Sarah McGee

Title: “Indian Policy as a States’ Rights Issue: President Jackson’s Justification for Removal”
Faculty Advisor: Dr. Jeffrey Malanson
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Sarah McGee is a senior and will be graduating from IPFW on May 15th with a Bachelor of Arts in History. Native American History has fascinated her for as long as she can remember. This is what led to her decision to research the presidency of Andrew Jackson and the history of Indian Removal. She also presented research on the Ghost Dance Religion at the Third Annual Undergraduate History Conference at IPFW in 2011. Her plans for after graduation are still undecided.

Abstract

This paper discusses the Indian Removal policies of Andrew Jackson’s presidency, the motives behind these policies, and how they related to the states’ rights issue. Andrew Jackson entered office with a pro-removal stance already in mind. During his presidency the issue of Indian Removal became closely intertwined with the issue of states’ rights. The connection between the two began when, upon learning of Jackson’s election to the Presidency, the southern states of Georgia, Alabama, and Mississippi, knowing that Jackson was a strong advocate of total removal, voted to extend their jurisdiction over the Native American lands within their state boundaries, and by doing so intentionally violated federal treaties. This pitted the state governments against the federal government and left Jackson with the decision of which power to support. The Jackson administration did as the southern states had hoped and supported them instead of upholding the promises made in earlier federal treaties, and it did so in the name of states’ rights. But as this paper shows, Jackson did not support the southern states because of his belief in states’ rights so much as because he wanted to carry out Indian Removal. This is suggested by the fact that Jackson had entered his presidency with an already decided pro-removal agenda and therefore had much to gain through an advocacy of states’ rights in regards to removal. It is also suggested by the fact that the same administration also opposed states’ rights in regards to other issues such as the Georgia Missionary Crisis and nullification, in which Jackson supported the idea that state governments did not have the right to nullify a federal law even if they found it unconstitutional. All of this suggests that it was not Jackson’s firm belief in state authority over federal authority that led to his administration’s stance; rather it used an advocacy of states’ rights as an excuse and a justification for reneging on promises made in federal treaties, which hindered the progress of the removal, which Jackson so desired.

Bibliographical Note

The majority of my research focused on the personal papers of Andrew Jackson, in particular on the multiple drafts of his speeches. These speeches, the official drafts as well as the rough drafts, are published in a collection called *The Papers of Andrew Jackson*. In researching this paper, I also used the correspondence of Andrew Jackson, and the letters he wrote to his close associates regarding Indian Removal and his reasons for pushing this policy. I also incorporated
the Congressional debates in order to demonstrate how the debate over Indian removal
digressed into a debate over state rights. Many secondary sources from prominent historians,
such as Francis Paul Prucha and Robert V. Remini, were also used to help get an idea of
Andrew Jackson’s past with the Indian question.