

Using the Indian Removal Act to Teach Critical Thinking

Carol Buswell

Based on the popularity of detective shows, mystery films, and whodunits most of us, including our students, are armchair detectives in one way or another. However, in television and film, rather than doing the work ourselves, the sleuth does the work for us by analyzing documents and events, finding clues and motivation, and ultimately solving the mystery.

The development of critical thinking follows much the same process. Both detective work and critical thinking require gathering balanced evidence, performing close and careful analysis, and drawing fair and, in some cases, legal conclusions. Just as in learning to become a great detective, developing the capacity for true critical thinking takes time, training, patience, and practice.

The large group of primary sources from the National Archives surrounding Indian Removal can provide material to help teach and reinforce principles of critical thinking while looking at an important, deeply disturbing, and often puzzling period of history.

Since the administration of Thomas Jefferson, Native Americans had been asked to “remove” to other locations voluntarily. However, during the summer of 1830, Andrew Jackson and the U.S. Congress went a step further and passed the Indian Removal Act. This Act was designed to forcibly remove whole tribes from their homelands at gun or bayonet point if necessary, usually to a location “west of the Mississippi River.” Between 1830 and 1836, many tribes from the Midwest and Southeast were forcibly removed as a result. Many other tribes have been affected by this Act since that time.

A Mystery to Solve

An examination of just even one primary

source can often provide the beginning of a unique critical thinking practice session, in this case, the *Memorial from the Ladies of Steubenville, Ohio, protesting Indian Removal* from the records of the National Archives, written February 15 1830.¹

This document is often used to illustrate wide support of Southeastern tribes during the Removal Period by concerned non-Indian citizens.

When examined closely, the language of the memorial is both revealing and perplexing, as so many primary sources are. A quick analysis of the document by students, using a teacher-prepared analysis tool or, perhaps, the document analysis tool at www.docsteach.org/resources/document-analysis, should reveal several critical questions students might be led to ask or ask on their own. These questions could be examined in two parts:

About the Memorial itself:

- Who are the Ladies of Steubenville, Ohio? Did they write the memorial themselves?
- What is a “memorial?”
- Did this memorial have any effect?

About Indian Removal

- What was “Indian Removal?”
- Can we determine exactly which Native Americans the Ladies were referring to?

Most of the questions associated with the memorial itself can be answered by examining the document closely, using online databases, looking up statistical and historical information about the city, and using general Internet searches. For instance:

“Who were the Ladies of Steubenville, Ohio?” can be answered somewhat by

- Looking up the history of the city at the Steubenville city website;²
- Examining the signatures in the document and looking up each of their surnames in one of the many publicly available U.S. Census databases;³
- Doing a search in one of these same databases using only the place-name “Steubenville, Jefferson County, Ohio,” which returns the number of total households reporting to the Census Bureau (637). These 60 women may have represented up to 10 percent of the entire population.

The question, “What is a memorial?” just requires a general Internet search such as “Memorial vs. Petition.”

“Did they write the memorial themselves?” can be determined largely by analyzing the document. It is easy to see that “Pennsylvania” has been crossed out and replaced with “Steubenville, Ohio,” in longhand, indicating that it probably

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MEMORIAL.

TO THE HONORABLE THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES. THE MEMORIAL OF THE UNDERSIGNERS, RESIDENTS OF THE STATE OF ~~Ohio~~ Ohio - *Ohio - near Town of Frederickville* Respectfully Sheweth

THAT your memorialists are deeply impressed with the belief that the present crisis in the affairs of the Indian nation, calls loudly on all who can feel for the woes of humanity, to solicit with earnestness, your honorable body, to bestow on this subject, involving as it does the prosperity and happiness of more than fifty thousand of our fellow christians; the immediate consideration, demanded by its interesting nature and pressing importance.

It is readily acknowledged, that the wise and venerated founders of our country's free institutions, have committed the powers of government to those whom nature and reason declare the best fitted to exercise them; and your memorialists would sincerely deprecate any presumptuous interference on the part of their own sex, with the ordinary political affairs of the country, as wholly unbecoming the character of American Females. Even in private life we may not presume to direct the general conduct, or control the acts of those who stand in the near and genuine relations of husbands and brothers, yet all admit that there are times when duty and affection call on us to advise and persuade, as well as to cheer or to console. And if we approach the public representatives of our husbands and brothers, only in the humble character of supplicants in the name of mercy and humanity, may we not hope that even the small voice of female sympathy will be heard!

Compared with the estimate placed on Woman, and the attention paid to her in other nations, the generous and refined deference shown by all ranks and classes of men, in this country, to our sex, forms a striking contrast; and as an honorable and distinguishing trait in the American character, has often excited the admiration of intelligent foreigners. Nor is this general kindness lightly regarded or coldly appreciated, but with warm feelings of affectionate pride, and hearts swelling with gratitude, the mothers and daughters of America bear testimony to the generous nature of their countrymen.

When, therefore, injury and oppression threaten to crush a hapless people within our borders, we, the feeblest of the feeble, appeal with confidence to those who should be the representatives of national virtues as they are the depositaries of national powers, and implore them to succor the weak & unfortunate. - In despite of the unalienable natural right, which the Indians have, to the land of their forefathers, and in the face of solemn treaties, plunging the faith of the nation for their secure possession of those lands, it is intended, we are told, to force them from their native soil, and to compel them to seek new homes in a distant and dreary wilderness. To you then, as the constitutional protectors of the Indians within our territory and as the peculiar guardians of our national character, and our country's welfare, we solemnly and earnestly appeal to save this remnant of a much injured people from annihilation, to shield our country from the curses denounced on the cruel and ungrateful, and to shelter the American character from lasting dishonor.

And your petitioners will ever pray.

Frances Norton
Catharine Norton
Mary A. Norton

Emily A. Sage
Rachel Mason

E. Anderson
L. Osburn
A. Wilson
P. G. Walker
L. J. Patten
A. Casperson
M. G. Kelly

Frances P. Wilson
Eliza M. Rogers
Ann Eliza Wilson
Susanna Mowrey
Mary Jenkinson
Anna Wilson
Pattie Davis
Mary Davis
Mary Bennett
Sarah Hopland
Harvey Larimore
Jancy Wilson
Elizabeth Hoppard
Mary C. Green
Anna Woods
Anna Dike
Margaretta Woods
Margaret Linnore
Marri E. Linnore
Sarah J. Linnore
Martha E. Loda
Catharine Hache
P. J. Anderson
P. J. Wood

Eliza S. Wilson
Sarah Miller
Rebecca B. House
Holly E. Beatty
Catherine P. Craig
Charlotta Stewart
Ellison L. Johnson
Jany Whipple
N. Rogers
E. Colwell
E. Brown
M. Kellison
R. Craig
J. W. Nelson
Betsey Taylor
Margaret M. Anderson
Sarah Spencer
Mary Buchanan Ohio State
Ellen J. Buchanan do
Abigail J. Buchanan do
Holly Collier
Eronica Collier
Elizabeth Beatty
Jane Beatty

was mass-produced somehow, but the source is not apparent. The language within the printed document could give students insight into the social position of women at the time. It may also explain why they used the memorial form instead of a petition, which has a “stronger” position.

A National Archives online exhibit, Records of Rights, states there were thousands of memorials and petitions on this particular subject.⁴ This may indicate the involvement of a women’s organization or other political force that

distributed the document.

“Did the memorial have any effect?” can be answered by looking at what happened in history and where the document itself is stored at the National Archives.

There are two specific indications of the relatively small effect of this memorial.

- The Indian Removal Act was signed into law on May 28, 1830
- This document is stored in the Legislative Archives within a group of records titled “Tabled

Petitions and Memorials, 1797–1871.”⁵ The title of this group of records alone tells us that, even though there are believed to have been “unprecedented numbers” of memorials and petitions protesting Indian Removal, these documents were “tabled” by the legislature and the subject was never taken up again. They were probably never even assigned to a legislative committee for examination.

Examples of Entries on an “Evidence Wall”

1776 to 1801

Between 1776 and 1801 Native peoples were still recognized as independent Nations, as they had in colonial times, to be conquered rather than removed. Treaties between Nations were written that reduced Native Nation land holdings and different social methods were employed, such as:

- September 17, 1778. The U.S. **Treaty with the Delaware** contained stipulations including respect, mutual defense, and safe passage within and through each other’s territory. The Delaware were to supply warriors to fight for the United States and were promised limited representation in Congress.⁶
- Ten years later, in 1788, the new Governor of the Northwest Territory, **Arthur St. Clair**, encouraged his constituency to “Endeavor to Cultivate a good Understanding with the Natives...” and Turn not into their Customs & Habits, ... but Endeavor to induct them to adopt yours.” He ends with advising them to cautiously introduce the Christian religion, primarily through deeds, and “They will gradually lose their present manners,” and you [then will] be the happy Instruments in the Hand of Providence of bringing forward that time which will surely arrive, when all the Nations of the Earth shall become the Kingdom of Jesus Christ.”⁷

1801 to 1829

In 1801, Thomas Jefferson began encouraging removal of Native people to distant locations on a voluntary basis as part of the treaty-making process. Many communities were moved again and again as the result of successive treaties.

By December of 1829, Andrew Jackson began preparing a place in the West to relocate entire Native tribes, one by one. In his message to Congress he stated:

I suggest for your consideration the propriety of setting apart an ample district west of the Mississippi, and without the limits of any State or Territory now formed, to be guaranteed to the Indian tribes as long as they shall occupy it, each tribe having a distinct control over the portion designated for its use. There they may be secured in the enjoyment of governments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier and between the several tribes. There the benevolent may endeavor to teach them the arts of civilization, and, by promoting union and harmony among them, to raise up an interesting commonwealth, destined to perpetuate the race and to attest the humanity and justice of this Government.

This emigration should be voluntary, for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers and seek a home in a distant land. But they should be distinctly informed that if they remain within the limits of the States they must be subject to their laws. In return for their obedience as individuals they will without doubt be protected in the enjoyment of those possessions which they have improved by their industry. But it seems to me visionary to suppose that in this state of things claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountain or passed them in the chase. Submitting to the laws of the States, and receiving, like other citizens, protection in their persons and property, they will ere long become merged in the mass of our population.⁸

About Indian Removal

The questions about Removal itself require deeper research and more advanced practice in critical thinking. What was “Indian Removal?” and “Can we determine exactly which Native Americans the Ladies were referring to?” are both very complex questions requiring the skills of a veteran detective.

Preliminary Preparation

Before examining any crime, a good detective would need to “get the lay of the land” by examining the community in

which the crime is conducted. There are many good general introductions on the subject of Indian Removal. One, a short YouTube video created by the National Museum of the American Indian called *The “Indian Problem”* might be a good place to start.⁹

A detective must also prepare by gaining an understanding of the law and criminal behavior in order to conduct an effective investigation. Students learning and practicing critical thinking must be able to place the material they find into historical context and learn to under-

stand something about human motivation.

An effective method to help students as they gather both primary and secondary information is to help them organize their material in a timeline as they progress through their research, enabling them to see how events relate to one another. This could be compared to an “evidence wall” that is often prominent in detective stories, where new evidence is placed in context and in chronological order as the mystery is unraveled.

At this point, students will have

Examples of Entries on an “Evidence Wall”

February 15 1830. About 60 **Ladies from Steubenville, Ohio**, wrote a memorial to Congress objecting to Indian Removal.¹⁰
February 22, 1830, Congress first proposed the Indian Removal Act.¹¹
The **Indian Removal Act** was signed into law on May 28, 1830.¹²

On December 6, 1830, Andrew Jackson reported the Act’s apparent success.

It gives me pleasure to announce to Congress that this benevolent policy of the government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements, is approaching to a happy consummation. Two important tribes have accepted the provision made for their removal at the last Session of Congress, and it is believed that their example will induce the remaining tribes, also, to seek the same obvious advantages.¹³

The two tribes he was probably referring to were

- August 31, 1830. Treaty with the **Chickasaw**.¹⁴
- September 27, 1830. Treaty with the **Choctaw**.¹⁵

Many Native people felt the impact of the Indian Removal Act almost immediately upon its passage. Many, many others were affected across the country for generations. The first Native communities to be removed to a location “west of the Mississippi River” by the Removal Act were located in Ohio and the Southeastern states.

- February 28, 1831, Treaty with the **Seneca** in Ohio.¹⁶
- July 20, 1831. Treaty with the **Seneca** and **Shawnee** in Ohio.¹⁷
- August 8, 1831. Treaty with the **Shawnee** in Ohio.¹⁸
- August 30, 1831. Treaty with the **Ottawa** in Ohio.¹⁹
- January 19, 1832. Treaty with the **Wyandotte** in Ohio.²⁰ {Entire tribe refused.}
- March 24, 1832. Treaty with the **Muskogee (Creeks)** in the Southeast.²¹
- May 9, 1832. Treaty with the **Seminole** in Florida.²²
- December 29, 1835. Treaty with the **Cherokee** in the Southeast.²³

MEMORIAL

To The Honorable The Senate and House of Representatives of the United States. The Memorial of the Undersigned, Residents of the State of [Pennsylvania crossed out] [In pen for the rest of the line] Ohio and the town of Steubenville

Respectfully Sheweth:

That your memorialists are deeply impressed with the belief that the present crisis in the affairs of the Indian nations, calls loudly on *all* [italics] who can feel for the woes of humanity, to solicit with earnestness, your honorable body, to bestow on this subject, involving as it does the prosperity and happiness of more than fifty thousand of our fellow christians; the immediate consideration, demanded by its interesting nature and pressing importance.

It is readily acknowledged, that the wise and venerated founders of our country's free institutions, have committed the powers of the government to those whom nature and reason declare the best fitted to exercise them; and your memorialists would sincerely deprecate any presumptuous interference on the part of their own sex, with the ordinary political affairs of the country, as wholly unbecoming the character of American Females. Even in private life we may not presume to direct the general conduct, or control the acts of those who stand in the near and guardian relations of husbands and brothers, yet all admit that *there are times* when duty and affection call on us to *advise* [italics] and *persuade* [italics], as well as to cheer or to console. And if we approach the public representatives of our husbands and brothers, only in the humble character of suppliants in the cause of mercy and humanity, may we not hope that even the small voice of *female* [italics] sympathy will be heard?

Compared with the estimate placed on Woman, and the attention paid to her in other nations, the generous and refined deference shown by all ranks and classes of men, in this country, to our sex, forms a striking contrast; and as an honorable and distinguished trait in the American character, has often excited the admiration of intelligent foreigners. Nor is this general kindness lightly regarded or coldly appreciated, but with warm feelings of affectionate pride, and hearts swelling with gratitude, the mothers and daughters of America bear testimony to the generous nature of their countrymen.

When, therefore, injury and oppression threaten to crush a hapless people within our borders, we, the feeblest of the feeble, appeal with confidence to those who should be the representatives of national virtues as they are depositories of national powers, and implore them to succor the weak & unfortunate—In despite of the *undoubted natural right* [phrase in italics], which the Indians have, to the land of their forefathers, and in the face of solemn treaties, pledging the faith of the nation for their secure possession of those lands, it is intended, we are told, to force them from their native soil, and to compel them to seek new homes in a distant and dreary wilderness. To you then, as the constitutional protectors of the Indians within our territory and as the peculiar guardians of our national character, and our country's welfare, we solemnly and earnestly appeal to save this remnant of a much injured people from annihilation, to shield our country from the curses denounced on the cruel and ungrateful, and to shelter the American character from lasting dishonor.

And your petitioners will ever pray.

(Names follow)

A transcription of the top portion of the document, page 347.

examined many documents and secondary sources in order to create their “Evidence Wall” and will now be left to come to their own conclusions in the same way detectives do. Guidance may be needed. Remind them of the questions they were trying to answer:

- What was “Indian Removal?”
- Can we determine exactly which Native Americans the Ladies were referring to?
- Plus questions they or their classmates have discovered while doing the research.

Their conclusions can be expressed in any form, of course: group exhibits, websites, papers, plays, musical performances, etc. But they should be reminded of one thing. Sometimes

people are convicted and sent to prison, only to be proven innocent later when conflicting evidence is found or old evidence (such as old DNA reports) are refined.

History is never absolute. 🌍

Notes

1. Original document can be found at DocsTeach.org, www.docsteach.org/documents/document/memorial-from-the-ladies-of-steubenville-ohio-protesting-indian-removal.
2. History of Steubenville, Ohio, <http://cityofsteubenville.us/history/>.
3. Such as FamilySearch.org, Ancestry.com, Fold3.com, and hundreds of others. Women, unless they were head of household, were not listed separately from their husbands in 1830.
4. <http://recordssofrights.org/records/28/memorial-from-ladies-of-steubenville>.
5. Records of the House of Representatives, Record Group 233.
6. Kappler, Indian Laws and Treaties, <http://digital.library.okstate.edu/kappler/Vol2/treaties/del0003.htm>.

7. DocsTeach.org, Inaugural Address of Arthur St. Clair, Governor of the Northwest Territory, 7/9/1788. www.docsteach.org/documents/document/stclair-inaugural/.
8. University of California, Santa Barbara, American Presidency Project. “Andrew Jackson,” www.presidency.ucsb.edu/ws/?pid=29471.
9. National Museum of the American Indian, *The “Indian Problem”*: www.youtube.com/watch?v=ifBOZgWZPE.
10. DocsTeach.org, Memorial from the Ladies of Steubenville, Ohio protesting Indian Removal. www.docsteach.org/documents/document/memorial-from-the-ladies-of-steubenville-ohio-protesting-indian-removal.
11. Library of Congress. *Primary Documents in American History: The Indian Removal Act*. www.loc.gov/rr/program/bib/ourdocs/Indian.html.
12. Text of Indian Removal Act of 1830. Library of Congress. <http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=004/llsl004.db&recNum=458>.
13. American Presidency Project. “Andrew Jackson,” www.presidency.ucsb.edu/ws/?pid=29471.
14. Treaty with the Chickasaw. Kappler’s Indian Laws and Treaties. Oklahoma State University. <http://digital.library.okstate.edu/kappler/Vol2/treaties/chi1035.htm>.

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from page 350

15. Treaty with the Choctaw. Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/cho0310.htm>.
16. Treaty with the Seneca. Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/sen0325.htm#mn>.
17. Treaty with the Seneca and Shawnee. Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/sen0327.htm>.
18. Treaty with the Shawnee. Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/sha0331.htm>.
19. Treaty with the Ottawa. Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/ott0335.htm#mn2>.
20. Treaty with the Wyandotte. Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/wya0339.htm#mn5>.
21. Treaty with the Muskogee (Creeks). Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/cre0341.htm#mn1>.
22. Treaty with the Seminole. Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/sem0344.htm#mn8>.
23. Treaty with the Cherokee. Kappler. <http://digital.library.okstate.edu/kappler/Vol2/treaties/che0439.htm>.

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Current Controversy

Editorial, “Airbrushing Confederate History is Not the Answer,” *The Washington Post*, September 14, 2015

“There’s value in historical introspection. History is complex; the more that Americans delve into that complexity, the better. No doubt, it’s hard knowing precisely where to draw the line between irredeemably offensive historical symbols (such as the Confederate flag) and those whose legacy is politely termed ‘mixed.’

“Yet it’s a dangerous business to airbrush the past [by removing the Confederate Monuments], a practice more characteristic of totalitarian societies than free ones. President Franklin D. Roosevelt led the nation through the trials of World War II; he also forced tens of thousands of American citizens into internment camps because of their Japanese heritage. Should his name be erased from public places and institutions? No.

“It’s wiser to learn from history and provide its context than to banish it. In Frederick, in 2008, city officials placed a bronze plaque steps from Taney’s bust, acknowledging that the chief justice, who also served as attorney general and treasury secretary, had ‘revealed the content of established racism’ by his *Dred Scott* opinion.

“That seems to us to be moving in the right direction. Leave the bust; provide some context; teach the history.”*

*Note: In March 2017, the bust of former U.S. Chief Justice Roger B. Taney was relocated to Mount Olivet Cemetery in Frederick.

Michael Paul Williams, “It’s Time for Confederate Monuments to Come Down,” *Richmond Times Dispatch*, June 25, 2015

“... what happened in Charleston should make clear that these symbols [of the Confederacy] are unworthy of protection and state support outside of a museum.

“Every day, in Richmond, those [Confederate] monuments demand that we [African Americans] turn the other cheek, or even confer tribute to the men on those pedestals through tax dollars. Would Richmond tolerate taxpayer-supported monuments to black supremacy? It asks a lot of our African-American citizenry to accept these statues as immutable.

“I had hoped that the inclusion of true freedom fighters on that boulevard would lend balance and context to Monument Avenue. That hasn’t happened beyond the relatively small Arthur Ashe statue, and given the size and scale of the Confederate monuments, it seems unlikely that it ever will.”

The Virginia Flaggers, “Confederate Air Force Takes Flight in the Capital of the Confederacy”

<http://vaflaggers.blogspot.com>, September 21, 2015

“This group [calling for the removal of Confederate monuments], like so many others around the country is attempting to exploit an unrelated tragedy in South Carolina as an excuse to cast aspersion on our Confederate Veterans and force their lopsided, uneducated, politically correct view of history on all of Richmond’s citizens. Recent polls have shown that the majority of the citizens of the Commonwealth, including the Governor, do not want to see any of our Veterans’ monuments or memorials disturbed or removed....

“As the proud descendants of the Confederate soldiers who bravely fought to defend the Commonwealth, we will not sit by quietly and allow the attempted destruction of our history to continue. The Virginia Flaggers have coordinated patrols of the city’s monuments each night since June 26, when one of our folks surprised a vandal in the act of defacing the Jefferson Davis Monument. Thanks to information they were able to provide, and evidence left at the scene, the perpetrator was subsequently arrested and convicted.”