



Driven from Home: Andrew Jackson and the Trail of Tears

For the Cherokee families taken from their homes in 1838, “Indian removal” was not an abstract government policy. It meant soldiers at the door, separation from neighbors, confinement in crowded camps, and departure from the places where their ancestors were buried. The country they were ordered to abandon contained their farms, schools, council grounds, churches, sacred places, and memories.

The Trail of Tears was not one road or a single journey. It was part of a larger campaign to expel Native nations from the southeastern United States to territory west of the Mississippi River, principally in what is now Oklahoma. This destination was known as **Indian Territory**, although the term’s boundaries changed over time. Cherokee, Choctaw, Muscogee, Chickasaw, and Seminole people experienced different treaties, military campaigns, removals, and forms of resistance. Their common experience was the demand that they surrender their homelands so that others could possess them.

Andrew Jackson did not invent removal, and he was no longer president when most Cherokee families were forcibly expelled. But he made removal a defining federal policy, pressed Congress to authorize it, and secured the disputed treaty that his successor, Martin Van Buren, enforced. To understand that history, the center of the story must be the people who were removed—not merely the president who wanted them gone.

A Homeland, Not an Obstacle

Long before the United States existed, southeastern Native nations maintained towns, agricultural fields, trade networks, and systems of government. Cherokee communities occupied

a homeland extending across parts of present-day Georgia, Tennessee, North Carolina, and Alabama. Their relationship to that country was political, economic, familial, and spiritual.

During the early nineteenth century, Cherokee people adapted selectively to the expanding American world. Sequoyah developed a syllabary that made widespread literacy in Cherokee possible. The nation adopted a written constitution in 1827 and published the bilingual *Cherokee Phoenix* beginning in 1828. Its capital at New Echota contained institutions of government and a printing office.

These developments challenged the American argument that Native people had to disappear because they could not adapt. Yet adaptation did not protect Cherokee land. Nor should their right to remain have depended upon adopting European-American institutions. They possessed that right as a people, not as a reward for satisfying someone else's definition of civilization.

Cherokee society was also unequal. Some affluent Cherokee families enslaved African Americans, who would themselves be forced west with their enslavers. A Native-centered history must acknowledge that injustice without allowing it to become a justification for the dispossession of an entire nation.

Jackson's Earlier Wars

Many southeastern Native people knew Jackson before he became president. During the Creek War of 1813–1814, his forces fought the Red Stick faction of the Muscogee Confederacy. Cherokee and Muscogee allies helped him win, including at Horseshoe Bend.

Victory did not produce security for his Native allies. Through the Treaty of Fort Jackson in 1814, Jackson demanded approximately twenty-three million acres from the Muscogee Nation, including land belonging to communities that had supported him. The distinction between ally and enemy mattered less than the opportunity to acquire territory. [National Park Service](#)

For Native leaders, this was an ominous precedent. Military cooperation, like cultural adaptation, offered no reliable protection against American demands for land.

1829–1830: Removal Becomes Federal Policy

Jackson entered the presidency in 1829 amid intense pressure from southern states and white settlers to open Native territory. Cotton cultivation, land speculation, and the expansion of slavery made southeastern land increasingly profitable. Gold discoveries in Cherokee country added another powerful incentive for dispossession.

On May 28, 1830, Jackson signed the Indian Removal Act. The law authorized the president to negotiate exchanges of Native land east of the Mississippi for territory farther west. Its language described negotiation rather than an unrestricted power to expel people by force. In practice, state harassment, federal pressure, and threats of abandonment made genuine consent increasingly difficult.

Jackson presented removal as a benevolent measure that would protect Native peoples from destruction. His own message to Congress, however, also celebrated the benefits of opening their country to a larger white population. Protection and dispossession were joined in the same argument: Native people could supposedly be saved only by giving up the land Americans wanted. [National Archives](#)

The Cherokee Fight Back Through Law

Under Principal Chief John Ross, the Cherokee Nation pursued petitions, diplomacy, and litigation. Its leaders argued that treaties guaranteed their territory and that Georgia could not simply abolish Cherokee government or impose state authority over the nation.

In *Worcester v. Georgia* in 1832, the Supreme Court held that Georgia's laws had no force within Cherokee territory. The case arose from Georgia's imprisonment of missionary Samuel Worcester and others, but its implications reached far beyond the missionaries: it affirmed a crucial limit on state power over Native nations.

The decision did not stop Georgia's encroachments or Jackson's pursuit of removal. His administration failed to provide the protection the Cherokee needed, leaving a profound gap between rights recognized in law and rights defended in practice. The often-repeated quotation about Jackson telling Chief Justice John Marshall to enforce his own decision is not securely documented; the administration's conduct is sufficient evidence of its position. [National Park Service discussion of Worcester](#)

The Cherokee had used the institutions Americans urged them to adopt. Their inability to obtain protection did not reflect a failure to understand the law. It revealed how readily political power could override it.

1835–1836: A Treaty Without National Consent

Pressure divided the Cherokee leadership. Ross and most Cherokee citizens continued to oppose removal. A smaller group, associated with Major Ridge, John Ridge, Elias Boudinot, and Stand Watie, concluded that the United States would force them out regardless. They believed negotiating terms might preserve the nation and spare its people an even worse catastrophe.

Their fears were understandable, but they lacked authority to surrender the nation's homeland. In December 1835, members of this Treaty Party signed the Treaty of New Echota, ceding Cherokee lands east of the Mississippi in exchange for western territory, money, and other provisions. The Cherokee national government had not approved the agreement. [Smithsonian: Cherokee resistance to removal](#)

Thousands of Cherokee people protested. Petitions bearing more than fifteen thousand names demonstrated that the treaty did not represent national consent. Nevertheless, the Senate approved it in 1836, and Jackson proclaimed it. It required removal within two years.

The United States had obtained the agreement it wanted by accepting a minority's signatures over the objections of the people's recognized government. For the Cherokee majority, what Washington called a treaty was an instrument for dispossession. [National Park Service](#)

Removal Beyond the Cherokee Nation

The Cherokee experience became the best-known part of the Trail of Tears, but the wider catastrophe had already begun. Choctaw removals started in 1831; Muscogee communities suffered further land loss, violence, and forced transportation during the decade. Seminole resistance developed into a prolonged war in Florida, where Native fighters and Black Seminole allies opposed American efforts to uproot them.

Chickasaw leaders negotiated arrangements that gave them greater control over travel and financing. According to the Chickasaw Nation's history, their ability to choose departure times reduced deaths, although families still endured severe hardship. Negotiating better terms was a strategy to protect people under coercion—not evidence that removal was freely chosen. [Chickasaw Nation](#)

Indian Territory was not vacant country. Western Native nations already lived, hunted, and exercised authority there. By relocating southeastern peoples onto that landscape, the United States displaced conflict westward as well as people.

May 1838: Soldiers at the Door

Jackson left office in March 1837. The mass Cherokee roundup began in May 1838 under President Martin Van Buren, who ordered General Winfield Scott to enforce the Treaty of New Echota.

Federal troops and state militia collected Cherokee families from Georgia, Tennessee, Alabama, and North Carolina. People were taken from homes and fields, often with little opportunity to gather possessions. They were held in temporary stockades and then concentrated in larger internment camps. Property left behind was vulnerable to seizure and looting.

For families who had continued petitioning until the deadline, the arrival of soldiers exposed the final limits of that strategy. They had not consented to leave, yet the government treated refusal as disobedience to an agreement made in their name. [National Park Service removal history](#)

The Camps Were Part of the Catastrophe

The suffering did not begin on the road. Crowded camps, inadequate sanitation, contaminated water, and summer heat fostered disease. People already weakened by confinement would have to endure journeys of hundreds of miles.

After disastrous early departures, Ross and other Cherokee leaders obtained greater responsibility for organizing much of the remaining movement. They arranged detachments and

sought more favorable travel conditions. This was not a reversal of their opposition to removal; it was an attempt to save lives once the government had made continued residence impossible.

The distinction matters. Cherokee participation in organizing the journey was an act of care under coercion, not belated consent to the loss of their country. [National Park Service: forced relocation](#)

Autumn 1838–Spring 1839: The Forced Journeys

The familiar image of one unbroken procession captures only part of what happened. Cherokee detachments traveled different routes by road and river toward Indian Territory in present-day Oklahoma. Some people walked; others rode horses, wagons, or boats. Weather, transport, supplies, and health varied, but separation from home united their experience.

Rain turned roads to mud. Cold weather and river crossings delayed progress. Disease, inadequate food, exposure, and exhaustion killed people along the way. Families buried relatives far from ancestral burial places and continued west without knowing whether they would ever return.

The Cherokee Nation commonly estimates that about four thousand people—roughly one-quarter of those forced out—died in the camps or during removal. The exact toll remains uncertain, and no single figure can capture the deaths and lasting damage surrounding the expulsion. [Cherokee Nation history](#)

Arrival Was Not the End

Survivors reached their designated lands in Indian Territory, primarily in present-day northeastern Oklahoma, with households shattered and resources depleted. They had to establish homes, plant crops, care for the sick, and rebuild a national government while living alongside Cherokee people who had migrated earlier.

Removal also carried political conflict westward. Anger over the Treaty of New Echota contributed to the killings of Major Ridge, John Ridge, and Elias Boudinot in 1839. The violence deepened the wounds of a nation already divided by coercion. A new constitution adopted that year helped reestablish government, but reconciliation took much longer.

Not all Cherokee people left the East. Some held exemptions, some evaded capture, and some returned. Their descendants helped sustain the communities that became the Eastern Band of Cherokee Indians. The history is therefore not one of a people simply disappearing from their homeland, but of survival both within it and far beyond it.

Responsibility and Remembrance

Jackson bears central responsibility for making removal a national priority and advancing the agreement used to expel the Cherokee. Van Buren bears responsibility for enforcing it through

the Army. Congress, state governments, militia forces, land speculators, and settlers also made the policy possible and benefited from it.

The Trail of Tears was not an unavoidable consequence of two peoples meeting. It resulted from choices: to place expansion above treaty obligations, to accept unauthorized consent, and to answer resistance with coercion.

A Native-centered account must also look beyond suffering. Cherokee and other southeastern peoples resisted through law, diplomacy, warfare, negotiation, family care, and the preservation of language and government. Their nations endured because people worked to keep them alive—not because removal had been humane.

The story does not end with Jackson's policy succeeding. It continues with the descendants of those driven west and those who remained, maintaining nations that the United States tried to uproot. Their survival does not diminish the injustice. It establishes who, despite everything, carried the future forward.