

David W Fletcher, February 2006

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JEREMIAH EVARTS AND LEWIS CASS ON INDIAN REMOVAL:  
A BRIEF COMPARATIVE STUDY

Sources: William Penn [Jeremiah Evarts], "A Brief View . . ." November 1829.<sup>1</sup>  
Lewis Cass, "Removal . . ." January 1830.<sup>2</sup>

Context: Both men have more than a decade of experience dealing with Native American matters but from very different perspectives—Evarts as chief administrative officer of the interdenominational American Board of Commissioners for Foreign Missions and Cass as governor of Michigan Territory. Both write their views for national publications—Evarts under the pseudonym William Penn in Washington's *National Intelligencer* and Cass in Boston's *North American Review*.

Against removal, Evarts argued:

- Indians have an inalienable right to their lands and self-governance.
- The federal government of the United States made treaties with Indian nations, particularly the Cherokees, Creeks, Chickasaws, and Choctaws.
- The State of Georgia has "by numerous public acts, implicitly acquiesced" to the federal government the power of treaty-making with the Indian tribes.
- Therefore, any and all attempts to remove the Indians would be legally and morally unjustifiable acts of oppression.
- The fact that certain citizens of Georgia, or any other state, feel embarrassed or inconvenienced by natives living in their midst does not at all negate their right to do so.
- The general welfare of the Indians would not be helped by removal, because: (1) they now, especially the Cherokees, exist independently and prosperously as a separate community or nation; (2) they would suffer greatly by removal; (3) removal in stages or gradually would retard their progress in civilization; (4) the place to which they will be removed is deficient in natural resources, like wood and water, and already crowded with other

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<sup>1</sup>Theda Purdue and Michael D. Green, eds., *The Cherokee Removal: A Brief History with Documents* (Boston, MA: Bedford/St. Martin's, 1995), 96-105.

<sup>2</sup>Ibid., 106-114.

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tribes; (5) there is no favorable historical precedent for removal; (6) talk of a guaranty to the tribes is an insult; (7) once the federal government has broken its promises or treaties, there can be no assurance against further removal; and (8) the tribes cannot be persuaded to remove west of the Mississippi voluntarily.

For removal, Cass argued:

- The progress of civilization through “industry and art . . . freedom, religion, and science” destines that a “new race of men” displace “the hunter and his game.”
- The tribes, in their habits and institutions, have been incorrigible in the matter of civilization and the cause of many moral evils.
- Although a select few Indian leaders have cultivated civilization among their people, notably the Cherokees, the majority of Indians remain “in a state of helpless and hopeless poverty.”
- “The Creator intended the earth should be reclaimed from a state of nature and cultivated,” and tribes of wandering hunters have failed to do this.
- Legally, the federal government’s constitutional prerogative “to regulate commerce with foreign nations . . . and with the Indian tribes” does not extend beyond its narrowest interpretation which would abrogate the jurisdiction of the states over the various tribes.
- In the matter of Georgia, Cherokee sovereignty and self-government would impede the progress of civilization.
- Therefore, removal is a legitimate option to protect the progress of civilization.
- But, if they cannot assimilate and submit to the laws of the State of Georgia, “a region is open to them, where they and their descendants can be secured in the enjoyment of every privilege which they may be capable of estimating and enjoying. If they choose to remain where they now are, they will be protected in the possession of their land and other property, and be subject, as our citizens are, to the operation of just and wholesome laws.”

Summary: As a humanitarian and Christian worker, Evarts gives priority to the Indians’ humanity—their equality and rights.

As a policy-maker and functionary of the government, Cass gives priority to ideas of nationalism and states’ rights that promote progress and “civilization.”