

cherokee removal a brief history with documents

Cherokee Removal: A Brief History with Documents

The Cherokee removal, often referred to as the Trail of Tears, represents a painful chapter in American history that highlights the clash between indigenous peoples and the expanding United States. The forced relocation of the Cherokee Nation from their ancestral lands in the southeastern United States to designated Indian Territory in present-day Oklahoma took place during the 1830s. This article aims to provide a comprehensive overview of the events leading to the removal, the experiences of the Cherokee during this period, and the enduring legacy of this tragic episode. Various historical documents will also be examined to provide deeper insight into the Cherokee removal.

Background of the Cherokee Nation

The Cherokee Nation was one of the most prominent Native American tribes in the southeastern United States. Prior to removal, the Cherokees had established a complex society characterized by:

- A written language developed by Sequoyah in the early 19th century.
- A sophisticated political system, including a constitution adopted in 1827.
- Agricultural practices that included farming, hunting, and trade.

The Cherokee people were known for their resilience and ability to adapt to changing circumstances, which included adopting aspects of European-American culture while striving to maintain their identity.

The Indian Removal Act of 1830

The Indian Removal Act, signed into law by President Andrew Jackson on May 28, 1830, was a pivotal

moment in the history of Native American relations with the U.S. government. The act authorized the federal government to negotiate treaties that would require Native American tribes to relinquish their lands east of the Mississippi River in exchange for lands to the west.

Key Provisions of the Act

The Indian Removal Act included several critical components:

1. **Negotiation of Treaties:** The act enabled the government to negotiate treaties with tribes, often under duress or coercion.
2. **Federal Funding:** The act provided federal funding for the relocation of Native American tribes.
3. **Displacement of Tribes:** The primary aim was to open up land for American settlers, particularly in the fertile areas of Georgia, Alabama, Mississippi, and Tennessee.

Impact on the Cherokee Nation

The Cherokee Nation initially resisted removal through legal means, seeking to protect their rights and land. However, the pressure to remove intensified with the discovery of gold on Cherokee lands in Georgia in 1828, which fueled white settlers' desires for expansion.

Legal Battles and the Supreme Court Decisions

Despite the overwhelming political pressure, the Cherokee Nation pursued legal avenues to contest their removal. They argued that they were a sovereign nation and that the state of Georgia had no authority over their lands.

Worcester v. Georgia (1832)

One of the landmark cases was Worcester v. Georgia (1832), where the U.S. Supreme Court ruled that the state of Georgia could not impose its laws on Cherokee land. Chief Justice John Marshall stated that the Cherokee Nation was a distinct community with its own rights. Despite this ruling, President Jackson famously refused to enforce the decision, leading to further tensions.

Significance of the Rulings

The rulings in favor of the Cherokee were significant for the following reasons:

- They affirmed the sovereignty of Native American tribes.
- They highlighted the limitations of judicial power when confronted with executive defiance.
- They underscored the plight of the Cherokee as they faced removal despite legal victories.

The Treaty of New Echota

In 1835, a faction of the Cherokee, dissatisfied with the leadership of Chief John Ross, signed the Treaty of New Echota. This treaty, negotiated by a small group of Cherokee leaders, ceded all Cherokee land in the East in exchange for territory in present-day Oklahoma.

Controversial Aspects of the Treaty

The Treaty of New Echota was highly controversial for several reasons:

1. Lack of Representation: Many Cherokee leaders, including Chief Ross, opposed the treaty, arguing that it did not represent the wishes of the majority of the tribe.

2. Forced Removal: The treaty set the stage for the forced removal of the Cherokee people, despite widespread opposition within the tribe.

Forced Removal: The Trail of Tears

The removal of the Cherokee, which began in 1838, became known as the Trail of Tears. This term encapsulates the suffering and hardship endured by the Cherokee during their forced journey to the Indian Territory.

Conditions of the Journey

The conditions faced by the Cherokee during their removal were harrowing:

- Harsh Weather: Many traveled during the winter months, facing severe cold and rain.
- Inadequate Supplies: The government failed to provide adequate food, shelter, and medical care.
- High Mortality Rates: It is estimated that approximately 4,000 out of 15,000 Cherokee died from disease, exposure, and starvation during the journey.

Personal Accounts and Historical Documents

Historical documents and personal accounts from survivors paint a vivid picture of the suffering endured during the Trail of Tears. Some notable documents include:

- Letters and Diaries: Accounts from Cherokee individuals and leaders detailing their experiences and emotions during the removal.
- Government Records: Official government documents outlining the logistics of the removal process, often highlighting the negligence in caring for the displaced tribes.

Legacy of the Cherokee Removal

The legacy of the Cherokee removal is profound and multifaceted. It has had lasting effects on the Cherokee Nation and serves as a reminder of the injustices faced by Native Americans.

Contemporary Impact

Today, the Cherokee Nation continues to thrive in many ways, yet the impacts of the removal are still felt:

- Cultural Resilience: The Cherokee have maintained their language, traditions, and cultural identity.
- Legal and Political Advocacy: The Cherokee Nation actively engages in legal and political advocacy to protect their rights and sovereignty.

Commemoration and Education

In recent years, efforts have been made to commemorate the experiences of the Cherokee and educate the public about the Trail of Tears. These include:

- Memorials and Historical Sites: Various sites along the Trail of Tears have been designated as historical landmarks.
- Educational Programs: Schools and organizations have developed resources to teach about the history and significance of the Cherokee removal.

Conclusion

The Cherokee removal, epitomized by the Trail of Tears, is a stark reminder of the complexities and tragedies of American history. The resilience of the Cherokee people in the face of adversity serves as an inspiration, while the legal battles and the injustices they faced highlight the ongoing struggles for indigenous rights. By understanding this history, we can work towards a more just and equitable future, acknowledging the past while honoring the strength of the Cherokee Nation.

Frequently Asked Questions

What was the primary cause of the Cherokee Removal?

The primary cause of the Cherokee Removal, also known as the Trail of Tears, was the desire of white settlers for land in the southeastern United States, particularly in regions such as Georgia, which were occupied by the Cherokee Nation.

What was the Indian Removal Act of 1830?

The Indian Removal Act of 1830 was a law passed by the U.S. Congress that authorized the president to negotiate treaties to exchange Native American land in the east for land west of the Mississippi River, leading to the forced relocation of tribes, including the Cherokee.

What were some key documents related to the Cherokee Removal?

Key documents related to the Cherokee Removal include the Treaty of New Echota (1835), which ceded Cherokee land to the U.S. government, and various Supreme Court rulings, such as *Worcester v. Georgia* (1832), which upheld Cherokee sovereignty but were ignored by the government.

How did the Supreme Court's ruling in *Worcester v. Georgia* impact the Cherokee?

The Supreme Court's ruling in *Worcester v. Georgia* recognized the Cherokee Nation's sovereignty and invalidated Georgia's laws over Cherokee territory, but President Andrew Jackson refused to

enforce the decision, leading to the eventual removal of the Cherokee.

What was the Trail of Tears?

The Trail of Tears refers to the forced march of the Cherokee people from their ancestral homelands to designated Indian Territory in present-day Oklahoma, resulting in the death of thousands due to exposure, disease, and starvation.

What were the effects of the Cherokee Removal on the Cherokee people?

The effects of the Cherokee Removal were devastating, resulting in a significant loss of life, destruction of the Cherokee way of life, and the loss of their ancestral lands, which led to long-term socio-economic challenges.

Who were some key figures involved in the Cherokee Removal?

Key figures involved in the Cherokee Removal included President Andrew Jackson, who strongly supported the removal policy; John Ross, the principal chief of the Cherokee Nation who opposed removal; and various U.S. government officials who negotiated treaties.

What was the role of treaties in the Cherokee Removal?

Treaties played a crucial role in the Cherokee Removal, as the U.S. government often negotiated treaties under duress or with false promises, such as the Treaty of New Echota, which was signed by a minority faction of the Cherokee despite widespread opposition.

How is the Cherokee Removal remembered today?

The Cherokee Removal is remembered today as a tragic chapter in American history, symbolizing the broader injustices faced by Native American tribes. It is commemorated through educational programs, memorials, and cultural preservation efforts within the Cherokee community.

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