

Andrew Jackson Talking Points

by Phil Wirey

Steve Inskeep “Jacksonland” – Jackson and Land Speculation

Inskeep makes the point that Andrew Jackson’s motivations were land speculation and obtaining land for European American expansion and settlement.

Andrew Jackson’s Roles

General of Tennessee State Militia

Duties protection of white settlers against British, Spanish, Indian attacks

Indian attacks against white settlers

Decatur’s John Sevier Rhea’s uncles killed by Doublehead. Doublehead assassinated by Major Ridge. Major Ridge assassinated by Doublehead’s son

Nashville attacks one white settler killed every two weeks by Indians

Martha Crawley / Manley attack – Tandy Walker rescued and took back to Tennessee

Fort Mims massacre by Red Stick Creeks

Creek Indian War

Jackson victories in battles 7-0-1

Treaty with Creeks at end of war - Guidelines provided to Jackson from James Madison and his Secretary of War John Armstrong

Buffer between Creeks and British and Spanish in Florida

Defense of Mobile and New Orleans against British

Led to Treaty with Spain to give up Florida in 1819

No further Indian attacks and secured US southern border

Jackson was 2nd of 5 presidents to receive Congressional Gold Medal for his role at the Battle of New Orleans. George Washington was first to receive award.

President of the United States

Quote from James Monroe to Congress 1825 – “The removal of the tribes from the territory which they now inhabit...would not only shield them from impending ruin, but promote their welfare and happiness. Experience has clearly demonstrated that in their present state it is impossible to incorporate them in such masses, in any form whatever, into our system.”

Indian relocation policy from Thomas Jefferson (Old Settlers) thru Abraham Lincoln (Navaho Long Walk)

Indian Removal Act and presidential authority to negotiate with Native Americans with relocation

Steps in relocation process from Indian Removal Act – treaty proposed by President, approved by Congress, final approval by Native American Tribe

John Ross negotiation with Andrew Jackson – Ross originally proposed \$20,000,000 and settled for \$5,000,000 for Cherokee Removal

Cherokee Ratification of Treaty – John Ross doesn’t show up to vote. Major Ridge and his allies voted for relocation

1838 Removal for those who refused to relocate or become a US Citizen – General Winfield Scott (cousin to Colonel Francis Dancy of Decatur) charged by Martin Van Buren to remove remaining Cherokee that had refused to relocate

Popularity of Jackson

Jackson was the first to have a monument to a president to be erected in Washington DC

Mount Rushmore – Original four to be placed on Mount Rushmore were Lincoln, Washington, Jefferson, Jackson. Calvin Coolidge bumped off Jackson and put Roosevelt in his place

Popularity of Jackson dropped around 1980 mainly because of Indian Removal.

Jackson’s Other Accomplishments as President

- Won popular vote in elections of 1824, 1828, 1832
- 1st populist president and 1st modern president
- Began spoils system, liberal use of the veto system, 12 vetos (10 by first six presidents, 635 by FDR)
- Survived first presidential attack and assassination attempt
- Handled the France debt crisis without going to war
- Handled the Nullification crisis while keeping South Carolina from succeeding
- Shut down the National Bank and Nicholas Biddle due to corruption
- Only president to retire the National Debt

The Indian Citizenship Act of 1924, also known as the Snyder Act, was proposed by Representative Homer P. Snyder (R) of New York and granted full U.S. citizenship to the indigenous peoples of the United States, called "Indians" in this Act. While the Fourteenth Amendment to the United States Constitution defined as citizens any person born in the U.S., the amendment had been interpreted to restrict the citizenship rights of most Native people. The act was signed into law by President Calvin Coolidge on June 2, 1924. It was enacted partially in recognition of the thousands of Indians who served in the armed forces during World War I. The granting of such citizenship shall not in any manner impair or otherwise affect the right of any Indian to tribal or other property.

In referring to the constitutional grant of treaty-making powers to the chief executive—with the "advice and consent" of the Senate—Washington declared that a similar practice should also apply to agreements with Native Americans. The Senate acceded to the President's wishes and accepted treaties as the basis for conducting Indian relations.

Twenty-eight Creek chiefs led by McGillivray accepted Washington's invitation to travel to New York in the summer of 1790 to negotiate a new treaty. The result was the Treaty of New York which restored to the Creeks some of the lands ceded in the treaties with Georgia, and provided generous annuities for the rest of the land. It also established a policy and process of assimilation called "civilization," aiming to attach tribes to permanent land settlements. Under the policy tribal members would be given "useful domestic animals and implements of husbandry" to encourage them to become "herdsman and cultivators" instead of "remaining in a state as hunters."

By 1796 even Washington had concluded that holding back the avalanche of settlers had become nearly impossible, writing that "I believe scarcely anything short of a Chinese wall, or a line troops, will restrain Land jobbers, and the encroachment of settlers upon the Indian territory."

The Treaty of Hopewell is any of three different treaties signed at Hopewell Plantation. The plantation was owned by Andrew Pickens, and was located on the Seneca River in northwestern South Carolina. The treaties were signed between the Confederation Congress of the United States of America and the Cherokee (1785), Choctaw and Chickasaw (1786) peoples.

The 1798 Treaty of Tellico, in which the Cherokee ceded more of their homelands in eastern Tennessee. The treaty was the last of four enacted during John Adams' four years in office, from 1797 to 1801. He also oversaw treaties with the Mohawk, Seneca and Oneida, who relinquished all their lands in the state of New York.

The Doctrine of Discovery

From 1492 forward, European countries and the United States justified their dealings with the natives and American Indian tribes in North and South America under the “doctrine of discovery.” Under this principle, the European country that first discovered a new area where Christian Europeans had not yet arrived could claim the territory for their own country. This did not mean that the natives lost the right to live on the land or to farm and hunt animals on it but it did mean that the natives could only sell their land to the one European country that “discovered” them and that they should only deal politically with that one European country. In most situations, the Europeans also enforced the doctrine of discovery against themselves because they recognized and agreed to be bound by the principle that the discovering country earned a protectible property right in newly discovered territories. The audacity of one country “discovering” and claiming lands already occupied and owned by American Indians came from the idea that Christians and white Europeans were superior to people of other races and religions. When European countries first came to the New World, they were not strong enough militarily to just take the land from the Indian tribes. Thus, they entered treaties with tribes to make the transactions look legal and valid, and they bought the lands they wanted. In addition, influential scholars in England and Spain, for example, believed that Indians had a legal right as free people to continue to own their lands and that a European country could only take lands by force in an honorable war.

In exercising its control over the American continent, the United States also enforced the doctrine of discovery. Thus, as the United States Supreme Court stated in 1823, in the case of *Johnson v. McIntosh*, 21 U.S. (8 Wheat) 543 (1823), the United States acquired the sole right to buy lands from Indian tribal governments under the doctrine of discovery.

John Marshall, writing for a unanimous court, affirmed the dismissal. Marshall begins with a lengthy discussion of history of the European discovery of the Americas and the legal foundations of the American Colonies. In particular, Marshall focuses on the manner in which each European power acquired land from the indigenous occupants. Synthesizing the law of nations, Marshall traces the outlines of the “discovery doctrine”—namely, that a European power gains radical title (also known as sovereignty) to the land it discovers. As a corollary, the discovering power gains the exclusive right to extinguish the “right of occupancy” of the indigenous occupants, which otherwise survived the assumption of sovereignty.

Marshall further opined that when they declared independence from Great Britain, the United States government inherited the British right of preemption over Native American lands. The legal result is that the only Native American conveyances of land which can create valid title are sales of land to the federal government.