The decision of the Jackson administration to remove the Cherokee Indians to lands west of the Mississippi River in the 1830's was not just a mere reformulation of national policy in effect since the 1790's, but a direct change in that policy.

Prior to the 1830's, the U.S. government did not make it's aspirations of obtaining Indian lands clear, and at many times, retreated from the idea in fear of public outcries. Most high ranking government officials didn't want to risk taking a political beating over the issue, and often while confirming their desires to take these lands, cautioned against doing so. (Document B)

On moral grounds, many stated that the U.S. would be doing the Indians a favor by taming these "savages" and giving them a taste of a superior culture, (Documents C and F) but it was clear at the time that it was Indian land, so therefore we had no right to meddle in their affairs.

Many attempted to prevent Americans from displacing the Indians, and the Intercourse Act of 1802 provided for a fine to be levied against anyone who unlawfully entered Indian territory. (Document D) This demonstrated a bit of restraint towards Indian policy, and made it much harder for Americans to push the Indians farther west. While sentiment was still building for the removal of Indians from their lands, it was becoming evident that this kind of action would not hold up constitutionally. Political figures often made statements against the idea of removing Indians from their land, (Document G) and it seemed for the time that this kind of policy would not be implemented.

In a practical sense, it would'n't have been reasonable for the government to push the Indians west and claim their lands, since it was obvious that they did not have an overwhelming amount of public support, and the administrations prior to Jackson did not show all that much desire to test the political waters on that issue.

After Andrew Jackson's appearance in the political scene it became apparent that a move to claim the Indian lands was beginning to form. He believed that it was ridiculous for us to negotiate with the Indians, since they were citizens of the U.S. abiding by the laws of this country, and therefore, the land was everyone's. (Document H) The question of morality soon took a back seat to the sentiment that by giving the Indians a taste of our culture, we had in effect spoiled them, and would soon lose control of the Indians. (Documents M and O) Personal benefits from the settling of new territory was also a major factor in this change of public opinion.

The Jacksonian's, after taking power, began to rally political support for Indian removal, and President Jackson used his popularity to further this cause. It became part of the Jacksonian platform, and increased in popularity due to the expanded efforts by many politicians, and hope that these new lands would become a place of prosperity for many settlers.

This change in popularity was not enough though to convince the Supreme Court that the Jacksonian way of doing things was correct. In Worcester vs. Georgia, Chief Justice John Marshall wrote the majority opinion stating that since the Indians were a separate body than the U.S., the U.S. government had no jurisdiction over their land, and therefore must not intrude upon Indian land rights unless expressly given permission to do so. (Document P)

In a practical sense, Jackson had all the support he needed to carry out his policies except for that of the Supreme Court. Although he did not have the
favor of the court, he proceeded to continue in his attempts to have the Indian's pushed farther west, and through a series of underhanded treaties, succeeded in doing so. All of this happened because of the changing sentiment in the country towards Indian affairs, and demonstrated the point that if one had a personal interest in a matter, one's actions may not always follow what their political and moral beliefs dictated.

U.S. policy towards Indian removal prior to the 1830's was not favorable. Public opinion stood in the way, politicians were cautious not to stir up any sentiment against themselves, and many objected to the moral implications of removing the Indians from their land just so that we could benefit from it. With Jackson becoming President, many people reconsidered their stand on Indian policy, and due to the amount of lobbying done by powerful political figures, (Jackson included) people soon forgot their moral questions in favor of prospects for personal gain. The Jacksonian period then, did witness a change in policy over Indian affairs, and was obviously not just a simple reformulation of that national policy.
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