



Handout A

Background:

In the 19th century, the population in the United States grew rapidly, and so did the demand for new land. Settlers wanted to expand their territory and cultivate the land that belonged to the Cherokee, Creek, Choctaw, Chickasaw and Seminole nations.

In particular, President Andrew Jackson pushed for the relocation of Indian tribes, believing that it would benefit them. In 1830, he strongly advocated for the Indian Removal Act, which Congress passed. The law forced Native Americans living east of the Mississippi River to move west, so that their homelands could be developed for economic purposes. Tribes that agreed to the conditions moved peacefully. The members of tribes that resisted were forcefully removed. For example, the Cherokee tribe filed a lawsuit in an effort to stay on its land, but the request was denied and eventually the tribe signed an illegitimate treaty. After one group of Cherokee tribe members refused to relocate, 7,000 U.S. troops forced them off their land. They were not allowed time to gather their belongings, and as they left, whites looted their homes. Many Cherokees had to make their way westward in a march that became known as the Trail of Tears. Along the way, 4,000 Cherokees died from cold, hunger and disease.

By 1840, more than 70,000 Native Americans had moved to Indian Territory west of the Mississippi River. As the population of the United States grew and more settlers moved westward, Indians fought unsuccessfully to keep their lands. In 1887, Native Americans had roughly 138 million acres of land, compared to the 55.7 million acres of land that today comprise U.S. government reservations specifically designated for Native Americans.

Sources:

PBS. "Africans in America: Indian Removal: 1814-1858."
<http://www.pbs.org/wgbh/aia/part4/4p2959.html>

Powersource. "Cherokee Removal: The Trail Where They Cried."
<http://www.powersource.com/cocinc/history/trail.htm>

National Atlas of the United States. "Indian Lands of the United States."
<http://www.nationalatlas.gov/mld/inclanp.html>

PBS. "New Perspectives on the West: Events in the West: 1880-1890."
http://www.pbs.org/weta/thewest/events/1880_1890.htm

Scenario:

You live on a farm in a community built on land that was historically the home of a Native American tribe. As a way to make up for the injustices suffered by Native Americans in the 19th century, the U.S. government has pledged to return a percentage of the tribe's historic homeland to it. You and your neighbors have been asked to sell your land to the government at a fair market price and move. Native Americans are submitting claims for the land in your community, providing evidence that their ancestors lived on the land until they were removed by force.

You do not want to move. Your grandfather bought the land and built the home where you live. You have invested a great deal of time and money to make your home beautiful. You personally did not take any land away from Native Americans. Why should you have to pay the price for past wrongs

committed by the U.S. government? You plan to file suit against the federal government, claiming that asking you to move against your will is unconstitutional. But you fear that the government could decide to take your land without your permission. Native Americans want the land, and they are growing impatient with the slow pace of the land restitution process.

React:

Take a few minutes to react in writing to the above scenario from your given perspective. Is the government's strategy for returning land to Native Americans justified? Why or why not? In your view, how many generations should be held responsible for wrongs committed by their ancestors? Are there some circumstances that make it acceptable to separate people from their land permanently? What would be the most appropriate way to resolve this scenario?