this literary work identifying examples of oversimplified and contrasting images of Native Americans.
6. Having examined the educational foundations and justifications for U.S. policy, students could analyze historical treaties with significance to their region in order to determine the premises upon which they are based.

Document 5 Attitudes and Justifications

This collection of short quotes illustrates a variety of perspectives that served to justify national Indian policy as well as individual attitudes and actions. The first four provide scientific or scholarly views of the Indians from some of the most learned men of the early nineteenth century. The next seven come from various political leaders of the period who were directly involved in Indian policy.

Dr. Josiah C. Nott, surgeon and author about racial differences.

“Do what we will the Indian remains the Indian still. He is not a creature susceptible of civilization. . . . He can no more be civilized than the leopard can change his spots. . . . He is now gradually disappearing, to give place to a higher order of beings.”

George R. Gliddon, archaeologist and author about civilization.

“It is as clear as the sun at noon-day, that in a few generations more the last of these Red men will be numbered with the dead. . . . It is in vain to talk of civilizing them. You might as well attempt to change the nature of the buffalo.”

Dr. Charles Caldwell, a leading phrenologist and medical professor.

“When the wolf, the buffalo and the panther shall have been completely domesticated, like the dog, the cow, and the household cat, then, and not before, may we expect to see the full-blooded Indian civilized, like the white man.”

Hugh Henry Brackenridge, Pennsylvania Supreme Court justice, in his article titled “The Animals, Vulgarly called Indians.”

[It would be as ridiculous to] “admit a right in the buffalo to grant lands” [as in] “the Big Cat, the Big Dog, or any of the ragged wretches that are called chiefs and sachems. . . . What would you think if going to a big lick or place where the beasts collect to lick saline nitrous earth and water, and addressing yourself to a great buffalo to grant you land?”

Source: All quotes from Philip Weeks, *Farewell, My Nation: The American Indian and the United States, 1820-1890* (Arlington Heights, IL: Harlan Davidson, 1990) pp. 14-15.

Governor John Sevier of Tennessee, 1798.

“By the laws of nations, it is agreed that no people shall be entitled to more land than they can cultivate. Of course no people will sit and starve for want of land to work, when a neighboring nation has much more than they can make use of.”

Source: Francis P. Prucha, *American Indian Policy in the Formative Years: The Indian Trade and Intercourse Acts, 1790-1834* (Cambridge: Harvard University Press, 1962) p. 143.

John Quincy Adams, 1802.

“What is the right of the huntsman to the forest of a thousand miles over which he has accidentally ranged in quest of prey? . . . Shall the fields and the valleys, which a beneficent God has formed to teem with the life of innumerable multitudes, be condemned to everlasting barrenness? Shall the mighty rivers poured out by the hands of nature, as channels of communication between numerous nations, roll their waters in sullen silence and eternal solitude to the deep? . . . Shall every purpose of utility . . . be prohibited by the tenant of the woods? No, generous philanthropists! Heaven has not been thus inconsistent in the works of its hands!”

[NOTE: This quote came early in Adams’s long career. According to your textbook or other sources, what was his attitude towards Indian policy later in his life?]

Source: John Quincy Adams, *An Oration, Delivered at Plymouth, December 22, 1802, at the Commemoration of the First Landing of Our Ancestors* (Boston, 1802) pp. 22–25.

Secretary of War John C. Calhoun, 1818.

“Our views of their interest, and not their own, ought to govern them. By a proper combination of force and persuasion, of punishments and rewards, they ought to be brought within the pales of law and civilization. Left to themselves, they will never reach that desirable condition. Before the slow operation of reason and experience can convince them of its superior advantages, they must be overwhelmed by the mighty torrent of our population.”

Source: Francis Paul Prucha, *Documents of United States Indian Policy* (Lincoln: University of Nebraska Press, 1975) p. 32.

President Monroe, 1823.

“It would promote essentially the security and happiness of the tribes within our limits if they could be prevailed on to retire west and north of our States and Territories on lands to be procured for them by the United States in exchange for those on which they now reside. Surrounded as they are, and pressed as they will be on every side by the white population, it will be difficult if not impossible for them with their kind of government to sustain order among them. Their interior will be exposed to frequent disturbances, to remedy which the interposition of the United States will be indispensable, and thus their government will gradually lose its authority until it is annihilated. In this process the moral character of the tribes will also be lost.”

Source: James D. Richardson, *Messages of the Presidents* (Washington, D.C.: Government Printing Office, 1899), 2:282.

Gov. George Gilmer of Georgia, 1830.

“Treaties were expedients by which ignorant, intractable, and savage people were induced without bloodshed to yield up what civilized people had the right to possess by virtue of that command of the Creator delivered to man upon his formation - be fruitful, multiply, and replenish the earth, and subdue it.”

Source: Albert K. Weinberg, *Manifest Destiny: A Study of Nationalist Expansion in American History* (Baltimore: John Hopkins University Press, 1935), p. 83.

Gov. Lewis Cass of the Michigan Territory, 1830.

“There can be no doubt, and such are the views of the elementary writers upon the subject, that the Creator intended the earth should be reclaimed from a state of nature and cultivated; that the human race should spread over it, procuring from it the means of comfortable subsistence, and of increase and improvement. A tribe of wandering hunters, depending upon the chase for support, and deriving it from the forests, and rivers, and lakes, of an immense continent have a very imperfect possession of the country over which they roam. That they are entitled to such supplies as may be necessary for their subsistence, and as they can procure, no one can justly question. But this right cannot be exclusive, unless the forests which shelter them are doomed to perpetual unproductiveness. Our forefathers, when they landed upon the shores of this continent, found it in a state of nature, traversed, but not occupied, by wandering hordes of barbarians, seeking a precarious subsistence, principally from the animals around them.”

Source: Theda Perdue and Michael D. Green, *The Cherokee Removal: A Brief History with Documents*, (Boston: Bedford Books, 1995) pp. 109–110.

Indian Commissioner Herring, 1832.

“The stimulus of physical exertion and intellectual exercise, contained in this powerful principle [private property ownership], of which the Indian is almost entirely void, may not unjustly be considered the parent of all improvements, not merely in the arts, but in the profitable direction of labor among civilized nations. Among them it is the source of plenty; with the Indians, the absence of it is the cause of want, and consequently of decrease of numbers. Nor can proper notions of the social system be successfully inculcated, nor its benefits be rightly appreciated, so as to overcome the habits and prejudices incident to savage birth . . . except by the institution of separate and secure rights in the relations of property and person.”

Source: Francis P. Prucha, ed., *Documents of United States Indian Policy*, p. 63.

Understanding the Documents

1. Examine the quotes. What terms and phrases are culturally biased? What ethnocentric assumptions are inherent in them?
2. On what evidence are the “scientific” arguments concerning Native American based? How do these arguments presuppose Darwinian ideas and concepts?
3. How did “scientific” knowledge, religious beliefs and prevailing political theory influence the creation of Native American policies during the 1830s and 40s?
4. Which quote(s) would be of the greatest concern to Native Americans? Why?
5. What does John Sevier mean by the “law of nations?” Who has decided this?
6. Politicians are often deceptive in their choice of words, but most of these quotes are very blunt and straightforward. What is indicated by the politicians’ seeming lack of concern that his words might be used against him by political opponents?
7. How do Governor Gilmer’s views on treaties correspond to prevailing attitudes as well as the political and legal realities at that time? How do they correspond to present attitudes about treaty rights or political and legal realities?



**Sac and Fox at St. Louis to
See Steamer Off
April 10, 1833**

From a drawing by Karl Bodmer in Maximilian's *Travels* (1843) depicting a farewell to kinsmen being taken to prison.
Smithsonian Institution

Document 6

Indian Responses

Native Americans responded to Euro-American attitudes and justifications in a variety of ways. Their relations with the United States were so crucial to their well being that factional dissension over this issue emerged in nearly every Indian society. Furthermore, the circumstances confronting a particular Indian society and the viability of their options kept changing. The following are examples of some Indian responses during the period that Indian Removal was being implemented. They range from George Harkins' reluctant acceptance of removal to Black Hawk's stirring call for war to Senachwine's fatalism.

Cherokee Women Petition, June 30, 1818

This petition indicates to the tribal council an opposition to both the sale of additional land and the tribe's removal to the west. It also reveals the authors' acceptance of Euro-American concepts about civilization and their concern about the motives of white men who have married into the tribe.

"We have called a meeting among ourselves to consult on the different points now before the council, relating to our national affairs. We have heard with painful feelings that the bounds of the land we now possess are to be drawn into very narrow limits. The land was given to us by the Great Spirit above as our common right, to raise our children upon & to make support for our rising generations. We therefore humbly petition our beloved children, the head men & warriors, to hold out to the last in support of our common rights, as the Cherokee nation might have been the first settlers in this land; we therefore claim the right of the soil.

"We well remember that our country was formerly very extensive, but by repeated sales it has become circumscribed to the very narrow limits we have present. Our Father the President advised us to become farmers, to manufacture our own clothes, & to have our children instructed. To this advice we have attended in every thing as far as we were able. Now the thought of being compelled to remove the other side of the Mississippi is dreadful to us, because it appears to us that we, by this removal, shall be brought to a savage state again, for we have, by the endeavor of our Father the President, become too much enlightened to throw aside the privileges of a civilized life.

"We therefore unanimously join in our meeting to hold our country in common as hitherto.

“Some of our children have become Christians. We have missionary schools among us. We have heard the gospel in our nation. We have become civilized & enlightened, & are in hopes that in a few years our nation will be prepared for instruction in other branches of sciences & arts, which are both useful & necessary in civilized society.

“There are some white men among us who have been raised in this country from their youth, are connected with us by marriage, & have considerable families, who are very active in encouraging the emigration of our nation. These ought to be our truest friends but prove our worst enemies. They seem to be only concerned how to increase their riches, but do not care what becomes of our Nation, nor even their own wives and children.”

Source: Theda Perdue and Michael D. Green, *The Cherokee Removal: A Brief History with Documents* (Boston: Bedford Books, 1995), pp. 125–26.

Levi Colbert, Chickasaw, 1826

As with many Indian orators, Levi Colbert makes use of symbolism to express his fears concerning removal. He points out the contradiction between government promises and actions while very accurately assessing the future growth of white settlement.

“We never had a thought of exchanging our land for any other, as we think that we would not find a country that would suit us as well as this we now occupy, it being the land of our forefathers . . . the consequences may be similar to transplanting an old tree, which would wither and die away and we are fearful we would come to the same. . . .

“We wish our father [the President] to extend his protection to us here, as he proposes to do on the west of the Mississippi, as we apprehend we would, in a few years, experience the same difficulties in any other section of the country that might be suitable to us west of the Mississippi. . . .

“Our father the President wishes that we should come under the laws of the United States; we are a people that are not enlightened, and we cannot consent to be under your Government. If we should consent, we should be likened unto young corn growing and met with a drought that would kill it.”

Source: Peter Nabokov, ed., *Native American Testimony: An Anthology of Indian and White Relations: First Encounter to Dispossession* (New York: Harper and Row Publishers, 1978) pp. 190–91.

Elias Boudinot, Cherokee, 1826

The quote below is excerpted from a longer argument that the Cherokee people had already made tremendous advances toward civilization which would be destroyed if they were removed west of the Mississippi. Accepting the criteria of white society for assimilation, Boudinot provides statistical evidence of the impressive accomplishments of the Cherokee, which highlights the hypocrisy of their forced removal as well as the inherent contradictions of the Indian Removal policy.

**Elias Boudinot**

Dictionary of American Portraits
Dover, 1967

“The nation is improving, rapidly improving in all those particulars which must finally constitute the inhabitants an industrious and intelligent people. . . .

“In 1810 there were 19,500 cattle; 6,100 horses; 19,600 swine; 1,037 sheep; 467 looms; 1,600 spinning wheels; 50 waggons; 500 ploughs; 3 saw-mills; 13 grist-mills &c. At this time there are 22,000 cattle; 7600 horses; 46,000 swine; 2,500 sheep; 762 looms; 2,488 spinning wheels; 172 waggons; 2,945 ploughs; 10 saw-mills; 31 grist-mills; 62 Blacksmith-shops; 8 cotton machines; 18 schools; 18 ferries; and a number of public roads. In one district there were, last winter, upwards of 1000 volumes of good books; and 11 different periodical papers both religious and political. . . .”

Source Elias Boudinot, *An Address to the Whites* (Philadelphia: Geddes, 1826).

Senachwine, Potawatomie, 1830

This is a response to a speech by Black Hawk attempting to recruit support from other tribes for a war against the whites. The fatalistic attitude expressed must have been shared by many other Indians at those times when diplomatic negotiations were most frustrating or when their health and safety were most precarious.

“For more than seventy years I have hunted in this grove and fished in this stream, and for many years I have worshiped on this ground. Through these groves and over these prairies in pursuit of game our fathers roamed, and by them this land was left unto us as a heritage forever. No one is more attached to his home than myself, and none among you is so grieved to leave it. But the time is near at hand, when the red men of the forest

will have to leave the land of their nativity, and find a home toward the setting sun. The white men of the east, whose numbers are like the sands of the sea, will overrun and take possession of this country. They will build wigwams and villages all over the land, and their domain will extend from sea to sea.

“In my boyhood days I have chased the buffalo across the prairies, and hunted elk in the groves; but where are they now? Long since they have left us; the near approach of the white man has frightened them away. The deer and the turkey will go next, and with them the sons of the forest.

“Resistance to the aggression of the whites is useless; war is wicked and must result in our ruin. Therefore, let us submit to our fate, return not evil for evil, as this would offend the Great Spirit and bring ruin upon us. The time is near when our race will become extinct, and nothing left to show the world that we ever did exist. . . .”

Source: Frederick W. Turner III, ed. *The Portable North American Indian Reader* (New York: Viking Press, 1974) pp. 250–51.

George W. Harkins, district chief of the Choctaw Nation, 1832

George Harkins issued this protest after he and the other Choctaw leaders reluctantly signed the treaty that would remove them west of the Mississippi. It contained none of the symbolism usually found in Indian oratory and read more like a legal brief or a political speech. The choice of words, the format and even Harkins' title are indications of how white culture had been adopted by the Choctaw.

“We were hedged in by two evils, and we chose that which we thought least. Yet we could not recognize the right that the state of Mississippi had assumed to legislate for us. Although the legislators of the state were qualified to make laws for their own citizens, that did not qualify them to become law makers to a people who were so dissimilar in manners and customs as the Choctaws are to the Mississippians. Admitting that they understood the people, could they remove that mountain of prejudice that has ever obstructed the streams of justice, and prevented their salutary influence from reaching my devoted countrymen? We as Choctaws rather chose to suffer and be free, than live under the degrading influence of laws where our voice could not be heard in their formation.

“I could cheerfully hope that those of another age and generation may not feel the effects of those oppressive measures that have been so illiberally dealt out to us. . . . I ask you in the name of justice for repose, for myself and my injured people. Let us alone—we will not harm you, we want rest. We hope, in the name of justice that another outrage may never be committed against us. . . .”

Source: T. C. McLuhan, *Touch the Earth: A Self-Portrait of Indian Existence* (New York: Promontary Press, 1971), p. 139.

Black Hawk, Sauk, 1832

Black Hawk, like a number of famous Indian leaders before him, advocated a united resistance against the advance of white settlement. After a litany of white abuses, he utilized appeals to pride, promises of support from other tribes and expectations of supplies from the British in an effort to rally support for war.

“From the day the palefaces landed upon our shores, they have been robbing us of our inheritance, and slowly, but surely, driving us back, back, back toward the setting sun, burning our villages, destroying our growing crops, ravishing our wives and daughters, beating our papooses with cruel sticks, and brutally murdering our people upon the most flimsy pretenses and trivial causes. . . .

“They are now running their plows through our graveyards, turning up the bones and ashes of our sacred dead, whose spirits are calling to us from the land of dreams for vengeance on the despoilers. Will the descendants of Nanamakee and our other illustrious dead stand idly by and suffer this sacrilege to be continued? Have they lost their strength and courage, and become squaws and papooses? The Great Spirit whispers in my ear, no! Then let us be again united as a nation and at once cross the Mississippi, rekindle our watchfires upon our ancient watch-tower, and send forth the war-whoop of the again united Sauks, and our cousins, the Masquawkees, Pottawattamies, Ottawas, Chippewas, Winnebagoes and Kickapoos, will unite with us in avenging our wrongs upon the white pioneers of Illinois.

“When we recross the Mississippi with a strong army, the British Father will send us not only guns, tomahawks, spears, knives and ammunition in abundance, but he will also send us British soldiers to fight our battles for us. Then will the deadly arrow and fatal tomahawk hurtle through the air at the hearts and heads of the pale faced invaders, sending their guilty spirits to the white man’s place of endless punishment.”

Source: *Native Americans: Opposing Viewpoints* (San Diego: Greenhaven Press, 1998) p. 65.

Understanding the Documents

1. What type of response is given in each of the statements? How effective would that argument be to the U. S. citizens or the government?
2. How would you characterize each Indian response? How are they similar? different?
3. To what extent does each response show some adoption of Euro-American culture?
4. Examining these six Indian statements, consider what set of circumstances would have to occur for you to adopt each of the positions given here.
5. What were the actual effects of the policy advocated in each statement?
6. What other alternatives existed? Can you identify instances when these were taken?



Black Hawk and His Son Whirling Thunder
by John Wesley Jarvis
Gilcrease Museum Collection, Tulsa Oklahoma

LESSON THREE

INDIAN REMOVAL POLICY

A. OBJECTIVES

- ◆ To compare, contrast, and evaluate various arguments concerning the U. S. policy of removing Native Americans west of the Mississippi.
- ◆ To examine primary documents to discover the basic premises upon which intercultural relations were based in the early nineteenth century.
- ◆ To compare and contrast the competing arguments to identify inherent contradictions in the basic logic of U. S. Indian policy.

B. BACKGROUND INFORMATION

In 1803 President Thomas Jefferson wrote to Indiana territorial governor William Henry Harrison expressing his desire that the Indians would “in time either incorporate with us as citizens of the United States, or remove beyond the Mississippi.” Jefferson reasoned that the Indians gradual adoption of farming and their increasing debts to traders would facilitate the peaceful cession of their lands while any tribe foolish enough to become hostile should be driven across the Mississippi. During the next three decades subsequent presidents sought to achieve these alternate goals of civilizing individual Indians or removing the tribes but few Indians chose to migrate and the demand for land escalated as the Euro-American population surged. State governments became alarmed when Indians chose a third alternative of retaining their land while “civilizing” as a group with their own boundaries, government, and legal system. Various states protested that this violated the constitutional provision that “no new State shall be formed or erected within the Jurisdiction of any other State.” (Article IV, Section 3) President Jackson supported the argument that this violated the constitution and engineered the passage of the Indian Removal Act in 1830 to remedy this situation. During the next decade, over 80,000 Indians were convinced, coerced, tricked, or forced at bayonet point to remove west of the Mississippi. The Cherokees, Creeks and Choctaws from the Southeast were the most numerous migrants, but a significant number of Pottawatomies, Chippewas, Shawnees, and Ottawas from the Midwest moved beyond the Mississippi while many Oneidas and several smaller groups from New York were removed to Wisconsin.

The Indian Removal period is particularly interesting because it reveals the irony and inherent contradictions in American Indian policy. The removal of eastern Indians from the path of a crushing tidal wave of “superior society” appealed to the benevolent logic (as well as the ulterior

motives) of many American citizens. Some argued for removal to give the Indians more time to become “civilized” while others believed the Indians were incapable of ever achieving that status and were merely an obstacle to progress. Ironically, the largest and most famous tribes removed were those who already had adopted many white customs and were even referred to by the U.S. government as the “Five Civilized Tribes.” Both of these contrasting logical justifications for removal would also have indicated that, within each tribe, the traditionalists should be moved west while those who had adopted many aspects of white society should be assimilated. In fact, traditionalists were the most adamant resisters to removal while more acculturated members tended to succumb eventually to white pressure and agreed to move west. Furthermore, the Indians’ adoption of white farming methods was an overriding goal of policy makers and yet those Indians were being removed to an area with a climate unsuitable for agricultural practices of the 1830s. Indeed, the area set aside as Indian Territory was specifically chosen because white settlers would not be interested in farming in what was then called “The Great American Desert.”

C. LESSON ACTIVITIES

This lesson explores an array of opposing perspectives concerning the policy of Indian Removal, which could be utilized in a variety of creative ways in the classroom. The six primary documents (**Documents 7–12**) are evenly divided between opponents and proponents of removal but each is distinct with its own logic and argument. Each of the documents includes questions to help students understand the reading. Select from one of the following three options for developing this lesson.

1. Assign students the roles of the documents’ authors and conduct a simulated debate with students reading their documents to the class using the appropriate tone, emphasis and mannerisms.
2. Divide the class into six groups and assign a different document to each group. Have students within their respective group analyze the author’s perspective and then formulate a position based on that document for an actual debate. They could further develop their arguments by examining the quotes in **Lesson Two** for supporting material or conducting research for additional evidence.
3. Divide the class into 6 groups each with a different document. After students have read and discussed the document in their respective group, rearrange the groups so that groups now include at least one specialist on each document. Permit time for each “specialist” to discuss his/her document with the group. Have students within their groups consider the logical and factual similarities, differences or contradictions in the three documents supporting Indian Removal as well as the three documents opposing the policy. Each group should report its findings to the class.

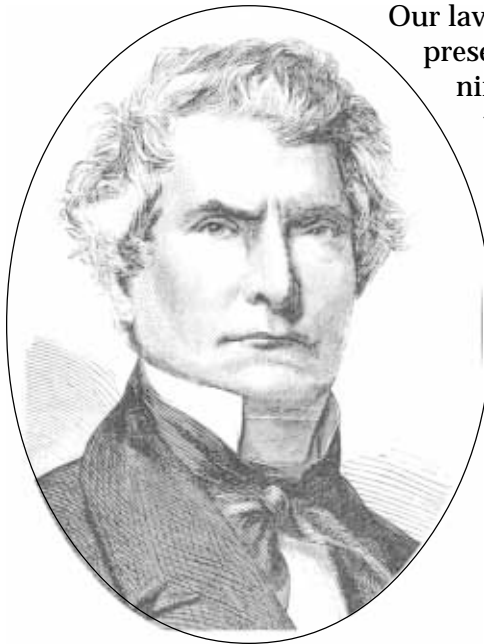
D. EXTENDED ACTIVITIES

1. Calhoun is quite blunt about his views of Native Americans and the policy that should be pursued towards them. Choose a current world issue and write an equally blunt assessment of the motives and goals of U. S. policy in that current situation.
2. Research the details of the treaty negotiations with the Cherokee and their ultimate removal in the late 1830s. Contrast the sentiments expressed in President Jackson's First Annual Message to Congress with the implementation of Cherokee Indian Removal.
3. Think of Senator Frelinghuysen as a politician. Why are his views so different from the common perceptions of his time? How was he viewed by his contemporaries? Does he have an equivalent today?
4. Jackson and Frelinghuysen both proceed from the premise that the treatment of Native Americans is a reflection of the national character. However, from this shared premise the two men depart radically in their interpretations based on their perceptions of Indian culture. Have students, in groups of three, compose editorials on this issue with some groups adopting Jackson's views and others adopting Frelinghuysen's views. Students could also debate the issue.
5. Lewis Cass meets Senator Frelinghuysen on a stagecoach. They are together in this cramped situation for a full day. Create a conversation between the two that embodies each of their ideas concerning Native Americans.
6. Assume the role of a science fiction writer and write a short story (1–2 pages) in which the people of earth are compelled to leave the planet by beings who assume their superiority by virtue of their advanced technology.

Document 7
Secretary of War John C. Calhoun, December 5, 1818

These comments by John C. Calhoun are prophetic because they summarize the stages and goals of U. S. Indian policy for the next one hundred years. His attitudes towards Native Americans correlate to those expressed in the previous section and provide a context for the formation of an Indian removal policy. However, he goes on to predict the establishment of reservations, the allotment of land to individual families and the assimilation of Indians through agriculture and education. It culminates in the benevolent notion that the purpose of government policy is to save the Indians from extinction.

The time seems to have arrived when our policy towards them should undergo an important change. They neither are, in fact, nor ought to be, considered as independent nations. Our views of their interest, and not their own, ought to govern them. By a proper combination of force and persuasion, of punishments and rewards, they ought to be brought within the pales of law and civilization. Left to themselves, they will never reach that desirable condition. Before the slow operation of reason and experience can convince them of its superior advantages, they must be overwhelmed by the mighty torrent of our population. Such small bodies, with savage customs and character, cannot, and ought not, to be permitted to exist in an independent condition in the midst of civilized society.



John Calhoun

Dictionary of American Portraits
Dover, 1967

Our laws and manners ought to supersede their present savage manners and customs. Beginning with those most advanced in civilization, and surrounded by our people, they ought to be made to contract their settlements within reasonable bounds, with a distinct understanding that the United States intend to make no further acquisition of land from them, and that the settlements reserved are intended for their permanent home.

The land ought to be divided among families; and the idea of individual property in the soil carefully inculcated. Their annuities would constitute an ample school fund; and education, comprehending as well as the common arts of life, as reading writing, and arithmetic, ought not to be left discretionary with the parents. Those who

might not choose to submit, ought to be permitted and aided in forming new settlements at a distance from ours. When sufficiently advanced in civilization, they would be permitted to participate in such civil and political rights as the respective States within whose limits they are situated might safely extend to them.

It is only by causing our opinion of their interest to prevail, that they can be civilized and saved from extinction. Under the present policy, they are continually decreasing and degenerating, notwithstanding the Government has, under all of its administrations, been actuated by the most sincere desire to promote their happiness and civilization. The fault has been, not in the want of zeal, but in the mode by which it has been attempted to effect these desirable objects. The Indians are not so suited as to leave it to time and experience to effect their civilization. By selecting prudently the occasion for the change, by establishing a few essential regulations, and by appointing persons to administer them fairly and honestly, our efforts could scarcely fail of success. Nor ought it to be feared that the power would be abused on our part; for, in addition to the dictates of benevolence, we have a strong interest in their civilization. The enmity even of the frontier settlers towards them is caused principally by the imperfection of the present system; and under the one which I have suggested, it will greatly abate, if not entirely subside. The natural humanity and generosity of the American character would no longer be weakened by the disorders and savage cruelty to which our frontiers are now exposed. A deep conviction of the importance of the subject, and a strong desire to arrest the current of events, which, if permitted to flow in their present channel, must end in the annihilation of those who were once the proprietors of this prosperous country, must be my apology for this digression...

Source: Francis Paul Prucha, *Documents of United States Indian Policy* (Lincoln: University of Nebraska Press, 1975), pp. 32–33.

Understanding the Document

1. What criticisms does John C. Calhoun have of past Indian policy? Why has it failed?
2. What comments by Calhoun are prophetic about future Indian policy?
3. In what ways are the effects of future Indian policy different from what Calhoun predicted? In what ways are they the same as predicted?
4. How many words with pejorative connotations can you find in the document ?

Document 8
President Andrew Jackson, First Annual Message to Congress
December 8, 1829

President Andrew Jackson casts the Removal Policy in a benevolent light. Historians find Jackson fascinating because his logic and actions on many issues seem to frequently display inherent contradictions. In this document, Jackson addresses the historical injustices perpetuated against Indians, proposes a solution and then suggests that the interaction with Native Americans is a reflection of the national character. He also reveals conflicting views on Indian culture and state versus federal power.

The condition and ulterior destiny of the Indian tribes within the limits of some of our States have become objects of much interest and importance. It has long been the policy of Government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another wholly incompatible with its success. Professing a desire to civilize and settle them, we have at the same time lost no opportunity to purchase their lands and thrust them farther into the wilderness. . . .

Our conduct toward these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a most powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force they have been made to retire from river to river and from mountain to mountain, until some of the tribes have become extinct and others have left but remnants to preserve for a while their once terrible names. Surrounded by the whites with their arts of civilization, which by destroying the resources of the savage doom him to weakness and decay, the fate of the Mohegan, the Narragansett, and the Delaware is fast overtaking the Choctaw, the Cherokee, and the Creek. That this fate surely awaits them if they remain within the limits of the States does not admit of a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity. It is too late to inquire whether it was just in the United States to include them and their territory within the bounds of new States, whose limits they could control. That step can not be retraced. A State can not be dismembered by Congress or restricted in the exercise of her constitutional power. But the people of those States and of every State, actuated by feelings of justice and a regard for our national honor, submit to you the interesting question whether something can not be done, consistently with the rights of the States, to preserve this much-injured race.

As a means of effecting this end I suggest for your consideration the propriety of setting apart an ample district west of the Mississippi, and without

the limits of any State or Territory now formed, to be guaranteed to the Indian tribes as long as they shall occupy it, each tribe having a distinct control over the portion designated for its use. There they may be secured in the enjoyment of governments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier and between the several tribes. There the benevolent may endeavor to teach them the arts of civilization, and, by promoting union and harmony among them to raise up an interesting commonwealth, destined to perpetuate the race and to attest the humanity and justice of this Government.

This emigration should be voluntary, for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers and seek a home in a distant land. But they should be distinctly informed that if they remain within the limits of the States they must be subject to their laws. . . . Submitting to the laws of the States, and receiving, like other citizens, protection in their persons and property, they will ere long become merged in the mass of our population.

Source: Francis Paul Prucha, *Documents of United States Indian Policy* (Lincoln: University of Nebraska Press, 1975), pp. 47–48.

Understanding the Document

1. What is Andrew Jackson's solution to the question of the future of Native Americans?
2. What justifications does Jackson give for this course of action?
3. In the first sentence of paragraph two, Jackson states that the conduct of the United States toward Native Americans is "deeply interesting to our national character." What does he mean by this? Does Jackson consider US policy to be a positive or negative reflection on the national character?
4. In what ways do you think the national character is revealed by US conduct towards Native Americans? In what ways do you consider US policy to be a positive or negative reflection on the national character? What alternatives were feasible?
5. Jackson thought of himself as both a friend of the Indians and a conqueror of the Indians. How would Jackson explain what seems to be a contradiction?

Document 9
Senator Theodore Frelinghuysen, April 9, 1830

Senator Theodore Frelinghuysen of New Jersey was a vociferous opponent of Indian Removal and one of the few government leaders to accord Native Americans and their culture the respect afforded to others. Despite achieving rare prominence as a freshman senator, Frelinghuysen only served one term due to a shift in the controlling majority of the New Jersey legislature from opponents to supporters of Andrew Jackson. American history and the experiences of generations of Indians may have changed dramatically if his views had prevailed.

. . . God, in his providence, planted these tribes on this Western continent, so far as we know, before Great Britain herself had a political existence. I believe, sir, it is not now seriously denied that the Indians are men, endowed with kindred faculties and powers with ourselves; that they have a place in human sympathy, and are justly entitled to a share in the common bounties of a benignant Providence. And, with this conceded, I ask in what code of the law of nations, or by what process of abstract deduction, their rights have been extinguished?

Where is the decree or ordinance that has stripped those early and first lords of the soil? Sir, no record of such measure can be found. And I might triumphantly rest the hopes of these feeble fragments of once great nations upon this impregnable foundation. However mere human policy, or the law of power, or the tyrant's pleas of expediency, may have found it convenient at any or in all times to recede from the unchangeable principles of eternal justice, no argument can shake the political maxim, that, where the Indian always has been, he enjoys an absolute right still to be, in the free exercise of his own modes of thought, government and conduct.

In the light of natural law, can a reason for a distinction exist in the mode of enjoying that which is my own? If I use it for hunting, may another take it because he needs it for agriculture? I am aware that some writers have, by a system of artificial reasoning, endeavored to justify, or rather excuse the encroachments made upon Indian territory; and they denominate those abstractions the law of nations, and, in this ready way, the question is dispatched. Sir, as we trace the sources of this law, we find its authority to depend either upon the conventions or common consent of nations. . .and when, permit me to inquire, were the Indian tribes ever consulted on the establishment of such a law? Whoever represented them or their interests in any congress of nations, to confer upon the public rules of intercourse, and the proper foundations of dominion and property? The plain matter of fact is, that all these partial doctrines have resulted from the selfish plans and pursuits of more enlightened nations; and it is not matter for any great wonder, that they should so largely partake of a mercenary and exclusive spirit toward the claims of the Indians.

It is, however, admitted, sir, that, when the increase of population and the wants of mankind demand the cultivation of the earth, a duty is thereby devolved upon

the proprietors of large and uncultivated regions, of devoting them to such useful purposes. But such appropriations are to be obtained by fair contract, and for reasonable compensation. It is, in such a case, the duty of the proprietor to sell: we may properly address his reason to induce him, but we cannot rightfully compel the cession of his lands, or take them by violence, if his consent be withheld. It is with great satisfaction that I am enabled, upon the best authority, to affirm, that this duty has been largely and generously met and fulfilled on the part of the aboriginal proprietors of this continent. Several years ago, official reports to Congress stated the amount of Indian grants to the United States to exceed 214 millions of acres. Yes, sir, we have acquired, and now own more land as the fruits of their bounty than we shall dispose of at the present rate to actual settlers in two hundred years. For, very recently, it has been ascertained, on this floor, that our public sales average not more than about one million of acres annually. It greatly aggravates the wrong that is now meditated against these tribes, to survey the rich and ample districts of their territories, that either force or persuasion have incorporated into our public domains. As the tide of our population has rolled on, we have added purchase to purchase. The confiding Indian listened to our professions of friendship: we called him brother, and he believed us. Millions after millions he has yielded to our importunity, until we have acquired more than can be cultivated in centuries and yet we crave more. We have crowded the tribes upon a few miserable acres on our southern frontier: it is all that is left to them of their once boundless forests: and still, like the horse-leech, our insatiated cupidity cries, give! give!

. . . The Indian bears it all meekly; he complains, indeed, as well he may; but suffers on: and now he finds that this neighbor, whom his kindness had nourished, has spread an adverse title over the last remains of his patrimony, barely adequate to his wants, and turns upon him, and says, "away! we cannot endure you so near us! These forests and rivers, these groves of your fathers, these fire-sides and hunting grounds, are ours by the right of power, and the force of numbers." Sir, let every treaty be blotted from our records, and in the judgment of natural and unchangeable truth and justice, I ask, who is the injured, and who is the aggressor? Let conscience answer, and I fear not the result. . . . Do the obligations of justice change with the color of the skin? Is it one of the prerogatives of the white man, that he may disregard the dictates of moral principles, when an Indian shall be concerned? No, sir. In that severe and impartial scrutiny, which futurity will cast over this subject, the righteous award will be, that those very causes which are now pleaded for the relaxed enforcement of the rules of equity, urged upon us not only a rigid execution of the highest justice, to the very letter, but claimed at our hands a generous and magnanimous policy.

Standing here, then, on this unshaken basis, how is it possible that even a shadow of claim to soil, or jurisdiction, can be derived, by forming a collateral issue between the State of Georgia and the General Government? Her complaint is made against the United States, for encroachments on her sovereignty. Sir, the Cherokees are no parties to this issue; they have no part in this controversy. They hold by better title than either Georgia or the Union. They have nothing to do with State sovereignty, or United States, sovereignty. They are above and beyond both. . . .

. . . Ever since the first colonies of white men found an abode on these Western shores, we have distinctly recognized their title; treated with them as owners, and in all our acquisitions of territory, applied ourselves to these ancient proprietors, by purchase and cession alone, to obtain the right of soil. Sir, I challenge the record of any other or different pretension. When, or where, did any assembly or convention meet which proclaimed, or even suggested to these tribes, that the right of discovery contained a superior efficacy over all prior titles?

Source: Francis Paul Prucha, *Documents of United States Indian Policy* (Lincoln: University of Nebraska Press, 1975), pp. 49–51.

Understanding the Document

1. According to Senator Frelinghuysen, by what reasoning do Native Americans have the right to retain their lands? Cite at least three reasons.
2. How does Frelinghuysen refute the argument that the consent of nations has justified appropriating Native American lands?
3. Frelinghuysen uses the term “enlightened nations” in reference to those responsible for taking Native American lands. In what context is he using this term? Explain.
4. According to this document, how may Native American lands be justly acquired?
5. Why does Frelinghuysen conclude that the United States has taken enough land to satisfy its needs for more than two hundred years?
6. Why does he ask, “Do the obligations of justice change with the color of the skin?”
7. Why should the Cherokees not be part of the case involving Georgia and the United States concerning sovereignty?
8. According to Frelinghuysen what rights do Native Americans have?

Document 10
Memorial of the Cherokee Nation, 1830

The Cherokee Indians had adopted most aspects of Euro-American culture by the early 1800s and, for many assimilationists, they were the shining example that Indians were capable of becoming civilized. Yet, the state of Georgia demanded their removal and in 1828 began ignoring Cherokee governments, nullifying Cherokee laws and voiding Cherokee land titles. In the document below, the Cherokee present their arguments to the American people.

The people of the United States will have the fairness to reflect, that all treaties between them and the Cherokees were made, at the solicitation, and for the benefit, of the whites; that valuable considerations were given for every stipulation, on the part of the United States; that it is impossible to reinstate the parties in their former situation, that there are now hundreds of thousands of citizens of the United States residing upon lands ceded by the Cherokees in these very treaties; and that our people have trusted their country to the guaranty of the United States. If this guaranty fails them, in what can they trust, and where can they look for protection?

We are aware, that some persons suppose it will be for our advantage to remove beyond the Mississippi. We think otherwise. Our people universally think otherwise. Thinking it would be fatal to their interests, they have almost to a man sent their memorial to congress, deprecating the necessity of a removal. This question was distinctly before their minds when they signed their memorial. Not an adult person can be found, who has not an opinion on the subject, and if the people were to understand distinctly, that they could be protected against the laws of the neighboring states, there is probably not an adult person in the nation, who would think it best to remove; though possibly a few might emigrate individually. There are doubtless many, who would flee to an unknown country, however beset with dangers, privations and sufferings, rather than be sentenced to spend six years in a Georgia prison for advising one of their neighbors not to betray his country. And there are others who could not think of living as outlaws in their native land, exposed to numberless vexations, and excluded from being parties or witnesses in a court of justice. It is incredible that Georgia should ever have enacted the oppressive laws to which reference is here made, unless she had supposed that something extremely terrific in its character was necessary in order to make the Cherokees willing to remove. We are not willing to remove; and if we could be brought to this extremity, it would be not by argument, not because our judgment was satisfied, not because our condition will be improved; but only because we cannot endure to be deprived of our national and individual rights and subjected to a process of intolerable oppression.

We wish to remain on the land of our fathers. We have a perfect and original right to remain without interruption or molestation. The treaties with us, and the laws of the United States made in pursuance of treaties, guaranty our residence and our privileges, and secure us against intruders. Our only request is, that these treaties may be fulfilled, and these laws executed.

But if we are compelled to leave our country, we see nothing but ruin before us. The country west of the Arkansas territory is unknown to us. From what we can learn of it, we have no prepossessions in its favor. All the inviting parts of it, as we believe, are preoccupied by various Indian nations, to which it has been assigned. They would regard us as intruders, and look upon us with an evil eye. The far greater part of that region is, beyond all controversy, badly supplied with wood and water; and no Indian tribe can live as agriculturists without these articles. All our neighbors, in case of our removal, though crowded into our near vicinity, would speak a language totally different from ours, and practice different customs. The original possessors of that region are now wandering savages lurking for prey in the neighborhood. They have always been at war, and would be easily tempted to turn their arms against peaceful emigrants. Were the country to which we are urged much better than it is represented to be, and were it free from the objections which we have made to it, still it is not the land of our birth, nor of our affections. It contains neither the scenes of our childhood, nor the graves of our fathers.

Source: "Memorial of the Cherokee Nation," *Niles Weekly Register*, August 21, 1830.

Understanding the Document

1. What was the occasion for writing this document and to whom was it addressed?
2. According to this document, for whom were treaties made?
3. What do the majority of the Cherokees want regarding relocation?
4. Why might some Cherokees have relocated against their will?
5. Why would the Cherokees refuse to move even if their "judgement was satisfied?"
6. The author of this document refers to "a perfect and original right to remain" in Georgia. What is this natural right?
7. What reasons do the Cherokee give against relocation in the land west of Arkansas?
8. The author makes a final plea to remain in Georgia at the very end of the document. Would the government of the United States consider this to be a persuasive argument?

Document 11
Governor Lewis Cass, 1830

Lewis Cass, an important architect of U. S. Indian Policy in his role as Governor of the Michigan Territory from 1813 to 1831 and Secretary of War from 1831 to 1836, provides the most vitriolic condemnation of Native Americans. He views Indian culture as hopelessly inferior, incapable of progressing to civilization and unworthy of any consideration and respect. Cass judges Euro-Americans blameless for the demise of Indian peoples, citing the flawed institutions and character of the Indians.

It would be miserable affectation to regret the progress of civilization and improvement, the triumph of industry and art, by which these regions have been reclaimed, and over which freedom, religion, and science are extending their sway. But we may indulge the wish, that these blessings had been attained at a smaller sacrifice; that the aboriginal population had accommodated themselves to the inevitable change of their condition, produced by the access and progress of the new race of men, before whom the hunter and his game were destined to disappear. But such a wish is vain. A barbarous people, depending for subsistence upon the scanty and precarious supplies furnished by the chase, cannot live in contact with a civilized community. As the cultivated border approaches the haunts of the animals, which are valuable for food or furs, they recede and seek shelter in less accessible situations. . . .

From an early period, their rapid declension and ultimate extinction were foreseen and lamented, and various plans for their preservation and improvement were projected and pursued. Many of them were carefully taught at our seminaries of education, in the hope that principles of morality and habits of industry would be acquired, and that they might stimulate their countrymen by precept and example to a better course of life. Missionary stations were established among various tribes, where zealous and pious men devoted themselves with generous ardor to the task of instruction, as well in agriculture and the mechanic arts, as in the principles of morality and religion. . . . Unfortunately, they are monuments also of unsuccessful and unproductive efforts. What tribe has been civilized by all this expenditure of treasure, and labor, and care? . . .

The cause of this total failure cannot be attributed to the nature of the experiment, nor to the character, qualifications, or conduct, of those who have directed it. The process and the persons have varied, as experience suggested alterations in the one, and a spirit of generous self-devotion supplied the changes in the other. But there seems to be some insurmountable obstacle in the habits or temperament of the Indians, which has heretofore prevented, and yet prevents, the success of these labors. . . .

The relative condition of the two races of men, who divide this portion of the continent between them, is a moral problem involved in much obscurity. The physical causes we have described, exasperated by the moral evils introduced by them, are sufficient to account for the diminution and deterioration of the Indians. But why were not these causes counteracted by the operation of other circumstances? As civilization shed her light upon them, why were they blind to its beams? Hungry or naked, why did they disregard, or regarding, why did they neglect those arts by which food and clothing could be procured? Existing for two centuries in contact with a civilized people, they have resisted, and successfully too, every effort to meliorate their situation, or to introduce among them the most common arts of life. Their moral and their intellectual condition have been equally stationary. And in the whole circle of their existence, it would be difficult to point to a single advantage which they have derived from their acquaintance with the Europeans. All this is without parallel in the history of the world. That it is not to be attributed to the indifference or neglect of the whites, we have already shown. There must be an inherent difficulty, arising from the institutions, character, and condition of the Indians themselves.

It is difficult to conceive that any branch of the human family can be less provident in arrangement, less frugal in enjoyment, less industrious in acquiring, more implacable in their resentments, more ungovernable in their passions, with fewer principles to guide them, with fewer obligations to restrain them, and with less knowledge to improve and instruct them. We speak of them as they are; as we have found them after a long and intimate acquaintance; fully appreciating our duties and their rights, all that they have suffered and lost, and all that we have enjoyed and acquired.

The Indians are entitled to the enjoyment of all the rights which do not interfere with the obvious designs of Providence, and with the just claims of others. Like many other practical questions, it may be difficult to define the actual boundary of right between them and the civilized states, among whom or around whom they live. But there are two restraints upon ourselves, which we may safely adopt—that no force should be used to divest them of any just interest they possess, and that they should be liberally remunerated for all they may cede. . . .

There can be no doubt, and such are the views of the elementary writers upon the subject, that the Creator intended the earth should be reclaimed from a state of nature and cultivated; that the human race should spread over it, procuring from it the means of comfortable subsistence, and of increase and improvement. A tribe of wandering hunters, depending upon the chase for support, and deriving it from the forests, and rivers, and lakes, of an immense continent have a very imperfect possession of the country over which they roam. That they are entitled to such supplies as may be necessary for their subsistence, and as they can procure, no one can justly question. But this right cannot be exclusive, unless the forests which shelter them are doomed to perpetual unproductiveness. Our fore-

fathers, when they landed upon the shores of this continent, found it in a state of nature, traversed, but not occupied, by wandering hordes of barbarians, seeking a precarious subsistence, principally from the animals around them. They appropriated, as they well might do, a portion of this fair land to their own use, still leaving to their predecessors in occupation all that was needed, and more than was used by them. . . .

And who does not see, that in this contest for sovereignty, the uncivilized tribes must yield? Do not truth and humanity equally require the declaration of this fact? There is no mercy in suffering these Indians to believe, that their pretensions can be established and their independent government supported. In the actual state of the world, none but an enthusiast can expect or hope for the success of such a scheme. . . . If the laws of the various states, . . . excite the apprehensions of the Indians, and if they are anxious to escape from their operation and establish governments for themselves, ample provision has been made for their gratification. A region is open to them, where they and their descendants can be secured in the enjoyment of every privilege which they may be capable of estimating and enjoying. If they choose to remain where they now are, they will be protected in the possession of their land and other property, and be subject, as our citizens are, to the operation of just and wholesome laws.

Source: Theda Perdue and Michael D. Green, *The Cherokee Removal: A Brief History with Documents* (Boston: Bedford Books, 1995), pp. 107–10, 113–14.

Understanding the Document

1. According to Lewis Cass, what elements of civilization have been brought to areas settled by Euro-Americans?
2. What values mentioned in the first paragraph are exclusively Euro-American?
3. To what extent does Cass equate material possessions with the degree of civilization?
4. Who does Cass hold responsible for the inability of Native Americans to adopt Euro-American ways?
5. Why does Cass believe that Native Americans have been unable to “benefit” from contact with Euro-Americans?
6. How does Cass feel about the character of Native Americans? Give four examples.
7. What two restraints should Euro-Americans have concerning Native Americans?
8. What religious argument does Cass advance in order to justify Euro-American land acquisitions?
9. What does Cass mean at the end when he refers to “the actual state of the world?”

Document 12
William H. Seward, 1841

A number of citizens and political leaders, particularly from the Northeast, opposed the policy of Indian Removal, urging that a sense of fairness and justice must be preserved. Few questioned the inferiority of Native Americans or the necessity that they abandon their Indian ways and ultimately assimilate into white society. William Seward illustrates this argument in the following objection to the treaty that would have forced the remaining Senecas to give up their land in New York and move west of the Mississippi.

The history of the several nations which have dwelt within our borders shows many coincidents of painful interest. Each nation has in its turn been surrounded and crowded by white men. White men have always wanted more room while an Indian reservation remained; and the Indians have, therefore, been obliged to contract their hunting grounds. Indians have been ignorant and confiding and white men shrewd and sagacious. Indians have been reckless of the value of property and have always found avaricious white men among their neighbors. White men have sold intoxicating liquors, and Indians have too often surrendered themselves to drunkenness. Indians have generally neglected, if they have not despised agriculture, and white men have suffered inconvenience from the neglected condition of the Indian lands. White men have coveted those neglected lands, and the community has been benefited in consequence of their acquisition.

The effect is that we have now among us only some wasting remnants of half a dozen of the Indian nations. Yet each of these nations, for a time, resisted propositions for their removal strenuously and with apparent unanimity. Each has, in its turn, divided upon the question of removal. The weak and improvident have been wrought upon to increase the number of those disposed to sell their lands, while philanthropic efforts have not been wanting to fortify the domestic party in their resistance.

. . . There is nothing which would be more gratifying to the people of this state, and certainly there is, on my part, no desire affecting the Indians more sincere, than to see the remnants of the Indian tribes forsake entirely the manners and customs of their forefathers and adopt those of civilized life. The signal disappointment of such philanthropic hopes in regard to the other tribes of Indians has produced a great distrust of any better fate for the Senecas, while the contiguity of that people to a great city exposes them in an especial degree to the frauds and introduces among them the vices of depraved men of our own race. Very many who entertain this distrust and deplore the wretchedness and degradation of a portion of the Senecas are of opinion that it would be wise and prudent for them to relinquish their lands at a fair valuation, and seek a new home in the far West.

But no humane or enlightened citizen can wish to see the expulsion of the Senecas by force or fraud. It is a fearful thing to uproot a whole people and send them, regardless of their own rights, interests, and welfare, their feelings and affections, into a distant and desolate region. It is peculiarly so when a large portion, relying upon the protection of the laws and the justice of their white brethren, have become cultivators of the soil, and of the affections and habits of civilized life. Such is the condition of a large portion of the Senecas.

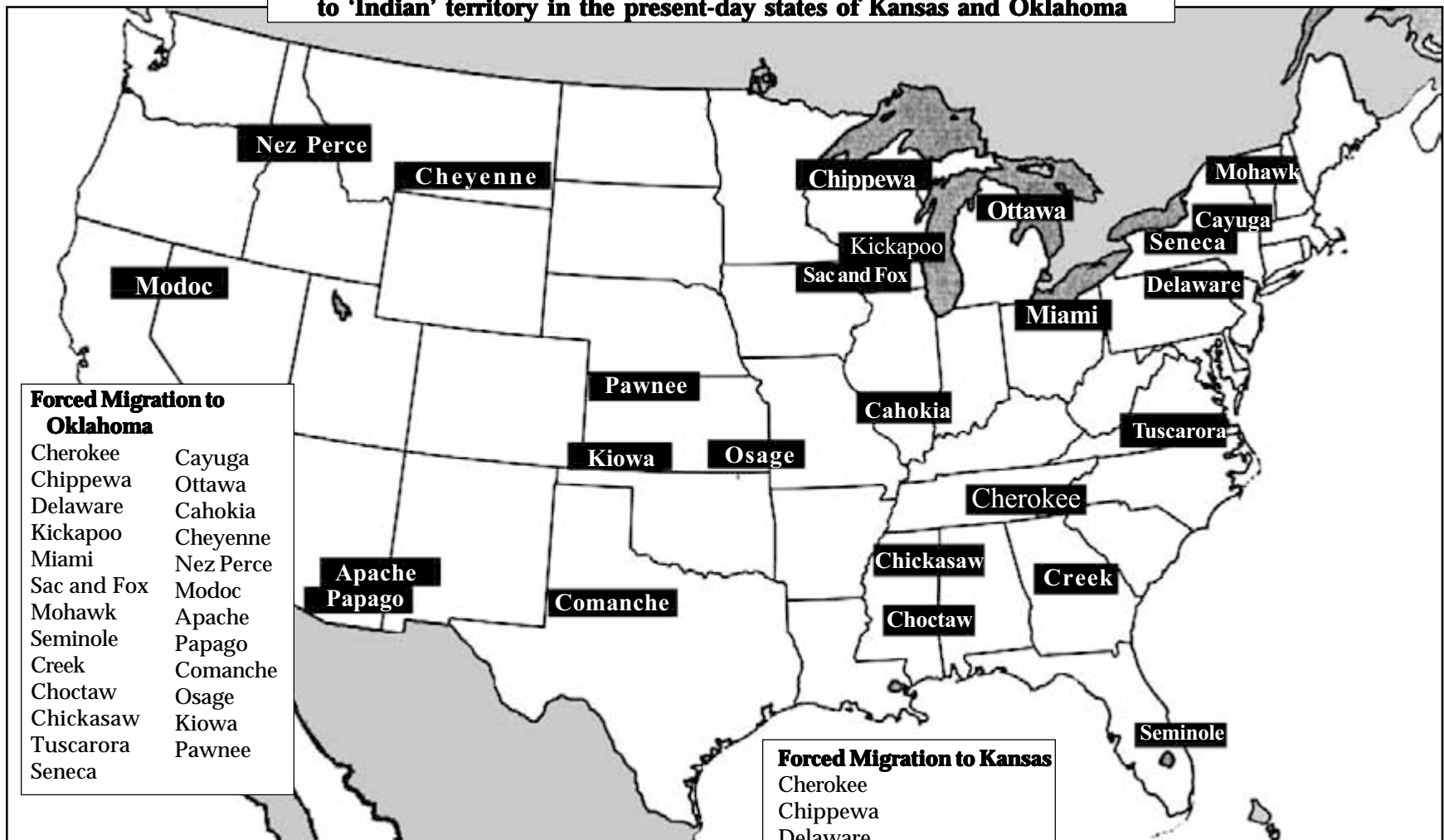
But, my dear sir, I cannot hesitate to declare my full conviction, derived from history now open to the world, that the treaty which has been made by the United States with the Senecas was made in open violation of the policy I have described. I am fully satisfied that the consent of the Senecas was obtained by fraud, corruption, and violence, and that it is therefore false, and ought to be held void. The removal of the Indians would, under such circumstances, be a great crime against an unoffending and injured people; and I earnestly hope that, before any further proceedings are taken to accomplish that object, the whole subject may be reconsidered by the United States.

Source: *The Works of William H. Seward*, George E. Baker, ed., New edition, Vol. III (Boston, 1887), pp. 484-87.

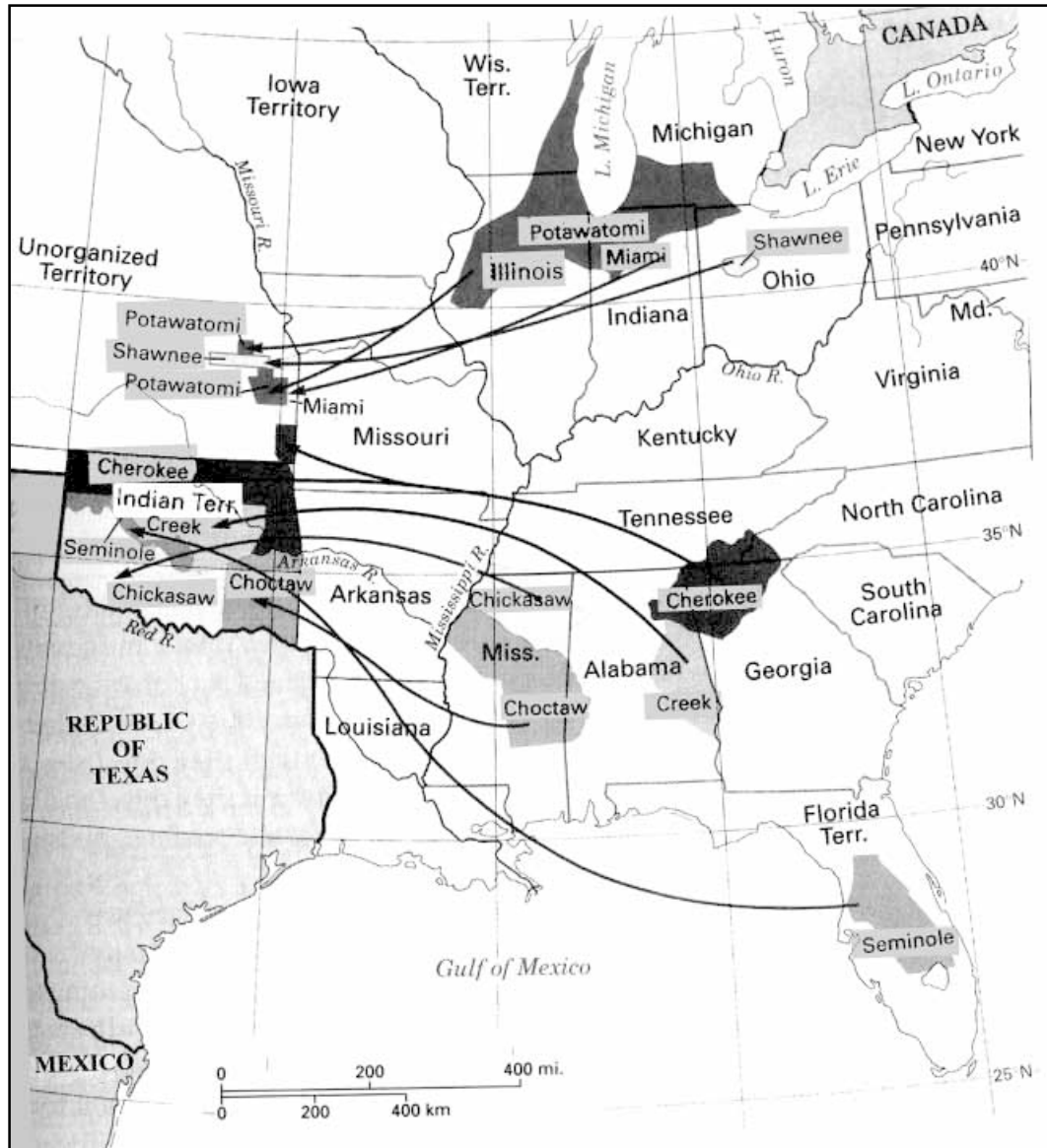
Understanding the Document

1. In the first paragraph, William Seward places responsibility for the dilemma facing Native Americans on Euro-Americans and Indians alike. What reasons does he say are attributable to Native Americans and Euro-Americans for creating the situation with the Seneca?
2. According to Seward, what actions by native tribes would be highly gratifying?
3. Seward twice refers to the term “philanthropic” regarding the motivation of Euro-Americans in formulating Indian policies. To what specific courses of actions is Seward referring?
4. Seward states that he has no desire to see the removal of the Senecas by “force or fraud.” Does this statement still leave the door open for removal? Explain.
5. Why, according to Seward, would it be a mistake to remove the Senecas?
6. Why should the treaty with the Senecas be declared as void?

Homelands of some Native American nations that were removed after 1830 to 'Indian' territory in the present-day states of Kansas and Oklahoma



Map of Indian Removal, 1832-1842



“Relocation of Several American Indian Tribes”

Adapted from Armento, Nash, Salter, and Wixson, *A More Perfect Union* (Boston: Houghton Mifflin Company, 1991), p. 203

LESSON FOUR

THE CASE OF THE CHEROKEE

A. OBJECTIVES

- ◆ To understand the historical impact of the removal policy on the Cherokee people as a case study of Indian-white relations.
- ◆ To examine shifting individual attitudes and the development of factionalism among the Cherokee as a result of the implementation of U. S. policy.
- ◆ To synthesize information contained in selected brief quotations in order to create a general understanding of Cherokee Removal.

B. BACKGROUND INFORMATION

The Cherokee experience with Indian Removal provides the best-known and most compelling example of the effect of the policy on Native American people. The Cherokee had made the most impressive strides toward the adoption of Euro-American political, legal, economic and social systems as well as aspects of culture such as religion, housing, dress, written language and gender roles. Having done everything that had been demanded of them for assimilation into white culture, they were rejected nonetheless. While other Indian peoples suffered similar experiences, the Cherokee's knowledge of the American political and legal system and their attempts to influence public opinion brought widespread attention to their plight. Yet, the political and constitutional crisis ignited by the Supreme Court case *Worcester v. Georgia* (1832) focused on issues of federal power versus states rights and the balance of power between branches of the federal government with little regard for Cherokee rights or welfare.

By 1800, most Cherokee spoke English and had converted to Christianity as well as adopted Euro-American customs of dress, housing, transportation, communication and education. Their rapidly growing use of Euro-American machinery and agricultural methods, including slave plantations, is indicated in Elias Boudinot's statistical defense of Cherokee's level of civilization in **Lesson Two**. Political changes came in rapid succession, including written laws (1808), a national legislature (1818), a national capital (1825), and a constitutional government (1827). The state of Georgia saw these developments as an infringement on their own sovereignty guaranteed by the constitution and grew impatient with decades old federal promises to acquire title to all Indian land in their state. In 1829, Georgia declared both the Cherokee tribal council and constitutional government illegal, ruled all Cherokee laws and land titles null and void, and imposed the jurisdiction of Georgia's laws, land deeds and court system over Cherokee territory. The following year, Georgia sought to stifle Cherokee opposition by denying Cherokee the right to testify or sue in Georgia courts. The Cherokee responded

with a series of attempts to use the federal court system that eventually resulted in the Supreme Court case, *Worcester v. Georgia*. Their victory in that case was thwarted when Georgia successfully ignored the ruling and some Cherokees began advocating acceptance of a removal treaty as their only hope for survival. In 1835, a small number of these leaders signed a treaty, which sold all Cherokee land and authorized removal of the entire tribe. Treaty opponents tried to get the treaty abrogated but in 1838 the U. S. Army forced the Cherokee to migrate on the “Trail of Tears” to Indian Territory in the West.

C. LESSON ACTIVITIES

1. Assign text readings on Cherokee Removal and the Trail of Tears. Divide the class into 3 groups with each assigned one of the following set of readings: Early Events and Confrontations (**Document 13**), Political Controversy around *Worcester v. Georgia* (**Document 14**), and Factional Divisions over the Treaty of New Echota and Removal (**Document 15**). Each document concludes with a set of questions to guide discussion and help students understand the readings. An activity is provided for each set of readings that may be used as a homework assignment for the group. Have each group prepare a short report for the entire class on their readings. Hold a general class discussion focus on these three sets of the readings.
2. Conclude the lesson by having students read the Trail of Tears (**Document 16**). Use the following question as a prompt for class discussion: What are the human consequences of the political decisions revealed in the reading? Do you think that policy makers envisioned the suffering described by John Burnett and Rev. Evan Jones when their policies were implemented?
3. Have students assume the role of Governor Lewis Cass. Tell them that they have just witnessed the Trail of Tears. In what ways, if any, has this experience altered your opinion of Native Americans and policies affecting them? Were these problems the result of your “faulty” policy or were they the result of the Indians’ “misguided” perceptions of your policy?

D. EXTENDED ACTIVITIES

1. Have students compare the Cherokee Women’s Petition in 1831 with the one in **Lesson Two** from 1818 and list the similarities and differences in their attitude, tone and argument. How do the changes reflect the different circumstances of the times?
2. Another state/federal confrontation was occurring concurrently over South Carolina’s decision to nullify the tariff. Have students research the Nullification Crisis and create an outline or make a class presentation that compares and contrasts the situation, the actions of the two states and the actions of the three branches of the federal government.

Document 13

Early Events and Confrontations

Georgia's decision to extend its legal jurisdiction over Cherokee territory within the state prompted a heated political debate in Congress as well as a series of legal confrontations between the Cherokee Nation and Georgia. The first reading is a brief excerpt from a congressional speech in which Representative Wilson Lumpkin of Georgia provides his state's view on the situation. The next three readings are excerpts from editorials written in the tribal newspaper, *Cherokee Phoenix*, by editor Elias Boudinot which provide a Cherokee view of Georgia's efforts to extend her sovereignty as well as a summary of some of the events that would ultimately lead to the two Supreme Court cases, *Cherokee Nation v. Georgia* and *Worcester v. Georgia*. Finally, a petition from Cherokee women voices the same sentiment against removal as the one in 1818 provided in **Lesson Two**, but this petition indicates the changing circumstances of the Cherokee by recognizing that the ultimate decision may not be left to the Cherokee council but to the federal government and "the sympathies of the good people of the United States."

Representative Wilson Lumpkin of Georgia, May 17, 1830

"A large portion of the full blooded Cherokees still remain a poor degraded race of human beings. . . . A very small portion of the real Indians are in a state of improvement, whilst their lords and rulers are white men, enjoying the fat of the land, and enjoying exclusively the Government annuities, upon which they foster, feed, and clothe the most violent and dangerous enemies of our civil institutions.

"While the smallest intrusion (as it is called) by the frontier citizens of Georgia on the lands occupied by the Cherokees, excites the fiery indignation of the fanatics, . . . do we not find an annual increase of intruders, from these philanthropic ranks [missionaries and reformers], flocking in upon the poor Cherokees, like the caterpillars and locusts of Egypt, leaving a barren waste behind them? Yes, sir, these are the intruders who devour the substance which of right belongs to the poor perishing part of the Cherokees. They divide the spoil with the Cherokee rulers [chiefs], and leave the common Indians to struggle with want and misery, without hope of bettering their condition by any change but that of joining their brethren west of the Mississippi.

"The inhumanity of Georgia, so much complained of, is nothing more or less than the extension of her laws and jurisdiction over this mingled and misguided population who are found within her acknowledged limits."

***Cherokee Phoenix*, January 8, 1831** [Referring to earlier events]**Sequoyah**

Editor of the *Cherokee Phoenix*
Dictionary of American Portraits
 Dover, 1967

“During last summer, a Cherokee, by the name of George Tassel, was arrested within the limits of this nation by the sheriff of Hall County, for murder committed upon the body of another Cherokee, likewise within the limits of the nation. Tassel was taken over the line, and committed to jail. At the last term of Superior Court of Hall County, he was brought out for trial, but the Judge postponed the trial until a convention of Judges at Milledgeville should pronounce upon the constitutionality of the act extending the jurisdiction of the State over the Cherokees. As was to be expected, the convention decided in favor of the jurisdiction of the State. Judge Clayton therefore called a court for the purpose of trying Tassel, who was accordingly tried on the 22d of November, and found *guilty*. It appears that Judge Clayton refused to grant an appeal by a writ of error, to the Supreme Court of the United States, and even refused to certify that Tassel was tried.

Tassel was therefore sentenced to be hung on the 24th of last month, on which day he was executed, in defiance of a writ of error sanctioned by the Chief Justice of the United States, and served upon Governor Gilmer, on the 22nd, two days previous to the execution. . . . If such proceedings are sanctioned by the majority of the people of the U. States, the Union is but a tottering fabric, which will soon fall and crumble into atoms.”

***Cherokee Phoenix*, January 8, 1831**

“The Georgians have again made another warlike irruption into the nation, of which the following particulars may be relied upon as substantially correct.

“A company of twenty five armed men from Carrol County, under the command of one Major Bogus, came into the neighborhood of Hightower, about two weeks since, for the purpose of arresting a number of Cherokees. On their way to Beanstick’s they came across two lads, utterly unknown to them. On seeing such an armed force making towards them, the lads fled towards the river, and plunged into the water. Some of the Company pursued them to the bank of the river, and fired at them as they were swimming, and, it is said, came very near shooting one of them. They then went to Beanstick’s and arrested his son Joseph. Here they wheeled about, and after parading about the neighborhood with characteristic bravery, marched towards Georgia. They soon discovered that they had mistaken their prisoner Joseph, for one Moses Beanstick, for whom it seems they had a warrant. But it made not a cent’s difference with them, for they took him on into Carrol. He had not returned on last Monday.

“Our feelings are not in a proper state to allow us to make comments upon such proceedings. Will the Congress of the United States permit its citizens to invade us in a warlike manner in time of peace?”

***Cherokee Phoenix*, February 19, 1831**

“This week we present to our readers but a half a sheet—the reason is, one of our printers has left us; and we expect another (who is a white man) to quit us very soon, either to be dragged to the Georgia penitentiary for a term of not less than four years, or for his personal safety, to leave the nation, and us to shift for ourselves as well as we can. And our friends will remember, we cannot invite another white printer to our assistance without subjecting him to the same punishment; and to have in our employ one who has taken the oath to support the laws of Georgia which now oppress the Cherokees, is utterly out of the question. Thus is the liberty of the press guaranteed by the Constitution of Georgia. . . .

“What are the effects of this law on the Cherokees? Disastrous. Just such effects as were intended the law should produce. The design appears to be to bring them back to their old station—carry them back twenty years hence. Deprive them of all their means of improvement, and remove all the whites, and it is thought by some, the great obstacle is taken out of the way, and there will be no difficulty to bring the Cherokees to terms. If this is not the *design* it may possibly be the *tendency* of the law. Now let the reader just consider. If we introduce a minister of the Gospel to preach to us the way of life and salvation, here is a law of Georgia, a Christian law too it is said, ready to seize him and send him to the Penitentiary, in violation of the constitution of the state itself. If we bring in a white man to teach our children, he is also arrested and suffers a similar punishment. If we wish a decent house built, and invite a carpenter into the nation to do the work, here is a law which forces him from our employ and soon numbers him with culprits. If we introduce a Blacksmith, or any other mechanic, it is the same. Is it not natural to suppose that the tendency of such a law on the Cherokees would be disastrous? It forces from them the very means of their improvement in religion and morals, and in the arts of civilized life.”

***Cherokee Women’s Petition*, October 17, 1831**

“To the Committee and Council,
We the females, residing in Salequoree and Pine Log, believing that the present difficulties and embarrassments under which this nation is placed demands a full expression of the mind of every individual, on the subject of emigrating to Arkansas, would take upon ourselves to address you. Although it is not common for our sex to take part in public measures, we nevertheless feel justified in expressing our sentiments on any subject where our interest is as much at stake as any other part of the community.

“We believe the present plan of the General Government to effect our

removal West of the Mississippi, and thus obtain our lands for the use of the State of Georgia, to be highly oppressive, cruel and unjust. And we sincerely hope there is no consideration which can induce our citizens to forsake the lands of our fathers of which they have been in possession from time immemorial, and thus compel us, against our will, to undergo the toils and difficulties of removing with our helpless families hundreds of miles to unhealthy and unproductive country. We hope therefore the Committee and Council will take into deep consideration our deplorable situation, and do everything in their power to avert such a state of things. And we trust by a prudent course their transactions with the General Government will enlist in our behalf the sympathies of the good people of the United States.”

Understanding the Documents

1. Who does Lumpkin believe is exploiting the Cherokee?
2. Lumpkin indicates a division within Cherokee society. Identify the division to which he alludes.
3. What was the reason for the arrest of George Tassel?
4. Where was the crime committed and the trial held?
5. What controversy surrounds the trial and what issue is really at stake?
6. What were the motives and results of Major Bogus’ entry into the Cherokee Nation?
7. According to the author, what question is raised by this event?
8. What situation left the *Cherokee Phoenix* shorthanded on February 19, 1831?
9. What are the provisions of the Georgia law being criticized and how does the author believe this law is detrimental to the Cherokee?
10. Does the author seem to agree or disagree with the general assumptions about the eventual assimilation of the Cherokee into Euro-American culture?

Activity

Activity I: Have students write an editorial about the events described in the three excerpts from the *Cherokee Phoenix* with some students playing the role of a newspaper editor from Georgia who supports the state’s actions and some students playing the role of a newspaper editor from the northeast who is sympathetic to the Cherokee. What underlying issue or issues are raised by these events?

Document 14
Political Controversy Around *Worcester v. Georgia*

The Supreme Court case *Worcester v. Georgia* (1832) has been historically and legally important for a variety of reasons. The legal and constitutional relationship between the federal government and the Indian tribes was defined and has since formed the basis for Indian legal issues. The confrontation between the Supreme Court, President Jackson and the State of Georgia over the court's decision created a political and constitutional crisis over state's rights and the powers and duties of the three branches of the federal government. For the Cherokee, their legal position was totally vindicated but the inability of the court to enforce its decision left them at the mercy of Georgia.

Worcester v. Georgia

The Indian nations had always been considered as distinct, independent political communities, retaining their original natural rights, as the undisputed possessors of the soil from time immemorial, with the single exception of that imposed by irresistible power, which excluded them from intercourse with any other European potentate than the first discoverer of the coast of the particular region claimed: and this was a restriction which those European potentates imposed on themselves, as well as on the Indians. The very term "nation," so generally applied to them, means "a people distinct from others." The constitution, by declaring treaties already made, as well as those to be made, and to be the supreme law of the land, has adopted and sanctioned the previous treaties with the Indian nations, and consequently admits their rank among those powers who are capable of making treaties. The words "treaty" and "nation" are words of our own language, selected in our diplomatic and legislative proceedings, by ourselves, having each a definite and well understood meaning. We have applied them to Indians, as we have applied them to the other nations of the earth. They are applied to all in the same sense.

Georgia, herself has furnished conclusive evidence that her former opinions on this subject concurred with those entertained by her sister states, and by the government of the United States. Various acts of her legislature have been cited in the argument, including the contract of cession made in the year 1802, all tending to prove her acquiescence in the universal conviction that the Indian nations possessed a full right to the lands they occupied, until that right should be extinguished by the United States, with their consent: that their territory was separated from that of any state within whose chartered limits they might reside, by a boundary line, established by treaties: that within their boundary, they possessed rights which no state could interfere: and that the whole power of regulating the intercourse with them was vested in the United States. A review of these acts,

on the part of Georgia, would occupy too much time, and is the less necessary, because they have been accurately detailed in the argument at the bar. Her new series of laws, manifesting her abandonment of these opinions, appears to have commenced in December 1828.

In opposition to this original right, possessed by the undisputed occupants of every country; to this recognition of that right, which is evidenced by our history, in every change through which we have passed; is placed the charters granted by the monarch of a distant and distinct region, parceling out a territory in possession of others whom he could not remove and did not attempt to remove, and the cession made of his claims by the treaty of peace.

The actual state of things at the time, and all history since, explain these charters; and the King of Great Britain, at the treaty of peace, could cede only what belonged to his crown. These newly asserted titles can derive no aid from the articles so often repeated in Indian treaties; extending to them, first, the protection of Great Britain, and afterwards that of the United States. These articles are associated with others, recognizing their title to self-government. The very fact of repeated treaties with them recognizes it; and the settled doctrine of the law of nations is that a weaker power does not surrender its independence—its right to self-government, by associating with a stronger and taking its protection. A weak state in order to provide for its safety, may place itself under the protection of one more powerful, without stripping itself of the right of government, and ceasing to be a state. . . .

The Cherokee nation, then, is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia can 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 treaties and with the acts of congress. The whole intercourse between the United States and this nation is, by our constitution and laws, vested in the government of the United States.

The act of the state of Georgia under which the plaintiff in error was prosecuted is consequently void, and the judgment a nullity. . . .

Source: Jill Norgren, *The Cherokee Cases: The Confrontation of Law and Politics* (McGraw-Hill, 1996) pp. 183-85.

Responses to *Worcester v. Georgia***Representative Clayton of Georgia, March 5, 1832**

“I was led to believe that Georgia was to be sacrificed under all circumstances... I say that Georgia will not submit to the decision that has been made... my constituents will resist that decree.”

***New York Daily Advertiser*, March 7, 1832**

“The President has said within a few days past, that he has as good a right, being co-ordinate branch of the Government, to order the Supreme Court as the Court have to require him to execute its decisions. If he refuses to exercise the power vested in him to execute the laws, either he must be impeached and removed from office or the Union of the states will be dissolved...”

Representative Foster of Georgia, June 11, 1832

“Sir, whenever the people of this country yield to the idea that the Supreme Court is the final arbiter in all constitutional questions, then, indeed, may we bid farewell, a long farewell, to the sovereignty of the states, and, as a necessary and ultimate consequence, to the union of the states.”

***Cherokee Phoenix*, Sept 8, 1832**

“... The decisions of the Supreme Court having been made fully to sustain all the rights of the Cherokees, and withal the supreme law of the land, must consequently supercede all other conflicting measures, or else the United States will cease to exist as a government of regular law.”

***Cherokee Phoenix*, Nov 24, 1832**

“The Indian bill of 1830, sanctioned by President Jackson himself provides that the existing treaties with the Indian tribes shall not be violated. The Supreme Court has decided that our treaties are binding on the government and the laws of Georgia are a nullity. The superior and inferior courts of Georgia have decided that the right of soil belongs to the Cherokees, the laws of Georgia to the contrary not with standing. Let us, therefore, calmly wait and see if the government will not yet acquiesce in the numerous authorities we have cited, from which we claim our relief, or whether the government will choose to have their laws nullified by a state as the easiest mode of releasing itself from enforcing them.”

Sources: *Register of Debates in Congress*, V. 8: pp. 2032 and 3418; *Niles Register*, V. 43: pp. 105, 346.

Understanding the Documents

1. In what way has the Constitution provided proof that Native American tribes are to be treated as any other nation? What does the term “nation” mean?
2. In what way has Georgia provided evidence that Native American tribes are nations?
3. If Indian tribes are nations, what level of government must negotiate with them?
4. By what right do Indian nations retain their sovereignty and independent authority?
5. What conclusions are reached concerning the relationship of the Cherokee nation to the State of Georgia? To the United States government?
6. What are the attitudes expressed by Representatives Clayton and Foster of Georgia?
7. What is the position of the *New York Advertiser*?
8. What is the attitude of the editorial in the *Cherokee Phoenix*? What advice is given?

Activity

Activity I: Assume the role of the governor of Georgia and write a rebuttal to the Supreme Court’s decision; or assume the role of Samuel Worcester and write a defense of the decision.

Document 15

Factional Division Over the Treaty of New Echota and Removal

Georgia continued to exercise her sovereignty over the Cherokee and sell deeds to tribal land while the officials in the federal government were either unwilling or unable to enforce the decision of the Supreme Court. By 1834, some Cherokee had concluded that removal was inevitable and preferable to their current situation while the vast majority of the tribe, led by Chief John Ross, adamantly opposed any removal treaty. After two more years of internal dispute and negotiations with the government, members of the Treaty Party signed the Treaty of New Echota in December 1835, which authorized the tribe's removal and ceded all their remaining land. John Ross, the tribal council and most Cherokee had boycotted the treaty conference (only 200 out of 16,000 attended). Ross unsuccessfully sought to have the treaty abrogated by the U. S. Congress and his letters decrying the governments actions were widely publicized by President Jackson's critics.

Elias Boudinot, Major Ridge and his son John Ridge were major leaders of the Treaty Party and all three would be assassinated in 1839 (on the same day) in retaliation for their sale of Cherokee land and their support of removal.

Treaty Opponent

Chief John Ross, July 2, 1836

"Neither myself nor any other member of the regular delegation to Washington, can, without violating our most sacred engagements, ever recognize that paper as a Treaty, by assenting to its terms, or the mode of its execution. They are entirely inconsistent with the views of the Cherokee people. Three times have



John Ross

Dictionary of American Portraits
Dover, 1967

the Cherokee people formally and openly rejected conditions substantially the same as these. We were commissioned by the people, under express injunctions, not to bind the nation to any such conditions. The delegation representing the Cherokees, have, therefore, officially rejected these conditions themselves, and have regularly protested before the Senate and House of Representatives, against their ratification. The Cherokee people, in two protests, the one signed by 12,714 persons and the other by 3,250 persons, spoke for themselves against the Treaty, even previous to its rejection by those whom they had selected to speak for them. . . .

"In conclusion I would observe, that I still strongly hope we shall find ultimate justice from the good sense of the administration and of the people of the

United States. I will not even yet believe that either the one or the other would wrong us with their eyes open. I am persuaded they have erred only in ignorance forced upon them by the misrepresentation and artifices of the interested... The Cherokees, under any circumstance, have no weapon to use but argument. If that should fail, they must submit, when their time shall come, in silence, but honest argument they cannot think will be forever used in vain. The Cherokee people will always hold themselves ready to respect a real treaty and bound to sustain any treaty which they can feel that they are bound to respect. But they are certain not to consider the attempt of a very few persons to sell the country for themselves, as obligator upon them, and I and all my associates in the regular delegation, still look confidently to the effect of a sense of justice upon the American community, in producing a real settlement of this question, upon equitable terms and with competent authorities. . . .”

Treaty Supporters

Elias Boudinot, 1837

“... look at the entire population as it now is, and say, can you see any indication of a progressing improvement, anything that can encourage a philanthropist? You know that it is almost a dreary waste. I care not if I am accounted a slanderer of my country’s reputation; every observing man in this nation knows that I speak the words of truth and soberness. In the light that I consider my countrymen, not as mere animals, and to judge of their happiness by their condition as such, which, to be sure, is bad enough, but as moral beings, to be affected for better or for worse by moral circumstances, I say their condition is wretched. Look, my dear sir, around you, and see the progress that vice and immorality have already made! See the spread of intemperance, and the wretchedness and misery it has already occasioned! I need not reason with a man of your sense and discernment, and of your observation, to show the debasing character of that vice to our people; you will find an argument in every tippling shop in the country; you will find its cruel effects in the bloody tragedies that are frequently occurring in the frequent convictions and executions for murders, and in the tears and groans of the widows and fatherless, rendered homeless, naked, and hungry by this vile curse of our race...”

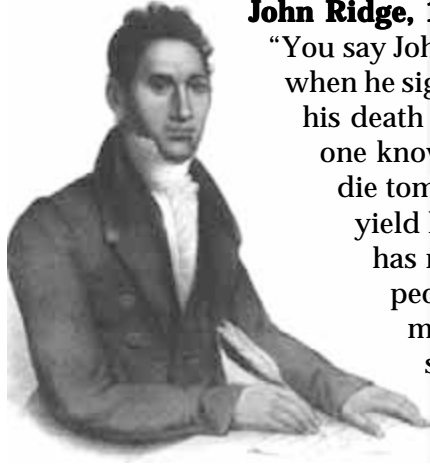
Major Ridge, 1837



“The Georgians have shown a grasping spirit lately; they have extended their laws, to which we are unaccustomed, which harass our braves and make the children suffer and cry. . . . I know the Indians have an older title than theirs. We obtained the land from the living God above. . . . Yet they are strong and we are weak. We are few, they are many. We cannot remain here in safety and comfort. I know we love the graves of our fathers. . . . We can never forget these homes, I know, but an unbending, iron necessity tells us we must leave them.”

Major Ridge

“History of the Trail of Tears” Web site
<http://pages.tca.net/martikw/majridge.jpg>

**John Ridge, 1837**

“You say John Ridge was prompted by a selfish ambition when he signed the treaty. It is not so. John Ridge signed his death warrant when he signed that treaty, and no one knows it better than he. . . . John Ridge may not die tomorrow . . . but sooner or later he will have to yield his life as the penalty for signing. John Ridge has not acted blindly, for he sees plainly that his people cannot hope to stand against the white man in their present situation. . . . Let it not be said that John Ridge acted from motives of ambition, for he acted for what he believed to be the best interests of his people.”

<http://pages.tca.net/martikw/johridge.jpg>

Sources: Theda Perdue and Michael D. Green, *The Cherokee Removal: A Brief History with Documents* (Boston: Bedford Books, 1995), pp. 147–48, 150–51, 158; Gloria Jahoda, *The Trail of Tears* (New York: Holt, Rinehart and Winston, 1975) pp. 225, 238.

Understanding the Documents

1. List at least three reasons why John Ross believed that the Treaty of New Echota should not have been recognized?
2. Upon what did John Ross rely for ultimate justice? Was his faith well placed?
3. According to Boudinot, what was the condition of the Cherokee in 1837 and what was the main reason for that condition?
4. How has Boudinot’s attitude changed since he wrote the statistical defense of Cherokee civilization in **Lesson Two**. What events prompted these changes?
5. Boudinot’s statement seems to support that of Wilson Lumpkin in 1830. Has his opinion changed or have the conditions among the Cherokee changed?
6. List three reasons given by Major Ridge that favored removal.
7. Why did John Ridge state that he acted unselfishly when he signed the treaty?
8. What part of his response proved prophetic?

Activity

Activity I: This lesson addresses the changes in attitude among the Cherokee concerning their removal west of the Mississippi River. Have students make a timeline based on these documents and additional research which identifies the subtle shifts in Cherokee attitudes.

Document 16
Trail of Tears

The following accounts provide some insight into the methods used to conduct the removal of the Cherokee, the hardships endured on the journey and the ultimate personal and national tragedy inflicted on the Cherokee people. Four thousand of the sixteen thousand Cherokee perished on the journey, including John Ross' wife.

Interpreter John G. Burnett

“. . . I saw the helpless Cherokee arrested and dragged from their homes, driven at the bayonet point into stockades. And in the chill of a drizzling rain on an October morning I saw them loaded like cattle or sheep into six hundred and forty-five wagons and started toward the west.

“One can never forget the sadness and solemnity of that morning. Chief John Ross led in prayer and when the bugle sounded and the wagons started rolling many of the children rose to their feet and waved their little hands good-by to their mountain homes, knowing they were leaving them forever. Many of these helpless people did not have blankets and many of them had been driven from home barefooted . . .”

Reverend Evan Jones

“The Cherokees are nearly all prisoners. They have been dragged from their houses and encamped at the forts and military places, all over the nation. In Georgia especially, multitudes were allowed no time to take anything with them except the clothes they had on. . . . Females who have been habituated to comforts and comparative affluence are driven on foot before the bayonets of brutal men. Their feelings are mortified by vulgar and profane vociferations. It is a painful sight. The property of many has been taken and sold before their eyes for almost nothing – the sellers and buyers, in many cases, having combined to cheat the poor Indians. These things are done at the instant of arrest and consternation; the soldiers standing by with their arms in hand, impatient to go on with their work, could give little time to transact business. The poor captive, in a state of distressing agitation, his weeping wife almost frantic with terror, surrounded by a group of crying, terrified children, without a friend to speak a consoling word, is in a poor condition to make a good disposition of his property, and in most cases is stripped of the whole, at one blow. Many of the Cherokees who a few days ago were in comfortable circumstances are now victims of abject poverty.”

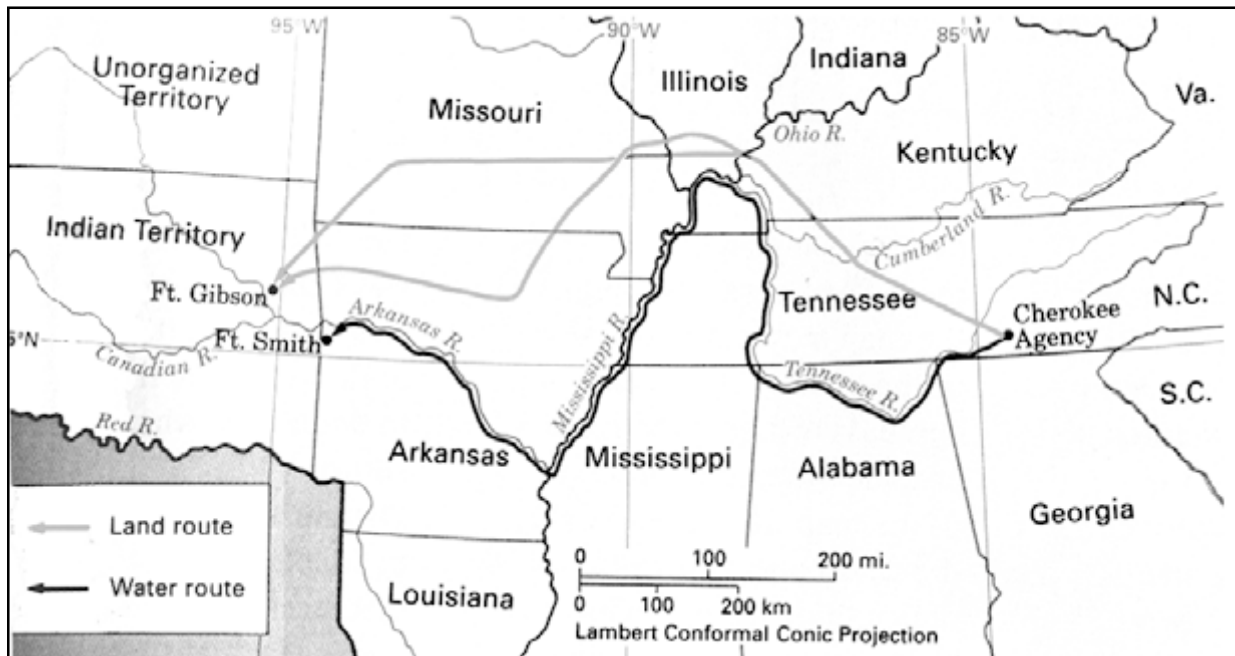
Sources: John Ehle, *Trail of Tears: The Rise and Fall of the Cherokee Nation* (New York: Doubleday Publishing, 1988), p. 393; Gloria Jahoda, *The Trail of Tears* (New York: Holt, Rinehart and Winston, 1975), pp. 232–23.

Activities

Activity I: What are the human consequences of the political decisions revealed in the previous documents? Do you think that policy makers envisioned the suffering described in the excerpts when their policies were implemented?

Activity II: You are Lewis Cass. You have just witnessed the Trail of Tears. In what ways, if any, has this experience altered your opinion of Native Americans and policies affecting them? Were these problems the result of your “faulty” policy or were they the result of the Indians’ “misguided” perceptions of your policy?

The Trail of Tears



“Cherokee Trail of Tears, 1838–1840”

Adapted from Armento, Nash, Salter, and Wixson, *A More Perfect Union* (Boston: Houghton Mifflin Company, 1991), p. 207

LESSON FIVE

THE SHIFT TO RESERVATION POLICY

A. OBJECTIVES

- ◆ To examine treaties and statements of official policy outlining the shift in U. S. Indian Policy from removal to the establishment of reservations for eastern Indians.
- ◆ To understand how changing perceptions about Native Americans and about the future role of the United States resulted in the shift in policy.
- ◆ To develop an understanding of how these historical documents and the attitudes revealed by them are relevant to current social-political issues.
- ◆ To consider differing interpretations of the same historical events and evidence.

B. BACKGROUND INFORMATION

The removal of eastern Indians continued to be official policy until 1851 but it was pursued with much less vigor after the horrors of the “Trail of Tears.” The concept of a vast Indian Territory west of the Mississippi River became problematic as interest in Oregon and California increased in the early 1840s and it became totally unfeasible as the volume of migrants to these newly acquired territories exploded late in the decade. Most of the remaining eastern Indians were in the upper Midwest and the focus of government policy shifted to the concentration of the plains Indians in the northern or southern plains away from the Overland Trail. Concurrently, reformers continued to argue that removal had been counterproductive for eastern tribes by postponing contact with Euro-American culture and destroying the advances already made toward civilization. They began urging the government to locate those remaining tribes on small reservations where the harshest economic necessity would overcome the Indian reluctance to abandon their culture. Those less concerned with the Indians welfare supported this policy change because it would make millions of acres of “excess” Indian land available for purchase.

The Chippewa Indians living in the area that would eventually become Wisconsin and Minnesota provide an example of this policy transition from removal to reservations. Chippewa treaties illustrate the process usually employed to acquire Indian land as well as the maintenance of Indian hunting and fishing rights on ceded territory. The Treaty of Prairie du Chien in 1825 sought to prevent intertribal warfare by establishing boundaries for the various Chippewa bands, but it also served as the first step in the government’s process of acquiring their land. Subsequent treaties in 1837, 1842 and 1854 transferred the enormous timber

and mineral resources of northern Wisconsin and northeastern Minnesota to the United States. Eventual removal from the ceded territory was assumed but not stated in the 1837 treaty. The 1842 treaty contained three references to removal at the discretion of the President but the signatories were given verbal assurances that they could remain in the ceded territory so long as they had peaceful relations with white settlers. As a result, a removal order by President Zachary Taylor in 1850 surprised Chippewa leaders but the official change in government policy the following year caused this decision to be reversed. The 1854 treaty implemented this new policy with the Chippewa, initiating the process that would establish their reservations.

C. LESSON ACTIVITIES

NOTE TO TEACHER

Most textbooks, when addressing this period, focus on the Treaty of Fort Laramie in 1851 and the implementation of the concentration policy on the plains Indians without mentioning reservations until after the Civil War. These developments are more relevant as background to another NCHS teaching unit, *The Ghost Dance: The Indian Removal after the Civil War*. Also, the term Chippewa is utilized in this lesson because it is consistently used in these documents as well as nearly all textbooks and maps, but a student conducting research may encounter other terms. These Indians are part of a large language group, whose members have been referred to historically as Chippewa in the United States and as Ojibwa in Canada. Currently, in the United States, some of these Indians prefer to be called Chippewa, others use the term Ojibwa and many others refer to themselves as Anishinabe, meaning “first or original man” in their own language.

1. Have students examine statistics on Indian removal and Black Hawk’s Lament (**Document 17**). Inform students that most Indian groups removed prior to 1837 had succumbed to various pressures to ultimately accept removal while groups removed during 1837 and 1838 were being forcibly evicted by the U. S. military. Have students conduct research to identify how the removal experiences differed between these groups. In light of these experiences review the statements by Ross, Boudinot and the two Ridges in **Lesson Four** to consider in what ways each position was best for the Cherokee. Assume the role of either a defender or an opponent of Indian removal and interpret the statistics provided in **Document 17** to support your position.
2. Divide the class into small groups and have them examine the statement of President Andrew Jackson in his annual message to Congress in 1835 and statements by Indian Commissioners William Medill in 1848 and Charles Mix in 1858 (**Document 18**). What does Jackson mean by the statement that his policy “has been dictated by a spirit of enlarged liberality”? What evidence does he present to support it? Engage in historical research to confirm or refute his supporting points.

3. Compile two lists that answer the following questions: What underlying assumptions are common to Native American policies in 1835, 1848 and 1858? What underlying assumptions have changed from 1835 to 1848 to 1858? Have the whole class discuss the lists. Following discussion, examine the 1837 and 1854 treaties with the Chippewa (**Document 19**). List at least three differences in the treaty provisions. Which changes reflect a shift in government policy?
4. Assign the roles of Andrew Jackson, John C. Calhoun, Theodore Frelinghuysen, Lewis Cass, and William Seward to student groups. Have the students read the document(s) written by their assigned person in previous lessons and then reexamine the two treaties. Have each group discuss which aspects of the treaties their person would favor and which they might oppose and explain their logic to the class.
5. Have students read and discuss statements on Indian policy by two of the leading reformers of the day, Horace Greeley and Bishop Henry Whipple, both of whom supported the reservation policy but from very different perspectives (**Document 20**). What contrasting conclusions do Greeley and Whipple reach about the future of American Indians? Who receives the blame from each, the reservation system, the bureaucrats who administer the system or the Indians themselves? Support your position with statements from each document. Compare or contrast Bishop Whipple's remarks with those of Senator Theodore Frelinghuysen (**Lesson Three**). To what extent are their views as ethnocentric as the others you have read and to what extent are they operating outside of the prevailing ethnocentrism of their times?
6. Conclude the unit by breaking the class down into working groups of four or five students. Each group writes a document following the format of the two treaties that they believe provides a fair and equitable solution to the issues raised in this teaching unit. Select one of the following options:
Option 1—Analyze the political milieu from 1830 to 1860. What groups would support your solution? What groups would oppose? What arguments would you use to win support for your position?
Option 2—Groups will present their documents to the class for ratification. Acting as the U.S. Senate, the class must register a 2/3 majority to ratify the treaty. Students could debate the various solutions or come up with a composite solution incorporating the best ideas of each of the proposed treaties.

D. EXTENDED ACTIVITIES

1. Note the speech in **Lesson Two** by George Harkins accepting removal of the Choctaw in 1832 and the number listed here as still to be removed in 1838. Have a group of students conduct research to discover what happened to those Choctaw.

2. Some eastern Indians were already living on reservations in the early 1800s. Note the number of New York Indians identified here and the speech in **Lesson Three** by William Seward opposing the removal of the Seneca in 1841. Have a group of students conduct research to discover what happened to those New York Indians.
3. Have a group of students create a map displaying information about Indian Removal using this data and available maps. Some maps in this Teaching Unit may be helpful. A map of the large southeastern tribes will be easy to find (probably in your textbook) and the villages/reservations of the other groups can be found on maps 29 and 31 in Helen Tanner's *Atlas of Great Lakes Indian History*, 1987.
4. Develop a timeline for the change in government policy that includes government statements/actions as well as the larger issues that force the policy change.
5. Compare and contrast your notion of the national character with Andrew Jackson's. What aspects of the national character have remained the same and which have changed? What factors or dynamics in American History account for these changes? What current issues best reveal our national character for good or for bad?
6. Since our interpretations of past events are shaped by our current circumstances and knowledge, what do our interpretations of the past reveal about our current circumstances and our notions of our national character?

Document 17
Two Assessments of Indian Policy

The Commissioner of Indian Affairs provides a statistical account of the success of the removal policy up to 1838. On the other hand, Black Hawk, his hope of an Indian alliance recently dashed by defeat at the Battle of Bad Axe, reflects on the recent past and laments the changes that his people have endured.

INDIAN REMOVAL

TRIBE	REMOVED PRIOR TO 1837	REMOVED 1837-1838	STILL TO BE REMOVED, 1838
Chippewas, Ottowas and Pottawatomies	2,190	151	5,648
Pottawatomies of Indiana	494	768	150
Choctaws	15,000	177	3,323
Quapaws	476	---	---
Creeks	20,437	4,106	750
Florida Indians	1,079	1,851	835
Cherokees	7,911	18,000	---
Kickapoos	588	---	---
Delawares	826	---	---
Shawnees	1,272	---	---
Ottowas	374	---	200
Weas	225	---	---
Piankeshaws	162	---	---
Peorias and Kaskaskias	132	---	---
Senacas from Sandusky	251	---	---
Senacas from Shawnees	211	---	---
Ottowas and Chippewas	---	---	6,500
Winnebagos	---	---	4,500
New York Indians	---	---	4,176
Chickasaws	---	---	400
TOTAL	51,628	29,653	26,482

Source: United States Government, Bureau of Indian Affairs, *Annual Report of the Commissioner of Indian Affairs*, 1838, p. 470



Black Hawk

From a painting by George Catlin
Smithsonian Institution

Black Hawk, Chief of the Sauk, 1833

“We always had plenty; our children never cried from hunger, neither were our people in want. . . . The rapids of Rock River furnished us with an abundance of excellent fish, and the land being very fertile, never failed to produce good crops of corn, beans, pumpkins, and squashes. . . . Our village was healthy and there was no place in the country possessing such advantages, nor hunting grounds better than those we had in our possession. If a prophet had come to our village in those days and told us that the things were to take place which have since come to pass, none of our people would have believed him.”

Sources: *Annual Report of the Commissioner of Indian Affairs*, 1838, p. 470; T. C. McLuhan, *Touch the Earth: A Self-Portrait of Indian Existence* (New York: Promontary Press, 1971), p. 3.

Understanding the Documents

1. Black Hawk’s statement provides a sense of the frustration and anguish of Native Americans concerning U. S. policy. Compare this view with Speckled Snake’s imagery at the Dramatic Moment and Senachwine’s fatalistic attitude in **Lesson Two**.
2. Given the varied Indian responses in **Lesson Two**, in what ways do these statistics indicate factionalism in the various tribes?
3. Which tribes were the most reluctant to be removed? Which tribes were unable to resist removal? Speculate about what factors influenced their decisions.
4. Which large groups remain and where are they located?
5. Based on these statistics, how successful has the policy of Indian Removal been?

Document 18

Shifting Indian Policy

In 1835, President Andrew Jackson assured Congress that the lands reserved for the Eastern Indians being removed were forever “secured and guaranteed to them,” yet within a decade the basic premises that supported Jackson’s confidence were changing. During the next twenty-five years, a transition occurred from the policy of removal to a policy of concentrating tribes in restricted areas in order to encourage a more rapid transition to the Euro-American lifestyle. The statements by Indian Commissioners William Medill (1848) and Charles Mix (1858) reiterated the accepted negative perceptions concerning Indian character and culture, but each commissioner in his own way suggested that previous policies have been ineffective in “civilizing” natives. Medill was particularly adept politically by using lavish praise for removal as an introduction to the concept of reservations without ever acknowledging any of the shortcomings of removal or even that a change in policy was occurring. Mix, on the other hand, was blunt in his criticisms of removal and assured his readers that the reservation policy was “entirely the reverse” of previous policies and would ultimately succeed in civilizing the Indians.

President Andrew Jackson in his annual message to Congress, 1835

“All preceding experiments for the improvement of the Indians have failed. It seems now to be an established fact that they can not live in contact with a civilized community and prosper. . . .

“The plan for their removal and re-establishment is founded upon the knowledge we have gained of their character and habits, and has been dictated by a spirit of enlarged liberality. A territory exceeding in extent that relinquished has been granted to each tribe. . . . The Indians are removed at the expense of the United States, and with certain supplies of clothing, arms, ammunition, and other indispensable articles; they are also furnished gratuitously with provisions for the period of a year after their arrival at their new homes. In that time, from the nature of the country and by the products raised by them, they can subsist themselves by agricultural labor, if they choose to resort to that mode of life; if they do not they are upon the skirts of the great prairies, where countless herds of buffalo roam, and a short time suffices to adapt their own habits. . . .

“The pledge of the United States has been given by Congress that the country destined for the residence of this people shall be forever ‘secured and guaranteed to them.’ A country west of Missouri and Arkansas has been assigned to them, into which the white settlements are not to be

pushed. No political communities can be formed in that extensive region, except those established by the Indians themselves or by the United States for them and with their concurrence. . . .”

Indian Commissioner William Medill, 1848

“Apathy, barbarism and heathenism must give way to energy, civilization and Christianity; and so the Indian of this continent has been displaced by the European. . . .

“The policy already begun and relied on to accomplish objects so momentous and desirable to every Christian and philanthropist is, as rapidly as it can safely and judiciously be done, to colonize our Indian tribes beyond the reach, for some years, of our white population; confining each within a small district of country, so that as the game decreases and becomes scarce, the adults will gradually be compelled to resort to agriculture and other kinds of labor to obtain a subsistence. . . .

“The strongest propensities of an Indian’s nature are his desire for war and his love of the chase. . . . But anything like labor is distasteful and utterly repugnant to his feelings and natural prejudices. He considers it a degradation. . . . Nothing can induce him to resort to labor, unless compelled to do so by stern necessity; and it is only then that there is any ground to work upon for civilizing and Christianizing him. But little, if any, good impression can be made upon him in these respects, so long as he is able to roam at large.

Indian Commissioner Charles Mix, 1858

“Experience has demonstrated that at least three serious, and, to the Indians, fatal errors have, from the beginning, marked our policy towards them, viz: their removal from place to place as our population advanced; the assignment to them of too great an extent of country, to be held in common; and the allowance of large sums of money, as annuities, for the lands ceded by them. These errors, far more than the want of capacity on the part of the Indian, have been the cause of the very limited success of our constant efforts to domesticate and civilize him. By their frequent changes of position and the possession of large bodies of land in common, they have been kept in an unsettled condition and prevented from acquiring a knowledge of separate and individual property, while their large annuities, upon which they have relied for a support, have not only tended to foster habits of indolence and profligacy, but constantly made them the victims of the lawless and inhuman sharper and speculator. The very material and marked difference between the northern Indians and those of the principal southern tribes, may be accounted for by the simple fact that the latter were permitted, for long periods, to remain undisturbed in their original locations; where, surrounded by, or in close proximity with a white population, they, to a considerable extent, acquired settled habits and a knowledge of and taste for civilized occupations and pursuits. Our present policy, as you are aware, is entirely the reverse of that heretofore pursued in the particulars mentioned. It is to permanently

locate the different tribes on reservations embracing only sufficient land for their actual occupancy; to divide this among them in severalty, and require them to live upon and cultivate the tracts assigned to them; and in lieu of money annuities, to furnish them with stock animals, agricultural implements, machine-shops, tools and materials, and manual labor schools for the industrial and mental education of their youth.”

Understanding the Documents

1. President Jackson asserts that “. . . preceding experiments for the improvement of the Indians have failed” and then outlines his solution. What were the failures?
2. Commissioner Mix voices similar harsh criticism of Jackson’s policy. Why?
3. Jackson proposes that the Indians can subsist “by agricultural labor” or on the “countless herds of buffalo?” Why are both options much more problematic than Jackson indicates? Upon what ethnocentric assumptions are they based?
4. In this document President Jackson states that the new area will be set aside for Native Americans forever. Was that a realistic assumption at the time? Explain.
5. Commissioner Medill praises removal and then advocates a different policy. What different ideas does he introduce? Why the praise then rejection of removal?
6. How did these three men differ in their perceptions of Indians?
7. What are the similarities and differences in the justifications given for their policies?
8. Why do Commissioners Medill and Mix advocate confining Native Americans to even smaller areas? How would this action promote the goals of Indian policy?
9. Why does Mix believe that southern tribes have conformed to Euro-American expectations better than northern tribes? How does that contrast with Jackson?
10. Briefly outline the policy prescribed for Native Americans in 1858.

Document 19

Treaty Process

The Treaty of St. Peter in 1837 and the Treaty of La Point in 1854 illustrate the change from removal policy to reservation policy as it affected the Chippewa Indians in Wisconsin and eastern Minnesota as well as provide examples of the treaty provisions designed to promote “civilization” among the Indians. These treaties also contain the legal basis for Chippewa hunting and fishing rights which have been the focus of many confrontations and court proceedings during the last two decades.

Treaty with the Chippewa, July 29, 1837

ARTICLE 1. The said Chippewa nation cede to the United States all the tract of country included within the following boundaries. . . .

ARTICLE 2. In consideration of the cession aforesaid, the United States agrees to make the Chippewa nation, annually, for the term of twenty years, from the date of the ratification of this treaty, the following payments.

1. Nine thousand five hundred dollars, to be paid in money.
2. Nineteen thousand dollars, to be delivered in goods.
3. Three thousand dollars for establishing three blacksmith shops, supporting the blacksmith, and furnishing them with iron and steel.
4. One thousand dollars for farmers, and for supplying them with and the Indians, with implements of labor, with grain or seed; and whatever else may be necessary to enable them to carry on their agriculture pursuits.
5. Two thousand dollars in provisions.
6. Five hundred dollars in tobacco.

The provisions and tobacco to be delivered at the same time with the goods, and the money to be paid; which time or times, as well as the place or places where they are to be delivered, shall be fixed upon under the direction of the President of the United States.

The blacksmith shops to be places at such points in the Chippewa country as shall be designated by the Superintendent of Indian Affairs, or under his direction.

If at the expiration of one or more years the Indians should prefer to receive goods, instead of nine thousand dollars agreed to be paid to them in money, they shall be at liberty to do so. Or, should they conclude to appropriate a portion of that annuity to the establishment and support of a school or schools among them, this shall be granted them.

ARTICLE 4. The sum of seventy thousand dollars shall be applied to the payment, by the United States, of certain claims against the Indians [debts to merchants] of which amount twenty-eight thousand dollars shall, at their request, be paid to William A. Aitkin, twenty-five thousand to Lyman M. Warren, and the balance applied to the liquidation of other just demands against them—which

they acknowledge to be the case with regard to that presented by Hercules L. Dousman, for the sum of five thousand dollars; and they request that it be paid.

ARTICLE 5. The privilege of hunting, fishing, and gathering the wild rice, upon the lands, the rivers, and the lakes included in the territory ceded, is guaranteed to the Indians, during the pleasure of the President of the United States.

ARTICLE 6. This treaty shall be obligatory from and after its ratification by the President and Senate of the United States.

Done at St. Peters in the Territory of Wisconsin the twenty-ninth day of July eighteen hundred and thirty-seven.

—Henry Dodge, Commissioner

Treaty with the Chippewa, September 30, 1854

ARTICLE 1. The Chippewas of Lake Superior hereby cede to the United States all the lands heretofore owned by them in common with the Chippewas of the Mississippi, lying east of the following boundary line. . . .

The Chippewas of the Mississippi hereby assent and agree to the foregoing cession and consent that the whole amount of the consideration money for the country ceded above, shall be paid to the Chippewas of Lake Superior. . . .

ARTICLE 3. The United States will define the boundaries of the reserved tracts, whenever it may be necessary, by actual survey, and the President may, from time to time, at his discretion, cause the whole to be surveyed, and may assign to each head of a family or single person over twenty-one years of age, eighty acres of land for his or their separate use: and he may, at his discretion, as fast as the occupants become capable of transacting their own affairs, issue patents therefore to such occupants, with such restrictions of the power of alienation as he may see fit to impose. And he may also, at his discretion, make rules and regulations, respecting the disposition of the lands in case of the death of the head of a family, or single person occupying the same, or in case of its abandonment by them. And he may also assign other lands in exchange for mineral lands, if any such are found in the tracts herein set apart. . . .

ARTICLE 4. In consideration of and payment for the country hereby ceded, the United States agree to pay to the Chippewas of Lake Superior, annually for the term of twenty years, the following sums to wit: five thousand dollars in coin; eight thousand dollars in goods, household furniture and cooking utensils; three thousand dollars in agriculture implements and cattle, carpenter's and other tools and building materials, and three thousand dollars for moral and educational purposes, of which last sum, three hundred dollars per annum shall be paid to the Grand Portage band, to enable them to maintain a school at their village. The United States will also pay the further sum of ninety thousand dollars, as the chiefs in open council may direct, to enable them to meet their present just engagements [debts to merchants]. Also, the further sum of six thousand dollars, in agriculture implements, household furniture, and cooking utensils, to be distributed at the next annuity payment, among the mixed bloods of said nation. The United States will also furnish two hundred guns, one hundred rifles, five

hundred beaver traps, three hundred dollars' worth of ready made clothing, to be distributed among the young men of the nation, at the next annuity payment.

ARTICLE 5. The United States will also furnish a blacksmith and a assistant, with the usual amount of stock, during the continuance of the annuity payments, and as much longer as the President may think proper, at each of the points herein set apart for the residence of the Indians, the same to be in lieu of all the employees to which the Chippewas of Lake Superior may be entitled under previous existing treaties.

ARTICLE 6. The annuities of the Indians shall not be taken to pay the debts of individuals, but satisfaction for depredations committed by them shall be made by them in such manner as the President may direct.

ARTICLE 7. No spirituous liquors shall be made, sold, or used on any of the lands herein set apart for the residence of the Indians, and the sale of the same shall be prohibited in the Territory hereby ceded, until otherwise ordered by the President. . . .

ARTICLE 11. All annuity payments to the Chippewas of Lake Superior, shall hereafter be made at L'Anse, La Pointe, Grand Portage, and on the St. Louis River; and the Indians shall not be required to remove from the homes hereby set apart for them. And such of them as reside in the territory hereby ceded, shall have the right to hunt and fish therein, until otherwise ordered by the President. . . .

ARTICLE 13. This treaty shall be obligatory on the contracting parties, as soon as the same shall be ratified by the President and the Senate of the United States.

In testimony whereof, the said Henry C. Gilbert, and the said David B. Herriman, commissioners as aforesaid, and the undersigned chiefs and headmen of the Chippewas of Lake Superior and the Mississippi, have hereunto set their hands and seals, at the place aforesaid, this thirtieth day of September, one thousand eight hundred and fifty-four.

—Commissioners Henry C. Gilbert and David B. Herriman

Source: *A Guide to Understanding Chippewa Treaty Rights* (Great Lakes Indian Fish and Wildlife Commission), pp. 20–22.

Understanding the Documents

1. Examine the various payments made by the U.S. government to the Chippewa. Which payments in each treaty accommodate the Indian lifestyle and which are designed to promote the adoption of Euro-American culture?
2. Which provisions of the treaties have resulted in recent confrontations and court cases? Why did the commissioners not recognize this as a future problem?
3. What is meant by the phrase “during the pleasure of the President of the United States?” Why is the President named as the arbiter of hunting and fishing rights?
4. The promise of reservations contained in Article 3 of the 1854 treaty gives great discretion to the President. List the various changes that the President can make.
5. How do those issues left to the President’s discretion show some foresight into the future direction of Indian policy?
6. How are the Indians being treated as wards of the state in Articles 6 and 7 of the 1854 treaty? Why were these issues not addressed in the 1837 treaty?



The land ceded by the Lake Superior Chippewa in 1837, 1842, and 1854.
Now parts of Northern Wisconsin, Minnesota, and Michigan.

Map adapted from: "Native Nations Before Treaty Cessions," Zoltán Grossman, Midwest Treaty Network, 731 State St., Madison WI 53703

Document 20

Reformers and Reservations

The first quote comes from Horace Greeley, one of the most prominent reformers of the mid-nineteenth century, but Greeley saw the Indian as too savage to be redeemed and dismissed him to extinction. The second and third excerpts are from Henry Whipple, Episcopal Bishop of the Diocese of Minnesota, a well-known “Friend of the Indian” who championed their cause, albeit from a decidedly Euro-American perspective. Both reformers support the reservation system, but for very different reasons.

Horace Greeley, editor of the *New York Tribune*, 1859

“I have learned to appreciate better than hitherto, and to make more allowance for, the dislike, aversion, contempt, wherewith Indians are usually regarded by their white neighbors, and have been since the days of the Puritans. It needs but little familiarity with the actual, palpable aborigines to convince any one that the poetic Indian—the Indian of [James Fenimore] Cooper and [Henry Wadsworth] Longfellow—is only visible to the poet’s eye. To the prosaic observer, the average Indian of the woods and prairies is a being who does little credit to human nature—a slave of appetite and sloth, never emancipated from the tyranny of one animal passion save by the more ravenous demands of another. As I passed over . . . the reservations of the Delawares, Potawatamies, etc., constituting the very best corn-lands on earth, and saw their owners sitting around the doors of their lodges at the height of the planting season and in as good, bright planting weather as sun and soil ever made, I could not help saying, “These people must die out – there is no help for them. God has given this earth to those who will subdue and cultivate it, and it is vain to struggle against His righteous decree.”

Letter from Bishop Whipple to the US President, March, 1862

The sad condition of the Indians of this State, who are my heathen wards, compels me to address you in their behalf. I ask only justice for a wronged and neglected race. . . .

The Indian agents who are placed in trust of the honor and faith of the government are generally selected without any reference to their fitness for the place. The Congressional delegation desires to reward John Doe for party work and John Doe desires the place because there is a tradition . . . [of corruption that would allow him to] retire upon an ample fortune in four years. . . .

The first question is, can these red men become civilized? I say, unhesitatingly, *yes*. The Indian is almost the only heathen man on earth who is not an idolater. In his wild state he is braver, more honest, and virtuous than most heathen races. He has warm home affections and

strong love of kindred and country. . . . In Canada you will find there are hundreds of civilized and Christian Indians, while on this side of the line there is only degradation.

The first thing needed is *honesty*. There has been a marked deterioration in Indian affairs since the office has become one of mere political favoritism. Instructions are not worth the price of the ink with which they are written if they are to be carried out by corrupt agents. . . . The second step is to frame instructions so that the Indian shall be the ward of the Government. They cannot live without law. We have broken up, in part, their tribal relations, and they must have something in their place.

Whenever the Indian desires to abandon his wild life, the Government ought to aid him in building a house, in opening his farm, in providing utensils and implements of labor. . . . In all future treaties it ought to be the object of the government to pay the Indians in kind, supplying their wants at such times as they require help. This valuable reform would only be a curse in the hands of a dishonest agent. If wisely and justly expended, the Indian would not be as he now is, -often on the verge of starvation.

There ought to be a concentration of the scattered bands of Chippewas upon one reservation, thus securing a more careful oversight, and also preventing the sale of fire-water and the corrupt influences of bad men. . . .

Newspaper Commentary by Bishop Whipple, 1862

The first step of reform is to secure a strong government. . . . The government must come from us and be forced upon the Indian. The laws must be plain, simple, yet stringent; such as afford ample protection to life and property. This would soon be approved by Indians on account of a sense of security, and would give them that manliness which can only belong to a man who feels that he has something which he can call his own. . . .

The next step is to place the weight of Government influence on the side of labor. History enforces the lesson which is written with the finger of God on the pages of Holy Writ. The Indian must have a home; his wandering tribal relations must be broken up; he must be furnished with seed, implements of husbandry, and taught to live by the sweat of his brow. The Government now gives him beads, paint, blankets, and scalping-knives, teaching him to idle away his time, waiting for an annuity of money which he does not know how to spend. . . .

The agents and employees should be men of the highest moral worth. . . . They should be selected for their rare qualities of head and heart, and hold their office during the faithful administration of their trust. As it has been, there has been no freedom of choice. The necessity of political rewards has overruled the best judgement of the appointing power.

Sources: *Native Americans: Opposing Viewpoints* (San Diego: Greenhaven Press, 1998) p. 134; Henry Benjamin Whipple, *Lights and Shadows of a Long Episcopate* (New York: The Macmillan Company, 1902), pp. 513–18.

Understanding the Documents

1. Despite his desire to promote the welfare of Native Americans, list at least three instances in which Bishop Whipple suggests the inferiority of the Indians.
2. What dangers are inherent in assuming that one culture is superior to another? Cite modern examples.
3. Why does Bishop Whipple believe that Native Americans should be paid “in kind” and that the Chippewas should be consolidated on one reservation?
4. According to Bishop Whipple, what benefits would accrue to Native Americans by adopting private property ownership and engaging in agricultural labor? Which culture espouses these values?



Chippewa Delegation to Washington, n.d.
Smithsonian Institution

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