



# Worcester v. Georgia

## Cherokee Sovereignty and Actions of the U.S. Government



Sarah Brewer

Published by K20 Center

This work is licensed under a [Creative Commons CC BY-SA 4.0 License](https://creativecommons.org/licenses/by-sa/4.0/)

<b>Grade Level</b>	8th – 9th Grade	<b>Time Frame</b>	100 minutes
<b>Subject</b>	Social Studies	<b>Duration</b>	2 class periods
<b>Course</b>	Oklahoma History, U.S. History		

### Essential Question

How have Native American tribes fought to maintain their tribal sovereignty? How have the policies and decisions of the U.S. government impacted tribal sovereignty?

### Summary

Students will analyze the "Worcester v. Georgia" United States Supreme Court case, then work together to summarize and categorize actions that protected the sovereignty of the Cherokee Nation or undermined it. To extend knowledge, students will watch a video of a judge discussing the powers of the judicial branch, then students will participate in a Four Corners activity evaluating President Andrew Jackson's decision to ignore the Supreme Court's ruling in "Worcester v. Georgia." Finally, students will revisit the activity from the beginning of the lesson and create a paragraph summary of what they learned, using important terms from the lesson.

### Snapshot

#### Engage

Students participate in a Word Splash activity to activate prior knowledge about Indian removal policies and Native American resistance to those policies.

#### Explore

Students analyze the "Worcester vs. Georgia" case using the Categorical Highlighting strategy.

#### Explain

Students use the information they highlighted to fill out a chart, summarizing the actions related to the case as either attempts to protect the sovereignty of the Cherokee Nation, or attempts to undermine sovereignty of the Cherokee Nation.

#### Extend

Students watch a video of a judge discussing the role of judges in carrying out the powers of the judicial branch. Then, the class participates in a Four Corners activity to evaluate President Andrew Jackson's decision to ignore the Supreme Court's ruling in "Worcester v. Georgia."

**Evaluate**

Students revisit the Word Splash activity from the beginning of the lesson and create a paragraph summary of what they learned, using important terms from the lesson.

## Standards

*Oklahoma Academic Standards (Social Studies: Oklahoma History (9th through 12th grade))*

**8.7.3B:** disregard for the Worcester v. Georgia decision

*Oklahoma Academic Standards (Social Studies: Oklahoma History (9th through 12th grade))*

**OKH.2.3:** Analyze the motivations for removal of American Indians and the passage of the Indian Removal Act of 1830; trace the forced removal of American Indian nations, including the impact on the tribal nations removed to present-day Oklahoma and tribal resistance to the forced relocations.

## Attachments

- [An Explanation of the Case—Worcester v. Georgia - Spanish.docx](#)
- [An Explanation of the Case—Worcester v. Georgia - Spanish.pdf](#)
- [An Explanation of the Case—Worcester v. Georgia.docx](#)
- [An Explanation of the Case—Worcester v. Georgia.pdf](#)
- [Four Corners Signs—Worcester v. Georgia.pdf](#)
- [Lesson Slides—Worcester v. Georgia.pptx](#)
- [Worcester v. Georgia and Tribal Sovereignty Chart \(Student Copy\)—Worcester v. Georgia - Spanish.docx](#)
- [Worcester v. Georgia and Tribal Sovereignty Chart \(Student Copy\)—Worcester v. Georgia - Spanish.pdf](#)
- [Worcester v. Georgia and Tribal Sovereignty Chart \(Student Copy\)—Worcester v. Georgia.docx](#)
- [Worcester v. Georgia and Tribal Sovereignty Chart \(Student Copy\)—Worcester v. Georgia.pdf](#)
- [Worcester v. Georgia and Tribal Sovereignty Chart \(Teacher Copy\)—Worcester v. Georgia.docx](#)
- [Worcester v. Georgia and Tribal Sovereignty Chart \(Teacher Copy\)—Worcester v. Georgia.pdf](#)

## Materials

- Lesson Slides (attached)
- An Explanation of the Case (attached; one per student)
- "Worcester v. Georgia" and Tribal Sovereignty Chart (Student Copy) (attached; one per student)
- "Worcester v. Georgia" and Tribal Sovereignty Chart (Teacher Copy)
- Four Corners Posters (attached)
- Internet access (for viewing embedded video below)
- Highlighters (multiple colors; optional)

# Engage

Use the attached **Lesson Slides** to guide the lesson. Begin with **slide 3**. Use the [Elbow Partners](#) strategy to pair students or assign them to groups of 3–4. Explain the [Word Splash](#) strategy, telling students there are five terms on the slide—Indian Removal Act of 1830, Cherokee, Resistance, Tribal Sovereignty, and Andrew Jackson. In order to activate prior knowledge, invite students to work with their elbow partners or groups to explain how each term is connected to at two or more of the other terms. Make sure they do this for each term. Give students 5–7 minutes for this discussion.

Once groups are ready, call on volunteers to share their ideas with the class. Clarify any misconceptions. Once you feel that students have shared enough to serve as a review of the relevant content you have previously covered, move to the next portion of the activity.

## Teacher's Note: Scaffolding

It is assumed that this lesson is being taught within the context of a unit on Indian removal and that students would already be familiar with the terms listed in the Word Splash. If you feel it is necessary to review with the class what each term means before they start the Word Splash, then please do so. The most complicated term for students is mostly likely "tribal sovereignty." During the 1830s, tribes were legally considered "sovereign" nations that existed within the boundaries of the United States. In addition, only the federal government had the power to enter into treaties with Native American tribes. Make sure students understand that tribal sovereignty means that tribes inherently possess the independence and autonomy to govern their people and maintain authority over their territory.

## Possible Student Responses

Students might explain that the **Cherokee** resisted the **Indian Removal Act of 1830** because they did not want to be forced to leave their homeland. Additionally, students might say that the **Indian Removal Act of 1830** threatened the **tribal sovereignty** of the **Cherokee** tribe because the law was going to force the Cherokee members to move. This meant that the U.S. government was trying to make this decision for the **Cherokee** Nation, rather than the tribe getting to choose for themselves. Students could also say that President **Andrew Jackson** supported passing the **Indian Removal Act** to force tribes such as the **Cherokee** tribe out of their homelands in order to open up land for white settlement and the expansion of the slave-based agricultural economy that dominated the south.

Display **slide 4**. Tell students they will be discussing the "Worcester v. Georgia" court case in this lesson. Next, give students 2–3 minutes to predict with their elbow partners or groups how the terms from the Word Splash might connect to "Worcester v. Georgia." Call on a few groups to share their ideas with the class and form a hypothesis. Be sure not to single out any "right" answers at this point. Students will come back to this exercise at the end of the lesson after learning about the court case.

Display **slide 5**. Tell students that, while they are learning about "Worcester v. Georgia," they should keep in mind the following essential questions: *How have Native American tribes fought to maintain their tribal sovereignty? How have the policies and decisions of the U.S. government impacted tribal sovereignty?*

## Explore

Display **slide 6**. Use this slide to make sure that students have a common understanding of tribal sovereignty. They will need to reference this term throughout the lesson. Explain to students that the case "Worcester v. Georgia" impacted the tribal sovereignty of the Cherokee Nation, and that the class will explore those issues of tribal sovereignty surrounding the case.

Give each student a "Worcester v. Georgia"—An Explanation of the Case handout and two highlighters of different colors. Display **slide 7** and ask students to read this handout with their group, using the [Categorical Highlighting](#) strategy to analyze the text. Students should use one color to highlight actions taken to protect the tribal sovereignty of the Cherokee Nation and another color to highlight actions taken to take away the tribal sovereignty of the Cherokee Nation. Students should actively discuss with their groups what they should highlight.

### **Teacher's Note: Strategy Variations and Annotation**

If you do not have highlighters for your students, you could have them circle actions taken to protect tribal sovereignty and underline actions taken to take away tribal sovereignty. Additionally, you may also have students add annotations in the margins to justify why they chose each part of the text they highlighted, similar to the [Why-Lighting](#) strategy.

## Explain

Display **slide 8**. Distribute a copy of the "Worcester v. Georgia" and Tribal Sovereignty Chart (Student Copy) to each student. Ask students to work with their group and use their Categorical Highlighting notes to complete the chart. Students should have at least two examples in each category, but can have more. Have students explain their examples in 1–3 complete sentences. Additionally, emphasize to students that the examples they choose to put in their chart should be the most important from each category. Students should be prepared to share their findings with the class. See the attached "Worcester v. Georgia" and Tribal Sovereignty Chart (Teacher Copy) for examples of possible student answers.

### Teacher's Note: Scaffolding

If you think students would benefit from doing an example as a class, consider pointing students to the second paragraph's second sentence ("Settlers crowded in on Cherokee lands") and ask students which category this should go under. They should decide it matches "actions taken to take away tribal sovereignty." Ask students to discuss in their groups to explain why it goes in that category. Have groups share their explanations with the class, then clarify or provide additional guidance. If you like, you can go further by asking students to write 1–3 complete sentences explaining that example, and have student groups read their answers out loud to the class.

After student groups have had enough time to complete the chart, assign half of your student groups to share an example of sovereignty being protected, and assign the other half to share an example of sovereignty being taken away. Give students 1–2 minutes to prepare and to select a spokesperson for their group. When ready, call on the spokesperson for each group to share with the class. Students are welcome to add to their charts or make edits to their responses based on class discussion. The purpose of this discussion is to make sure students have a clear understanding of the case and how surrounding issues impacted the tribal sovereignty of the Cherokee Nation.

# Extend

## Teacher's Note: Preparation

Before this activity, print out the attached **Four Corners Signs**. Hang the signs in four different corners of your classroom.

Explain to students that the case *Worcester v. Georgia* was decided by the Supreme Court. Remind them that the Supreme Court is the most powerful court in the country and is made up of nine justices, or judges, whereas the lower courts hear cases that are determined by a single judge.

Display **slide 9**. Use the link on the slide to show the video interview with District Judge Michael Tupper for OK Judicial District 12 discussing the role of judges in carrying out the powers of the judicial branch: "[ICAP - Worcester v Georgia.](#)"

## Embedded video

<https://youtube.com/watch?v=hWQjUwvLXvU>

After the video, ask students to turn to an [Elbow Partner](#), and discuss the following questions based on the video: 1) What is the role of a judge? 2) Why is the judicial branch important? After 1–2 minutes, call on students to share out with the whole class.

Next, ask students to take on the role of the judge, drawing on their knowledge about the court's decision for the Cherokee, and on what they saw in the video above. Ask students to use their powers of judicial review to evaluate the actions of President Andrew Jackson following the ruling in "*Worcester v. Georgia*." To do so, move to **slide 10**.

Students should participate in a short [Four Corners](#) activity. Ask students to read the statement on slide 10: *President Jackson's decision to ignore the ruling in 'Worcester v. Georgia' was constitutional*. Next, ask them to select one of the four levels of agreement or disagreement on the posters ("Strongly Agree," "Agree," "Disagree," or "Strongly Disagree") and stand next to the one corresponding to their choice.

After students have formed groups according to their opinions, invite them to discuss the reasons for their choice. Together, each group should come up with a response that justifies their beliefs to share with the class.

Have students repeat this process using the statement on slide 11: *A President's decision to ignore a ruling of the Supreme Court is constitutional*.

## Teacher's Note: Organizing the Discussion

If there are large groups of students under one sign, consider splitting them into multiple smaller groups for their discussion.

### Possible Student Responses

Slide 10—Students might choose "strongly disagree" or "disagree" and note that the President takes an oath of office swearing to uphold the Constitution of the United States; this requires that the President, as head of the executive branch, ensures that the laws of the United States are enforced, including laws defined by the Supreme Court. Jackson's disregard for the ruling in "Worcester v. Georgia" is unconstitutional because he failed to carry out the President's responsibility to enforce the law. Or, students might agree or strongly agree, arguing that state governments should be able to make laws concerning what happens within the boundaries of their state, or that Jackson felt the court had gone too far and he disregarded the ruling to protect Georgia's "right" to Cherokee land.

### Possible Student Responses

Slide 11—Students might choose "strongly disagree" or "disagree" and argue that the President should always enforce a Supreme Court ruling as part of their responsibilities as President. They could go further by saying that it is important for the President to enforce rulings of the Supreme Court to uphold the systems of separation of powers, checks and balances, and even rule of law. However, they might choose "strongly agree" or "agree" if they feel that the Supreme Court's ruling is not in the best interest of the country or that the ruling itself goes against the Constitution.

Ultimately, this discussion should be used to highlight the controversial nature of Jackson's decision to disregard the Supreme Court's ruling in "Worcester v. Georgia"—that Jackson's choice was arguably unconstitutional because it undermined the system of checks and balances within the U.S. government. Additionally, his actions threatened the sovereignty of the Cherokee Nation by disregarding the Supreme Court ruling that confirmed the Cherokee people had sovereignty over their land and people—which the U.S. and the State of Georgia were legally obligated to respect.



# Evaluate

Display **slide 12**. Have students return to the Word Splash list from the beginning of the lesson. Ask students to add the term "Worcester v. Georgia" to their list. Using all six terms, ask students to write 5–8 sentences summarizing what they learned in the lesson about how the "Worcester v. Georgia" case impacted Cherokee sovereignty. These summaries can be done as a group, in pairs, or individually. Students can complete their summaries on a sheet of notebook paper, notecard, in a composition book, or on a Google doc. Choose the method that best fits your routine and preferences.

## Possible Student Responses

The Indian Removal Act passed by the United States Congress in 1830 threatened the tribal sovereignty of the Five Tribes, including the Cherokee Nation, by attempting to force Native Americans to give up their homelands and move west to Indian Territory. In an attempt to maintain their sovereignty and authority over their land, the Cherokee used the court system and resisted removal. Samuel Worcester, representing the interests of the Cherokee, challenged the State of Georgia in the Supreme Court case, "**Worcester v. Georgia.**" In this case, the Supreme Court acted on its power of judicial review to overturn the Georgia law, declaring that states had no authority to interfere with Native American tribes. Additionally, the Supreme Court used its power to interpret the law to affirm that the tribes are their own distinct communities with sovereignty over their land and people. This ruling supported tribal sovereignty, protecting the Cherokee's right to govern themselves and maintain authority over their land. However, the actions of President Andrew Jackson threatened the sovereignty of the Cherokee Nation. In response to the Court's decision, Andrew Jackson refused to carry out his Presidential duty to enforce the ruling, allowing Georgians to continue to illegally move onto Cherokee land and ultimately resulting in the forced removal of the Cherokee from their lands in Georgia, representing a disregard for the Cherokee's right to their land and their freedom to make choices for their people.

## Resources

- K20 Center (n.d.). Categorical Highlighting. Strategies.  
<https://learn.k20center.ou.edu/strategy/fc74060730ea745c8c4f356aa204c85d>
- K20 Center (2020, February 18). ICAP – Worcester v Georgia [Video]. YouTube.  
<https://youtu.be/hWQjUwvLXvU>
- K20 Center (n.d.). Elbow Partners. Strategies.  
<https://learn.k20center.ou.edu/strategy/ccc07ea2d6099763c2dbc9d05b00c4b4>
- K20 Center (n.d.). Four Corners. Strategies.  
<https://learn.k20center.ou.edu/strategy/d9908066f654727934df7bf4f5064550>
- K20 Center (n.d.). Why-Lighting. Strategies.  
<https://learn.k20center.ou.edu/strategy/d9908066f654727934df7bf4f505e7d5>
- K20 Center (n.d.). Word Splash. Strategies.  
<https://learn.k20center.ou.edu/strategy/fe96d3de46cfdc1f385aab7e7500a888>