We Shall Remain Trail of Tears

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What is the Supremacy Clause of the US Constitution? How did trade and the need for more land cause regional differences toward states' rights, and how did this affect Native peoples? Who had jurisdiction over them? What were the pros and cons of states' rights vs. federalism? The Supremacy Clause of the United States Constitution (Article 5, Clause 2) states that federal law and treaties made under the Constitution are the supreme law of the land.

Thus, federal and state laws are bound by the Constitution. The Constitution further states that whatever federal and state governments wish to partake in, they have to follow the Constitution. A person should not ignore the priority of the federal government, especially when the Constitution itself expresses that authority. The need for more land by the federal government and the state of Georgia drove them to go against the Constitution. The federal government needed to grow more cotton on Native land, causing Native people to be forcefully evacuated. The cotton trade in America yielded good money for the government, and to get more money, the Indians' land was the best place to plant more cotton (Conley and Robert, 2014).

President Jackson pushed Congress to pass the Indian Removal Act, which forced Cherokees out of the United States to settle west of the Mississippi River in Indian Territory. Some Indians signed a migration treaty granting the federal government authority to assist migrants to Indian territory. Americans hunted Native Americans on their journey, imprisoned them, and raped and murdered others. The Supreme Court has the jurisdiction to order Indians to vacate the United States and move back to Indian territory. Advantages: Federalism provides a greater degree of local autonomy while the states try different policies and copy successful systems from other countries. Federalism gives citizens the opportunity to participate while the states make decisions that are close to the people

affected. In federalism, there are constraints on power through more checks and balances, while the country is more responsive to the wishes of the people governed. Disadvantages include increased legal disputes between different levels of government, while the complexity of government can lead to duplication and inefficiency.

Before the American Revolution, Thomas Jefferson had believed that Native people were capable of integration into the American system if they adopted white culture. Several decades later, however, Andrew Jackson leaned towards the removal of Indian people. What forces caused a shift in attitude and federal government policy toward the Native Americans? What role did the invention of the cotton gin play? Native Americans were peaceful people who assimilated into American culture. At first, the president, during his inauguration in 1829, emphasized the need to pay attention to Native American tribes in the United States, giving them a humane liberal policy and considering their rights, which was the will of the people and the government at large (Coates and Julia, 2014). After a few months, President Jackson's inauguration address statements changed to push a bill for Native migration, which surprised many people. The meaning of Jackson's statement was to get Indians away from white settlers and local authority, thereby preventing mistreatment. Native Americans worked on white men's farms in cotton fields. The land cultivated by Indians belonged to their ancestors for many centuries. The invention of the cotton gin in America made it easier to remove seeds from cotton bolls. More cotton was planted, and it became easier for farmers to grow it.

How did the concept of land ownership differ on Cherokee land from white settlers' farms? The idea of property did not have much meaning to the Cherokees, as some of them willingly signed the treaty to relocate. To the white man, land is everything because they grow cotton and seek more space to cultivate.

Why was it more difficult for Native Americans to move from their traditional homelands than for many other Americans who regularly moved west looking for opportunity? Did the Cherokees have any particular ties to their homes that discouraged their removal? What were these ties? The land that belongs to the Indians is where they were brought up. The Cherokees inherited their land from their ancestors for many centuries. It was difficult for Native Americans to leave because this was their home, and Indian Territory was a strange land to them. Leaving America meant abandoning their ancestors and forgetting the history of their origin. Cherokees were afraid of a new settlement as they didn't know what they were going to find. Despite the Cherokees being foreigners, they had rights like everyone else in the country, and they believed those rights should be respected. Indians earned a

good living from payments for work on white men’s farms, as they did not complain (Coates and Julia, 2014).

The removal of Cherokees from their eastern homelands led to the “Trail of Tears” and numerous deaths and much suffering for the Cherokee people. Who was at fault for this misery? Did the government intend for the Cherokees to suffer on their trek, or was it a matter of government inefficiency and lack of care? President Jackson is to blame for the many deaths of the Cherokee. Cherokee people did their best and tried to adapt to American culture so that they could get along well. The state wanted their land despite their living in peace and harmony with the Americans. The Supreme Court ruled that the removal of the Cherokee from their area was unconstitutional, but despite that, the state of Georgia and the president proceeded to remove Native Americans from their land forcibly. The Cherokee were forced to march during a harsh winter with no food, medicine or water, resulting in many deaths from starvation and disease. The Cherokee were confined to the land of Oklahoma (Conley and Robert, 2014).

Works Cited

Coates, Julia. Trail of tears. John Wiley & Sons, Ltd, 2014.
Conley, Robert J. Mountain Windsong: A Novel of the Trail of Tears. University of Oklahoma Press, 2014.