



**Brooklyn Preparatory High School
Fall 2014 Curriculum Unit Template**

Title: Indian Removal and Trail of Tears

Teacher: Chessa Gross

Timeline: October 16 – October 30

<p>Desired Results</p>	<p>Essential Questions: What intriguing questions will foster inquiry and motivate the learning? What questions will lead students to uncovering the enduring understandings?</p> <ul style="list-style-type: none"> - Why did Andrew Jackson want to remove the Indians? - How Democratic Was Andrew Jackson? - Was Indian Removal Constitutional?
	<p>Enduring Understandings: What are the most important ideas you want the students to finish the unit with? What do you want students to forever understand about the topic?</p> <ul style="list-style-type: none"> - The impact of the legacy of Indian Removal and the Trail of Tears on native communities - An understanding of the roots of strained relations between Native Americans and the US government - A nuanced perspective on Andrew Jackson’s presidency and his actions
	<p>Knowledge and Skills: What will students know and be able to do at the end of this unit?</p> <ul style="list-style-type: none"> - students will have an understanding of issues surrounding Indian Removal and the Trail of Tears - Students will be able to write an argumentative essay using evidence explaining whether or not Andrew Jackson was Democratic in his presidential actions
<p>Assessment Evidence</p>	<p>Performance Task Assessment: How does this Common Core aligned task assess desired results (Essential Questions, Enduring Understandings)? How does this task demonstrate performance of aforementioned knowledge and skills?</p> <p>The Performance task is a DBQ task that asks students “How Democratic Was Andrew Jackson?” Students will be asked to read a background essay and a series of 10 documents that seek to address this question from a variety of perspectives, using issues such as Jackson’s banking policies and Indian Removal as examples of his presidential actions. Then students will be asked to compile evidence, analyze it, and use the evidence to answer the question in an essay.</p>
	<p>Other Assessments: How do periodic, continual assessments connect to desired results?</p>

	<p>Students will read primary sources about the Indian Removal Act and Worcester v. Georgia, and answer critical thinking questions about the issue before viewing the documentary on Andrew Jackson and the Trail of Tears. Students will use viewing guides and discussion prompts to guide their thinking around the issues to help them prepare to answer the performance task question. Moreover, students will be having homework readings and corresponding quiz that week to assess their content knowledge on the subject.</p>
Learning Plan	<p>Levels of Rigor: Use the Rigor Matrices to create high level tasks. What are the levels of rigor of the tasks given to students within this unit?</p> <p>Level 4 reading – students will have a variety of complex primary source texts to analyze and compare when trying to compose an argument</p> <p>Level 2/3 discussion – students will have a series of teacher guided and student-facilitated discussions on their reaction to the Indian Removal film</p> <p>Level 4 writing – students will write a DBQ essay over the span of a class period for their performance task</p>
	<p>Day to Day: What lessons and activities will teach the knowledge and skills necessary for students to succeed with assessments/performance tasks?</p> <p>Day 1 – HW Packet Due, Quiz, Louisiana Purchase lesson</p> <p>Day 2 – Lewis & Clark lesson</p> <p>Day 3 - US emerges as a global power - War of 1812, Jackson emerges as a leader, Monroe Doctrine</p> <p>Day 4 – Andrew Jackson elected as populist leader – mini-lecture & Indian Removal (SHEG) documents</p> <p>Day 5 – Quiz/ Trail of Tears film & viewing guide</p> <p>Day 6 - Worcester v. Georgia reading & Trail of Tears film</p> <p>Day 7 - Trail of Tears film - writing reflection</p> <p>Day 8 – Performance task: Jackson DBQ readings</p> <p>Day 9 - Quiz & Performance task: Jackson DBQ essay writing in class</p>
	<p>Resources: <i>Trail of Tears: Cherokee Legacy</i>. Rich-Heape Films, Inc. 2006. Stanford History Education Group lessons DBQ Project: “How Democratic Was Andrew Jackson?”</p>

How Democratic Was Andrew Jackson?



A Document Based Question (DBQ)

TEACHER DOCUMENT LIST (SV)

There are 11 documents in the Shorter Version of this DBQ. The documents are grouped into four analytical categories. Each category contains documents that argue for and against Jackson's democratic leanings. An uncategorized list of documents accompanies the student materials. An important part of student analysis is to develop categories that may or may not be the same as those below.

Jackson and America – Extending Power to the “Common Man”

Document 1: Voting for Presidential Electors – A State-by-State View

Document 2: The Election of 1828: One Historian's View

Jackson and the National Bank

Document 3: “King Andrew the First” (a cartoon)

Document 4: Jackson's Veto of the National Bank

Document 5: Daniel Webster's Reply to Jackson's Bank Veto Message

Jackson and the Spoils System

Document 6: Jackson Discusses Rotating Government Officials

Document 7: The Swartwout Case: A Study in Corruption

Jackson and Native Americans

Document 8: Jackson on Native Americans and Indian Removal

Document 9: The Cherokee Plea

Document 10: Map – Indian Removal

Document 11: Jackson's Letters about His Adopted Native American Son

STUDENT GUIDE SHEET

How Democratic Was Andrew Jackson?

Directions: Many great names in American history are closely connected with an idea or an event – George Washington and the Revolution, Abraham Lincoln and the Civil War, Martin Luther King and Civil Rights. Andrew Jackson’s name is tied very closely to democracy, but is it historically fair and accurate to do so?



Follow these steps as you grapple with this historical question:

1. Read the Background Essay. It provides an overview of Jackson’s life and the political climate of the day.
2. Quickly skim the 11 documents to get a sense of what they are about.
3. Make sure you have a clear definition of democracy written down before you analyze the documents.
4. Read the documents slowly. For each document use the margins or a Document Analysis Sheet to record:
 - a. What or who is the source?
 - b. What is the issue being discussed? (The Bank, Indian Removal, etc.)
 - c. Summarize in your own words the main argument or idea being presented in each document.
5. Clarify for yourself the different issues addressed by the 11 documents. Make a judgment as to how democratic Jackson was on each issue. Make sure to compare his actions to your original definition of democracy.
6. Make a final summary judgment of Jackson. Overall, did he move the country towards democracy? Is it reasonable to argue that in some areas he did and in others he did not? Is it even possible that some of his actions may have been both democratic and undemocratic at the same time?

The Documents:

- Document 1: Voting for Presidential Electors – A State-by-State View
- Document 2: The Election of 1828: One Historian’s View
- Document 3: “King Andrew the First” (a cartoon)
- Document 4: Jackson’s Veto of the National Bank
- Document 5: Daniel Webster’s Reply to Jackson’s Bank Veto Message
- Document 6: Jackson Discusses Rotating Government Officials
- Document 7: The Swartwout Case: A Study in Corruption
- Document 8: Jackson on Native Americans and Indian Removal
- Document 9: The Cherokee Plea
- Document 10: Map – Indian Removal
- Document 11: Jackson’s Letters about His Adopted Native American Son

How Democratic Was Andrew Jackson?

Andrew Jackson may have been the most popular president in the history of the United States. Although he had his enemies during his two terms (1829-1837), many Americans at the time thought he could do no wrong. He was so popular that he was still getting votes for the presidency fifteen years after he died!

Boyhood

Born on the border between North and South Carolina in 1767, Jackson grew up poor. His father died a few days before his birth, and Andrew was not an easy child for his mother to raise. He enlisted in the Revolutionary War at age 13, was captured and seriously wounded by a British officer. Typical of Jackson throughout his life, he had refused to take a demeaning order and was slashed with a sword. Because of a prisoner exchange, Jackson managed to survive his wounds. Sadly, his mother died shortly after he returned home, and young Andrew was left to confront the world on his own.

Jackson was a tough kid with a wild streak that ran deep. He never backed away from a fight – not even as a 75-year-old man – and left a trail of card games, busted up taverns, liquor bottles, and bloody noses in his wake. A favorite trick of Andrew and his buddies was to drag away family outhouses and hide them in remote places.

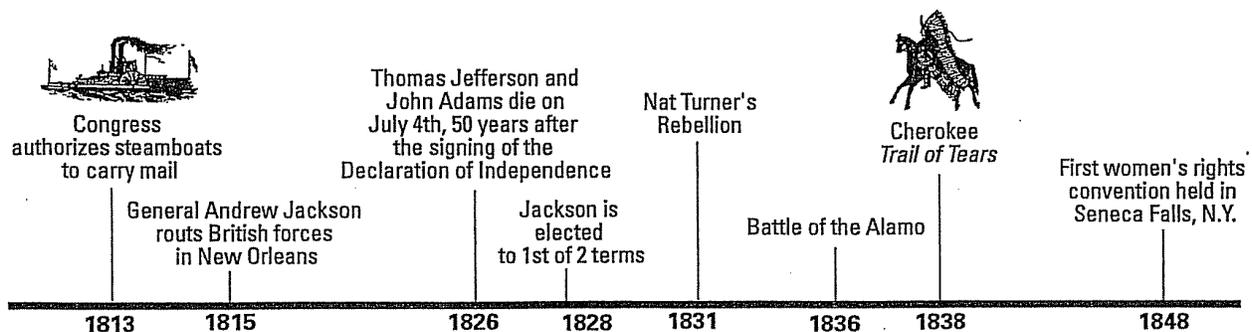
At age 17 Jackson’s self-discipline improved, and he began his study of the law. At 21 he became a lawyer on the North Carolina frontier. Jackson soon moved west to Tennessee, married

his wife for life, Rachel Donelson, and got involved in land speculation, farming, and slave ownership. At age 29 Jackson was elected Tennessee’s first representative in the US House and a year later was elected to the US Senate.

Military Career

It was not, however, Andrew Jackson’s early political career that would make him an American hero; it was war. Andrew Jackson was born to be a soldier. His first successes came when he led a campaign of Tennessee volunteers against the Creek Indians in Alabama in 1813 and 1814. A year later he commanded American forces in the defense of New Orleans against the British. Jackson unknowingly took a huge step towards the presidency when he held off a British attack on January 8, 1815. The results of the battle were staggering – 71 American casualties versus 2,037 British soldiers killed, wounded, or missing. It did not matter to the American people that a peace treaty had already been agreed upon in Europe (news traveled slowly in 1815). Jackson instantly became a national hero.

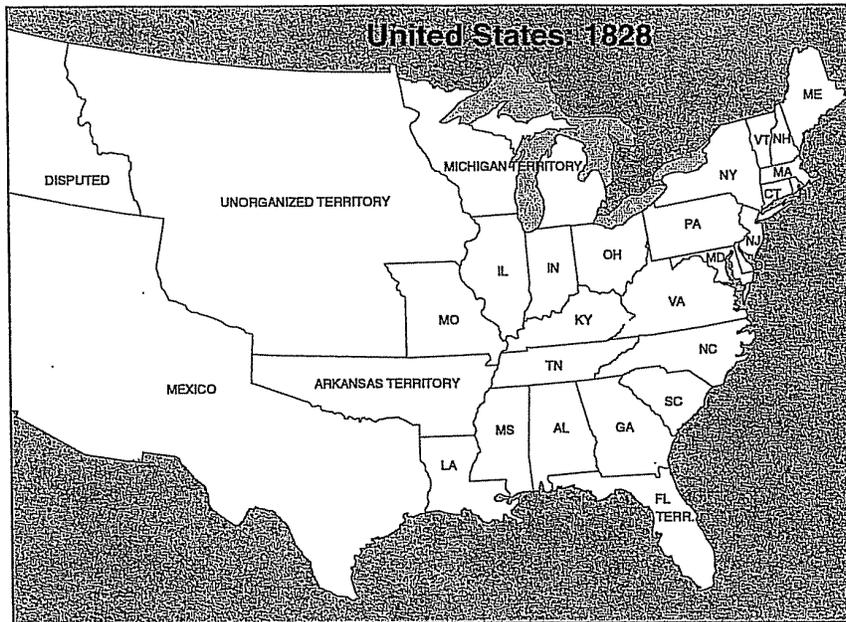
Jackson won American hearts not just because he won battles. Jackson never asked his men to endure more than he endured. During a bad patch of the Creek War, he ate acorns and cattle waste with his soldiers. He mailed home bone splinters to Rachel that occasionally pushed up through the skin in his arm. He carried a bullet next to his heart from a nearly fatal duel over the honor of his wife. Known affectionately as



Old Hickory, Andrew Jackson was tough and unbreakable, just like a hickory tree.

Presidential Politics

In 1824 Jackson made his first run for President of the United States. The vote was split four ways – 158,000 popular votes for Jackson, 114,000 for John Quincy Adams,



47,217 for Henry Clay, and 46,979 for William Crawford. Because no candidate received a majority of the electoral votes, the election was decided in U.S. House of Representatives. In what Jackson called “the corrupt bargain,” Clay traded his electoral votes to Adams for an appointment as the Secretary of State. Jackson raged that the People’s voice had been silenced. He had been the choice of the largest number of voters, and he was being sent back home to Tennessee. Was this democracy?!

Ideas About Democracy

Jackson became determined to create a new era of real democracy in America, where the people would be heard. From 1824-28 he campaigned by telling the People he would listen and do their will. Finally, in 1828, Jackson was elected President. He was reelected in 1832.

How well he listened to the People and did their will is left for you to decide.

The focus question of this DBQ is “How democratic was Andrew Jackson?” Remember, to Jackson, **democracy** meant that all branches and agencies of the government – the President, the Congress, the National Bank, even the Supreme Court – must listen to and follow the wishes of the People. Of course, Jackson, like most men of his times, had certain ideas about who were included in the People. He never considered Native Americans as potential citizens,

and he was one of the largest slave-owners in Tennessee at the time of his election. Enemies of Jackson claimed he behaved more like a dictator or king than a democratically elected president.

On the following pages are 11 documents that touch on several of the key issues Jackson faced during his life and his presidency. This DBQ asks you to make a judgment about Jackson’s commitment to democracy. Your task is to decide: *How democratic was Andrew Jackson?*

Document 1

Source: Adapted from *Historical Statistics of the United States, Part 2, 1975*.

	P— by people			L— by legislature		
	1816	1820	1824	1828	1832	1836
Massachusetts	L	P	P	P	P	P
New York	L	L	L	P	P	P
Delaware	L	L	L	L	P	P
S. Carolina	L	L	L	L	L	L
Georgia	L	L	L	P	P	P
Vermont	L	L	L	P	P	P
Louisiana	L	L	L	P	P	P
Indiana	L	L	P	P	P	P
Illinois	*	P	P	P	P	P
Alabama	*	L	P	P	P	P
Maine	*	P	P	P	P	P
Missouri	*	L	P	P	P	P

Note: States not listed above chose Presidential Electors by the people as of 1816.
States displaying the (*) were not yet admitted as states.

Document 2

Source: Thomas Bailey and David Kennedy, *The American Pageant*, 1994.

So in a broader sense the election (of Andrew Jackson in 1828) was a “revolution” comparable to that of 1800. It was a peaceful revolution, achieved by ballots instead of bullets.... “Shall the people rule?” cried the Jacksonians. The answering roar seemed to say, “The people shall rule!”...

“I never saw anything like it,” a puzzled Daniel Webster mused about Jackson’s inaugural. “Persons have come five hundred miles to see General Jackson, and they really think that the country is rescued from some dreadful danger.”

...Jackson’s victory accelerated the transfer of national power from the country house to the farmhouse, from the East to the West, from the snobs to the mobs. If Jefferson had been the hero of the gentleman farmer, Jackson was the hero of the dirt farmer.

Document 3

Source: Reprinted by permission of Library of Congress, Lithograph, 1832, LC-USZ62-1562.

Note: Cartoon appeared in the presidential election of 1832.



SV

Document 4

Source: James D. Richardson, *A Compilation of the Messages and Papers of the Presidents, 1789-1902*, 1905.

Andrew Jackson's Bank Veto Message to Congress July 10, 1832

...The present Bank of the United States...enjoys an exclusive privilege of banking,
...almost a monopoly of the foreign and domestic exchange.

It appears that more than a fourth part of the stock is held by foreigners and the
(rest) is held by a few hundred of our own citizens, chiefly of the richest class.

Of the twenty-five directors of this bank five are chosen by the government and
twenty by the citizen stockholders.... It is easy to conceive that great evils to our
country...might flow from such a concentration of power in the hands of a few men
irresponsible to the people.

It is to be regretted that the rich and powerful too often bend the acts of government
to their selfish purposes.

Document 5

Source: Daniel Webster, July 11, 1832.

Daniel Webster's Reply to Jackson's Bank Veto Message July 11, 1832

(President Jackson's message) extends the grasp of (the chief executive) over every
power of the government.... It sows...the seeds of jealousy and ill-will against the
government of which its author is the official head. It raises a cry that liberty is in
danger, at the very moment when it puts forth claims to powers heretofore
unknown and unheard of.... It manifestly seeks to inflame the poor against the rich,
it wantonly attacks whole classes of the people, for the purposes of turning against
them the prejudices and resentments of the other classes.



Document 6

Source: Senate Documents, 21st Congress, 1829-1830.

Andrew Jackson's Letter to Congress

December 8, 1829

The duties of all public officers are...so plain and simple that men of intelligence may readily qualify.... I submit, therefore, to your consideration...(a) law which limits appointments to four years. In a country where offices are created solely for the benefit of the people, no one man has any more...right to (government jobs) than another.

Document 7

Source: Robert V. Remini, *The Life of Andrew Jackson*, 1988.

Reprinted by permission from Harper Collins Publishers, Inc. from *The Life of Andrew Jackson*, Copyright (c)1988 by Robert V. Remini.

One bit of advice (Secretary of State) Van Buren offered (Jackson) concerned the appointment of the collector of the Port of New York. This was a very sensitive and important position. Some \$15 million annually passed through the collector's hands. If any post needed a man of the highest integrity it was this one. And when Van Buren learned that Jackson intended to appoint Samuel Swartwout to the office he almost collapsed. Van Buren alerted the President immediately (that Swartwout had "criminal tendencies").

...Unfortunately, Jackson refused to listen. He liked Swartwout because he had been an early supporter...and so he went ahead with the appointment. In time, of course, Swartwout absconded with \$1,222,705.09. It was a monumental theft... Jackson was mortified.

When the scandal broke, Jackson's opponents doubled over with laughter. ...Here, then, was the bitter fruit of rotation, hooted the President's critics. Here the dreadful consequence of denying the government the service of an elite bureaucracy in order to serve some idealistic democratic principle.

Document 8

Source: James D. Richardson, *A Compilation of the Messages and Papers of the Presidents, 1789-1902*, 1905.

Andrew Jackson's Message to Congress

December 7, 1829

...By persuasion and force they (Native Americans) have been made to retire from river to river and from mountain to mountain, until some of the tribes have become extinct.... (T)he fate of the Mohegan...is fast overcoming the Choctaw, the Cherokee, and the Creek.... Humanity and national honor demand that every effort should be made to avert so great a calamity.

...I suggest for your consideration...setting apart an ample district west of the Mississippi...to be guaranteed to the Indian tribes as long as they shall occupy it.... This emigration should be voluntary...(but) if they remain within the limits of the states they must be subject to their laws.

Document 9

Source: "Memorial of the Cherokee Nation," as reprinted in *Niles Weekly Register*, August 21, 1830.

We wish to remain on the land of our fathers. We have a perfect and original right to remain without interruption or molestation....

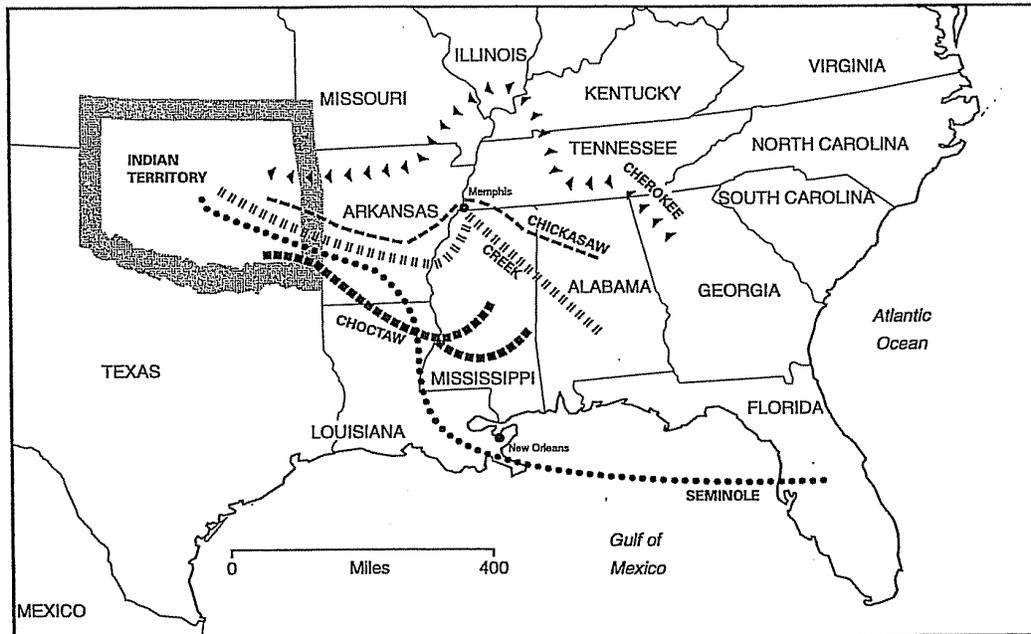
But if we are compelled to leave our country, we see nothing but ruin before us. The country west of the Arkansas territory is unknown to us.... The far greater part of that region is...badly supplied with food and water.... All our neighbors...would speak a language totally different from ours, and practice different customs....

...On the soil which contains the ashes of our beloved men we wish to live – on this soil we wish to die....

Document 10

Source: Map created from various sources.

INDIAN REMOVAL, 1831-1840s



Document 11

Source: John Spencer Bassett (ed.), Correspondence of Andrew Jackson, 1931.

Reprinted by permission of the Carnegie Institution of Washington.

Excerpts of letters written by Andrew Jackson to his wife Rachel regarding their Creek Indian son, Lyncoya, adopted after the battle of Tallashatchie, November 13, 1813

December 19, 1813

He is the only branch of his family left, and the others when offered to them to take care of would have nothing to do with him but wanted him to be killed.... Charity and Christianity says he ought to be taken care of and I send him to my little Andrew and I hope he will adopt him as one of our family.

December 28, 1823

Tell Lyncoya to read his book and be a good boy and obey you in all things.

Note: Lyncoya died at age 14 of tuberculosis in 1827 and was buried in the family cemetery.

DOCUMENT ANALYSIS SHEET

(NAME AND DATE)

Document number or letter _____ Title of Document (if present)	Source (Where did the document come from?)
Date of Document	Author of Document
Primary Source <input type="checkbox"/> Secondary Source <input type="checkbox"/>	Possible Author Bias

After you read over the document, fill in the columns below.

What important facts can I learn from this document?	What inferences can I make from this document?	How can I use this document in my essay?
		Analytical Category:
	Overall, what is the main idea of the document?	

Louisiana Purchase Lesson Plan

Central Historical Question:

Why did Federalists oppose the Louisiana Purchase?

Materials:

- Copies of Louisiana Purchase Timeline
- Copies of Louisiana Purchase Documents A and B
- Transparency of Document A
- Louisiana Purchase Graphic Organizer

Plan of Instruction:

1. Introduction: Hand out Louisiana Purchase Timeline and ask students to answer the questions:
 - a. What was the Louisiana Purchase?
 - b. How do you think Americans felt about it?
2. Elicit student answers. Most students will say that Americans were probably happy about the Louisiana Purchase.

Explain: *In fact, the Federalists were quite unhappy about the Louisiana Purchase and today we're going to discover why.*

Remind students about the differences between Jefferson and Hamilton, and how the Federalists did NOT like Jefferson.

3. Pass out Document A and put transparency on overhead.

Sourcing: Cognitive Modeling

This is written by Alexander Hamilton in July 1803. So it's before Congress ratified the treaty. Hamilton is writing an editorial, so he's probably going to explain whether he supports it or not. I'm going to predict that he opposes the treaty because he and Thomas Jefferson do not get along.

Now, as I read I'm going to try to notice what is going on at the time and what people were thinking. . .

[Read through document and notice 3 things]:

- a. *Express surprise that he likes the idea of purchasing New Orleans. Note that the Federalists are in the Northeast and support business, so they would support having a port city, but maybe not into the rest of the land.*
 - b. *Notice that Hamilton criticizes Jefferson's administration—doesn't want them to take credit.*
 - c. *Notice that the country really isn't populated. So this land isn't necessary for settlement; in fact, it seems really far away to Hamilton. He doesn't see how they would govern over so much land.*
4. Give students time to fill out Graphic Organizer for Document A. Review student answers.
 5. Pass out Document B and lead students in guided practice.

Ask students the following questions:

Sourcing: What position do students predict these Federalists will take?

Context: Read through document and help student see the following:

- a. Federalists were concerned about whether it was constitutional for the Executive to acquire land through treaty.
 - b. Federalists were concerned that the new states would be slave states, and that would upset the balance between free and slave states.
 - c. Federalists REALLY hated Jefferson.
6. Give students time to complete Graphic Organizer for Document B. Review student answers.
 7. Preparation for discussion:

Students should write three sentences in response to the prompt:

Did Federalists oppose the Louisiana Purchase for practical or political reasons? (In other words, did the Federalists have real concerns, or did they just hate Jefferson?)

8. Students share answers. Insist that they support their claims with evidence.

Citations:

Alexander Hamilton, "Purchase of Louisiana," *New York Evening Post*, 5 July 1803. Lance Banning, *Liberty and Order: The First American Party Struggle*, ed. and with a Preface by Lance Banning (Indianapolis: Liberty Fund, 2004). http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=875&chapter=64024&layout=html&Itemid=27

Rufus King, letter to Timothy Pickering, November 4, 1803. *The Life and Correspondence of Rufus King*. Edited by Charles R. King. 6 vols. New York: G. P. Putnam's Sons, 1894-1900. http://press-pubs.uchicago.edu/founders/documents/a4_3_1s11.html

Timothy Pickering, letter to Rufus King, March 4, 1804. *Documents relating to New-England Federalism*. Ed. Henry Adams, John Quincy Adams. Boston: Little, Brown, & Company, 1877. P. 351. <http://books.google.com/books?id=f48FAAAAMAAJ&pg=PR10>

The Louisiana Purchase Timeline

1763:

France gave Louisiana to Spain.

March 1801:

Napoleon wanted a French empire in North America. So, under pressure, Spain returned Louisiana to France.

Federalists in the United States were alarmed that France now owned Louisiana. They wanted to use force against France. But Jefferson (a Democratic-Republican) sent Robert R. Livingston, the U.S. minister to France to attempt to buy New Orleans.

January 1803:

U.S. sent James Monroe to join Livingston and try to buy New Orleans and West Florida from France.

April 1803:

Napoleon gave up his dream of an American empire because he was overwhelmed by the slave revolt in Haiti and also wanted to go to war with Britain.

The French offered Livingston and Monroe all of Louisiana (not just New Orleans). Livingston and Monroe signed a treaty. For roughly \$15 million, the U.S. acquired some 828,000 square miles of land, doubling the national territory of the United States.

October 1803:

The Senate ratified the treaty and in December the United States acquired the Louisiana Purchase.

Document A: Alexander Hamilton (Modified)

The purchase of New Orleans is essential to the peace and prosperity of our Western country, and opens a free and valuable market to our commercial states.

This purchase will probably make it seem like Mr. Jefferson is brilliant. Any man, however, who possesses any amount of intelligence, will easily see that the purchase is the result of lucky coincidences and unexpected circumstances and not the result of any wise or thoughtful actions on the part of Jefferson's administration.

As to the vast region west of the Mississippi, it is a wilderness with numerous tribes of Indians. And when we consider the present territory of the United States, and that not one-sixteenth is yet under occupation, the possibility that this new purchase will be a place of actual settlement seems unlikely.

If our own citizens do eventually settle this new land, it would weaken our country and central government. On the whole, we can honestly say that this purchase is at best extremely problematic.

Source: Alexander Hamilton wrote an editorial called "Purchase of Louisiana" for the New York Evening Post, July 1803.

Document B: Letters by Federalists (Modified)

Rufus King to Timothy Pickering, November 4, 1803

According to the Constitution, Congress may admit new states. But can the President sign treaties forcing Congress to do so?

According to the Louisiana Treaty, the territory must be formed into states and admitted into the Union. Will Congress be allowed to set any rules for their admission? Since slavery is legal and exists in Louisiana, and the treaty states that we must protect the property of the inhabitants, won't we be forced to admit the new states as slave states? Doing so will worsen the problem of unequal representation from slave and free states.

Timothy Pickering to Rufus King. March 4, 1804

I am disgusted with the men who now rule us. The coward at the head [Jefferson] is like a French revolutionary. While he talks about humanity, he enjoys the utter destruction of his opponents. We have too long witnessed his general wickedness—his cruel removals of faithful officers and the substitution of corruption and immorality for honesty.

Source: The two letters above are written between two Federalists. Rufus King was a Senator from New York and Timothy Pickering was a Senator from Massachusetts.

Louisiana Purchase Graphic Organizer

Name _____

	Document A	Document B
Based on this document, why did Federalists oppose the Louisiana Purchase? (List 2 reasons)		
Provide evidence from the document to support your claims.		

Lewis and Clark SAC Lesson Plan

Central Historical Question:

Were Lewis and Clark respectful to the Native Americans they encountered on their journey?

WARNING: Read all documents before teaching this lesson. DOCUMENT B MAY BE INAPPROPRIATE FOR YOUNGER STUDENTS. The lesson can be taught without Document B, if you choose to eliminate it.

Materials:

- United Streaming Video Segment: The Lewis and Clark Expedition: The Unfinished Nation: Best Laid Plans (<http://player.discoveryeducation.com/index.cfm?guidAssetId=F335E856-2B33-4E6C-8886-0DF015FE4156&blnFromSearch=1&productcode=US>)
- Lewis and Clark SAC Powerpoint (OPTIONAL)
- Lewis and Clark Documents A-D
- Lewis and Clark Guiding Questions
- Lewis and Clark SAC Graphic Organizer

Plan of Instruction:

NOTE: This activity works best if students have an opportunity to read documents and answer guiding questions *before* starting the SAC.

1. Introduction: If you have not discussed Lewis and Clark, then you can show the United Streaming segment to introduce the SAC:

The Lewis and Clark Expedition: The Unfinished Nation: Best Laid Plans: (<http://player.discoveryeducation.com/index.cfm?guidAssetId=F335E856-2B33-4E6C-8886-0DF015FE4156&blnFromSearch=1&productcode=US>)

2. If this is your students' first SAC, introduce SAC as new activity. Show powerpoint slides. Ask if students have any questions about the structure.

Today's Question: *Were Lewis and Clark respectful to the Native Americans they encountered on their journey?*

3. Divide students into groups of 4, and then divide each group of 4 into Team A and Team B.

Team A argues Lewis and Clark were respectful.
Team B argues Lewis and Clark were NOT respectful.

Teams use graphic organizer to collect data for their side. *[If students haven't answered guiding questions in advance, they should do so before beginning to collect evidence for their side].*

3. Team A presents to Team B, and Team B repeats arguments back to Team A, until Team A is satisfied.
4. Team B presents to Team A, and Team A repeats arguments back to Team B, until Team B is satisfied.
5. Teams try to reach consensus.
6. Share out groups' consensus. Discuss:
 - Were Lewis and Clark respectful to the Native Americans they encountered on their journey?
 - Should Lewis and Clark be judged for what happened to Native Americans after their trip?
 - Can we judge people in the past by our standards?

Citations:

Thomas Jefferson, Letter to Meriwether Lewis, June 20, 1803.
<http://millercenter.org/scripps/archive/speeches/detail/3477>

William Clark, Diary. http://www.pbs.org/lewisandclark/archive/idx_jou.html

William Clark, Sacajawea entries,
<http://artsci.wustl.edu/~landc/2003/projects/projects2001/indianwomen/Sacajawea-primary%20sources.html>

Margot Roosevelt, "Tribal Culture Clash," *Time Magazine*. Posted Sunday, July 8, 2002,
http://www.time.com/time/2002/lewis_clark/ltribal.html.

Acknowledgments

We thank Professor Walter Parker at the University of Washington's College of Education for helping us see the enduring value of the SAC approach in the history classroom.

Document A: Jefferson's Letter to Meriwether Lewis (Modified)

To Captain Meriwether Lewis,

In all your interactions with the natives, treat them in the most friendly and peaceful manner. Assure them that the purpose of your journey is innocent, that the U.S. wishes to be neighborly, friendly, and useful to them. Tell them we wish to trade peacefully with them, and find out what articles would be most desirable for both of us to trade.

If a few of their chiefs wish to visit us, arrange such a visit for them. If any of them wish to have some of their young people schooled by us and taught things that might be useful to them, we will receive, instruct and take care of them.

Carry with you some smallpox medicine and explain to them how to use it and encourage them to use it, especially in the winter.

Thomas Jefferson, President of USA

Source: The passage above is from a letter written by Thomas Jefferson to Meriwether Lewis on June 20, 1803. The letter gives detailed instructions on how Lewis and Clark should treat Native Americans.

Document B: Diary Entries of William Clark (Modified)

5 January 1805

The old men arrange themselves in a circle. . . the young men have their wives back of the circle. . . the Girl then takes the Old man (who very often can scarcely walk) and leads him to a Convenient place for the business. . . We sent a man to this Buffalo Dance last night, and they gave him 4 girls.

21 November 1805

An old woman & wife to a Chief came and made a Camp near ours. She brought with her 6 young women I believe for the purpose of gratifying the passions of the men of our party.

Source: All the men on the journey kept diaries about their experiences. Above are two entries from William Clark's diary. The first describes the ritual of the "Buffalo Dance" among the Mandan Indians. The second entry describes setting up camp near The Dalles Indians in present day Oregon.

Document C: *Time Magazine* Article (Modified)

For more than a century, the history of Lewis and Clark's encounters with the 58 tribes along the trail has been defined by the white men's journals. The Mandan, who fed them, danced with them and offered them sexual favors over the bitterly cold winter of 1804-5, were described as good neighbors. . . .

Today Indians are looking to their own oral histories, as well as reading between the lines of the journals, to re-interpret what happened.

The President of the Western American Indian Chamber in Denver said: "[History books make] Lewis and Clark as friendly protectors of the Indians, but that's baloney."

The real truth is that when Clark became the Governor of the Missouri Territory and Superintendent of Indian Affairs, he was in charge of Jefferson's land-grab policy, which some historians have called "cultural genocide" and "ethnic cleansing."

Whites brought diseases that killed as many as 90% of some tribes' members. Most of the tribes Lewis and Clark encountered were forced off their land and herded onto reservations with poor soil.

Source: The passage above comes from an article published in Time Magazine in July 2002.

Document D: Diary entries of William Clark (Modified)

May 11, 1806

The tribe surrounded us in the lodge. When the chief arrived, we gave him a small medal and spoke to the Indians through Sacagawea. We informed them who we were, where we were came from, and our friendly intentions towards them, which pleased them very much.

August 17, 1806

We said goodbye to our interpreters (Shabono and his wife, Sacagawea), who accompanied us on our route to the Pacific Ocean.

I offered to take his little son, a beautiful, promising child who is 19 months old. They agreed and said that in one year the boy would be sufficiently old to leave his mother and he would then take him to me. I agreed to raise the child as my own, in such a manner as I thought proper.

Source: Many people have heard the name of Sacagawea, the Native American woman who (with her husband and newborn baby) accompanied Lewis and Clark on their journey and served as a translator. Above are Clark's diary entries about Sacagawea.

Guiding Questions

Name _____

Document A

1. According to Thomas Jefferson, how should Lewis and Clark treat the Native Americans they meet?

Document B

2. According to Clark, what happens at the Buffalo Dance?
3. According to these diary entries, what's one way that Lewis and Clark's men interacted with the Native American tribes they met?

Document C

4. According to this article, why has the history of Lewis and Clark been one-sided?
5. What were some of the long-term outcomes of Lewis and Clark's journey on Native Americans?

Document D

6. Based on these two passages, how would you describe the relationship between Sacagawea's family and Lewis and Clark?

Structured Academic Controversy: Lewis and Clark

SAC QUESTION

During the SAC, you and your group will try to answer the following question:

Were Lewis and Clark respectful towards the Native Americans they met on the journey?

Team A will argue: YES, Lewis and Clark were respectful to the Native Americans.

Team B will argue: NO, Lewis and Clark were not respectful to the Native Americans.

PROCEDURE

30 minutes With your teammate, read the document. Find three pieces of evidence which support your side.

10 minutes Team A presents. BOTH PARTNERS MUST PRESENT!!!
Team B writes down Team A's arguments and then repeats them back to Team A.

10 minutes Team B presents. BOTH PARTNERS MUST PRESENT!!!
Team A down arguments of Team B and then repeats them back to Team B.

10 minutes Everyone **CAN ABANDON** their positions. Group of 4 attempts to develop a consensus.

ORGANIZING THE EVIDENCE

Name _____

Use this space to write your main points and the main points made by the other side.

Lewis and Clark were respectful: List the 3 main points/evidence that support this side.

1) From Document _____:

2) From Document _____:

3) From Document _____:

Lewis and Clark were NOT respectful: List the 3 main points/evidence that support this side.

1) From Document _____:

2) From Document _____:

3) From Document _____:

Coming to Consensus

STARTING NOW, YOU MAY ABANDON YOUR ASSIGNED POSITION AND ARGUE FOR EITHER SIDE. Use the space below to outline your group's agreement. Your agreement should address evidence and arguments from both sides.

Indian Removal Lesson Plan

Central Historical Question:

Why did people in the 1830s support Indian Removal?

Materials:

- Indian Removal PPT
- United Streaming Video Segment: Forced Westward (from The West: Empire Upon the Trails 1806-1848):
<http://player.discoveryeducation.com/index.cfm?guidAssetId=CB1A4167-B96E-4D5B-BB15-8EAB5AEB3A03&blnFromSearch=1&productcode=US>
- Copies of Indian Removal Timeline
- Copies of Document A: Jackson
- Copies of Document B: Boudinot
- Indian Removal Guiding Questions

Plan of Instruction:

1. Introduction: Show PPT slide of “Trail of Tears.” Ask students to write down what they see.

Elicit student responses. Explain that this is a painting made in 1942 of an event that happened in 1838, when Cherokees were forced to march over 800 miles to Indian territory in Oklahoma. 4,000 died along the way.

Show students **slide #2** with map of Indian Territory.

Today we’re going to learn about the policy of Indian Removal and try to answer the question: Why did some people in the 1830s support Indian Removal?

2. Show United Streaming segment: Forced Westward (from The West: Empire Upon the Trails 1806-1848):
<http://player.discoveryeducation.com/index.cfm?guidAssetId=CB1A4167-B96E-4D5B-BB15-8EAB5AEB3A03&blnFromSearch=1&productcode=US>
3. Hand out Indian Removal Timeline and read through with students. The notes below are *optional* lecture notes to supplement the timeline.
 - Two basic ideas among whites about how to deal with the Indian “problem:” Civilization or Removal
 - **Civilization** means that the Native Americans would become farmers; would convert to Christianity; would own individual

portions of land, rather than share; would learn to read and write English; would ultimately become Americans.

- **Removal** was based on the idea that that civilization was never going to succeed and the only thing to do was to find some place in the West to settle Native Americans.
 - George Washington and his administration pushed for civilization, thinking that they could solve the “Indian problem” by civilizing the tribes and assimilating them into the states. But by the 1820s, racial categories had evolved and it seemed more and more clear that whites would never accept Native Americans as equals, and would never respect their right to their land.
 - There were Five Civilized Tribes in the Southeastern U.S.: Creeks, Chickasaw, Seminole, Choctaw and Cherokee.
 - The Cherokee were the most “civilized” in the sense that they had a newspaper and many had converted to Christianity; they adopted a Constitution; they had farms and owned slaves.
 - By **1810**, many Native Americans began to migrate west voluntarily, but most refused.
 - Jackson was elected in **1828** and favored Indian Removal and Congress passed the Indian Removal Act in **1830**. Jackson supported the state of Georgia’s decision to take over Cherokee land. In **1831**, the Cherokee brought their case to the Supreme Court and won. But Jackson ignored the ruling.
 - In **1833**, a small group of Cherokee agreed to sign a removal agreement: the Treaty of New Echota. The leaders of this group were not the recognized leaders of the Cherokee Nation, and over 15,000 Cherokees—led by Chief John Ross—signed a petition in protest. Congress ignored their demands and ratified the treaty in **1836**.
 - The Cherokee were given two years to migrate voluntarily. By **1838** only 2,000 had migrated; 16,000 remained on their land. The U.S. government sent in 7,000 troops, who forced the Cherokees out at bayonet point.
4. Hand out Jackson Document and have students answer Guiding Questions in pairs.
 5. Review student answers.

6. Hand out Boudinot Document and have students answer Guiding Questions in pairs.
 7. Review student answers.
 8. Discussion:
 - Why did Jackson or Boudinot think Indian Removal was in the best interest of the Cherokee?
 - Do you believe them? What parts sound sincere/ believable?
 - Why might some people at that time have believed that Indian Removal was a reasonable policy?
 - How have our attitudes changed/ stayed the same since the 1830s?
-

Citations:

Andrew Jackson, State of the Union. December 6, 1830.

<http://teachingamericanhistory.org/library/index.asp?document=1230>

Elias Boudinot, Letter to John Ross, 1837. In *Cherokee Editor: The Writings of Elias Boudinot*. Ed., Theda Purdue, (Georgia: Univeristy of Georgia Press, 1983), pp. 224-225. <http://books.google.com/books?id=KOWYSGpP-3AC>

Cherokee Indian Removal Timeline

1785 First treaty between Cherokee and United States, established peaceful relations.

1796 George Washington initiated “civilization” program among Cherokees.

1802 Georgia ceded some of its western land to the United States; the U.S. government, in exchange, promised to purchase for Georgia all of the Indian lands remaining within the state. However, the Federal Government could only buy land through treaty.

1808-1810 First major Cherokee migration to land west of the Mississippi.

1820s Cherokees became the most “civilized” of the five “Civilized Tribes” (Creeks, Chickasaw, Seminole, Choctaw and Cherokee).

The Cherokee had a newspaper and many had converted to Christianity; they adopted a Constitution; they had farms and owned slaves.

1828 Andrew Jackson elected President and declares his support for removal.

1828 Georgia extended its state power over Cherokee Nation and nullified (makes illegal) Cherokee law.

1832 Cherokee won their case in *Worcester v. Georgia*. U.S. Supreme Court upheld Cherokee sovereignty in Georgia.

Andrew Jackson ignored the ruling.

1836 Treaty of New Echota signed; provided for removal of Cherokees to land west of the Mississippi.

Chief John Ross led 15,000 in protesting the treaty.

Only 2,000 Cherokee agreed to migrate voluntarily.

1838 U.S. government sent in 7,000 troops, who forced the Cherokees out at bayonet point. 4,000 Cherokee people died of cold, hunger, and disease on their way to the western lands.

1839 Execution of Major Ridge, John Ridge, and Elias Boudinot for their role in the Treaty of New Echota.

Document A: Andrew Jackson (Modified)

It gives me great pleasure to announce to Congress that the Government's benevolent policy of Indian removal has almost been achieved.

We have wept over the fate of the natives of this country, as one by one many tribes have disappeared from the earth. However, we must accept this the way we accept when an older generation dies and makes room for the younger.

We would not want to see this continent restored to the condition in which our forefathers found it. What good man would prefer a country covered with forests and occupied by a few thousand savages to our great Republic, studded with cities, towns, and prosperous farms, decorated with art and industry, occupied by more than 12,000,000 happy people, and filled with all the blessings of liberty, civilization, and religion?

The United States will pay to send the natives to a land where they may live longer and possibly survive as a people.

Can it be cruel when this Government offers to purchase the Indian's land, give him new and extensive territory, pay the expense of his removal, and support him for the first year in his new home? How many thousands of our own people would gladly embrace the opportunity of moving West under such conditions!

The policy of the Government towards the red man is generous. The Indian is unwilling to follow the laws of the States and mingle with the population. To save him from utter annihilation, the Government kindly offers him a new home, and proposes to pay the whole expense of his removal and settlement.

Vocabulary

Benevolent—kind

Annihilation—destruction

Source: Andrew Jackson, State of the Union speech. December 30, 1830.

Document B: Letter by Elias Boudinot (Modified)

Look at our people! They are wretched! Look, my dear sir, around you, and see the progress that vice and immorality have already made! See the misery!

If the darker picture which I have described here is a true one, can we see a brighter possibility ahead? In another country, and under other circumstances, there is a better prospect. Removal, then, is the only remedy, the only *practical* remedy. Our people may finally rise from their very ashes, to become prosperous and happy, and a credit to our race. I would say to my countrymen, fly from your life here that is destroying our nation.

What is *your* (John Ross) plan of relief? It is dark and gloomy beyond description. You want the Cherokee to live according the laws of Georgia, no matter how unfair they are? Instead of fix the evil, you would tie our people down in the chains of slavery. The final destiny of our race, under such circumstances is too revolting to think of. Take my word, it is the sure end of our race if you succeed in preventing the removal of your people. There will come a time when there will be few of us left as reminders of this brave and noble race. May God protect us from such a destiny.

Vocabulary

wretched—miserable

vice—sin

prospect—possibility

Source: The letter above was written in 1837 by Elias Boudinot, a Cherokee who supported Indian Removal (and who signed the Treaty of New Echota that gave away Cherokee land). The letter is to Chief John Ross, leader of the Cherokees who opposed Indian Removal.

Guiding Questions

Name _____

Document A: Jackson

1. (Sourcing) What do you already know about President Jackson's feelings about Indian Removal? What do you predict he will say in this speech?
2. (Contextualization) Why does Jackson think the United States was better in 1830 than in 1609?
3. (Contextualization) Why does Jackson think that the Cherokee will be better off in Indian Territory?
4. (Close reading) Why does Jackson think his policy is kind and generous?

Document B: Boudinot

1. (Sourcing) Who is Elias Boudinot? What do you predict he will say about Indian Removal?
2. (Contextualization) What was life like for the Cherokee in Georgia, according to Boudinot?
3. (Contextualization) What does Boudinot hope will happen if the Cherokees move west?



BPHS Lesson Plan – Worcester v. Georgia

Subject(s): US History

Grade: 11

Teacher(s): Gross

1. Essential Unit Question:

Why did Andrew Jackson want to remove the Indians?
How Democratic Was Andrew Jackson?
Was Indian Removal Constitutional?

Aim: How did Worcester v. Georgia impact Indian Removal?

2. CCLS:

CCSS.ELA-LITERACY.RH.11-12.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

CCSS.ELA-LITERACY.RH.11-12.7

Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.

3. Relevance: Why are the outcomes of this lesson important in the real world? Why are these outcomes essential for future learning?

Students are learning about the legacy of Indian Removal, and how different parties struggled over power and territory in early United States history.

4. Knowledge/Skill: What knowledge and what skills are the focus for today's lesson? Are these essential for the upcoming performance task?

Students will be reading the Supreme court case Worcester v. Georgia, and comparing evidence from primary sources and secondary sources (the film). Students will be using this evidence to make a case in their DBQ.

5. Activities/Tasks: What learning experiences will students engage in?

1. Do Now – Why did the government have a policy of Indian Removal? Explain.
2. Read and Annotate background summary of Worcester v. Georgia reading. Answer 3 questions: What is the main idea of the case?
3. Read a summary of the case from the Oyez Project. What is the conclusion? How was it decided?
4. Review. How do you think Jackson reacted? Do you think he obeyed the decision?
5. Show film clip to students about indian removal. (10 mins) How do we see these issues come to light? Students take notes during film.
6. Conclusion/wrap up

6. What **Level of Rigor/Understanding** is required *by student* to perform task?

Level 3 - reading

7. **Formative Assessment:** How will you & your students know if they have successfully met lesson/task outcomes? What does success for this lesson look like?

- Discussion, answering questions

8. **Resources/Materials:** What texts, digital resources, & materials will be used in this lesson?

- Film – Trail of Tears
- Two readings on Worcester v. Georgia
- powerpoint

Worcester v. Georgia (1832)

Original entry by [Tim Alan Garrison](#), Portland State University, Portland, Oregon, 04/27/2004

Last edited by NGE Staff on 09/25/2014

In the court case *Worcester v. Georgia*, the U.S. Supreme Court held in 1832 that the [Cherokee Indians](#) constituted a nation holding distinct sovereign powers. Although the decision became the foundation of the principle of tribal sovereignty in the twentieth century, it did not protect the Cherokees from being removed from their ancestral homeland in the Southeast.

In the 1820s and 1830s Georgia conducted a relentless campaign to remove the Cherokees, who held territory within the borders of Georgia, North Carolina, Alabama, and Tennessee at the time. In 1827 the Cherokees established a constitutional government. The Cherokees were not only restructuring their government but also declaring to the American public that they were a sovereign nation that could not be removed without their consent. An infuriated [Georgia legislature](#) responded by purporting to extend its jurisdiction over the Cherokees living in the state's declared boundaries. The state annexed the Cherokee lands; abolished their government, courts, and laws; and established a process for seizing Cherokee land and distributing it to the state's white citizens. In 1830 representatives from Georgia and the other southern states pushed through Congress the Indian Removal Act, which gave U.S. president Andrew Jackson the authority to negotiate removal treaties with the Native American tribes.

The Cherokees, led by their principal chief, [John Ross](#), refused to remove and instead filed with the U.S. Supreme Court an action challenging the constitutionality of [Georgia's laws](#). The Cherokees argued that the laws violated their sovereign rights as a nation and illegally intruded into their treaty relationship with the United States. In *Cherokee Nation v. Georgia* (1831), the court held that it did not have jurisdiction to strike down Georgia's laws. In dicta that became particularly important in American Indian law, Chief Justice John Marshall wrote that the Cherokees constituted a "domestic, dependent nation" that existed under the guardianship of the United States.

Samuel Worcester, a native of Vermont, was a minister affiliated with the American Board of Commissioners for Foreign Missions (ABCFM). In 1825 the board sent Worcester to join its Cherokee mission in Brainerd, Tennessee. Two years later the board ordered Worcester to the Cherokee national capital of New Echota, in Georgia. Upon his arrival Worcester began working with [Elias Boudinot](#), the editor of the [Cherokee Phoenix](#), to translate the Bible and other materials into the Cherokee language. Over time Worcester became a close friend of the Cherokee leaders and often advised them about their political and legal rights under the Constitution and federal-Cherokee treaties. Another ABCFM missionary, Elizur Butler, who was also a physician, left New England in the early 1820s, eventually being assigned to the Haweis mission near [Rome](#) in 1826.

The [Georgia government](#) recognized that Worcester was influential in the Cherokee resistance movement and enacted a law that prohibited "white persons" from residing within the Cherokee Nation without permission from the state. Georgia gave the missionaries until March 1, 1831, to obtain a license of residency or leave the Cherokee Nation. Several missionaries, including Worcester and Butler, decided to challenge the law and refused to leave the state. On March 12, 1831, Georgia authorities arrested Worcester, Butler, and several other missionaries and teachers for violating the new law. A Georgia judge released Worcester when his [lawyers](#) argued that he served as federal postmaster at New Echota and was therefore in the Cherokee Nation under authority of the federal government. Governor [George R. Gilmer](#) persuaded the United States to relieve Worcester of his postmaster duties and then ordered the missionaries to leave the state.

Three of the missionaries gave up the fight and abandoned their missions. Worcester, Butler, and several of their colleagues remained, and on July 7 the Georgia Guard again arrested Worcester and Butler, and nine other missionaries. After posting bond Worcester returned to New Echota to take care of his wife and daughter, who was seriously ill. Understanding that the Georgia governor would continue to harass him, he left them and relocated to the Brainerd mission. At that point, he received word that his daughter had died. When he returned to New Echota to console his wife, the Georgia Guard arrested him for the third time. Worcester explained why he had returned, and the commander of the guard temporarily released him. In September the missionaries were tried, convicted, and sentenced to four years in prison at hard labor. They were sent to the [Georgia penitentiary at Milledgeville](#).

The missionaries, represented by lawyers hired by the Cherokee Nation, appealed to the U.S. Supreme Court. In *Worcester v. Georgia*, the court struck down Georgia's extension laws. In the majority opinion Marshall wrote that the Indian nations were "distinct, independent political communities retaining their original natural rights" and that the United States had acknowledged as much in several treaties with the

Cherokees. Although it had surrendered sovereign powers in those treaties with the United States, he wrote, the Cherokee Nation remained a separate, sovereign nation with a legitimate title to its national territory. Marshall harshly rebuked Georgia for its actions and declared that the Cherokees possessed the right to live free from the state's trespasses.

The Cherokee leadership hoped the decision would persuade the federal government to intervene against Georgia and end the talk of [removal](#). Georgia ignored the Supreme Court's ruling, refused to release the missionaries, and continued to press the federal government to remove the Cherokees. President Jackson did not enforce the decision against the state and instead called on the Cherokees to relocate or fall under Georgia's jurisdiction. (Although Jackson is widely quoted as saying, "John Marshall has made his decision; now let him enforce it," his actual words to Brigadier General John Coffee were: "The decision of the supreme court has fell still born, and they find that it cannot coerce Georgia to yield to its mandate.")

In 1835 a dissident faction of Cherokees signed a removal treaty at the Cherokee capital of New Echota. In 1838 the U.S. Army entered the Cherokee Nation, forcibly gathered almost all of the Cherokees, and marched them to the Indian Territory in present-day Oklahoma, in what became known as the Trail of Tears.

Widespread criticism of Georgia's imprisonment of the missionaries prompted the state's new governor, [Wilson Lumpkin](#), to encourage them to accept a pardon. Lumpkin persuaded the Georgia legislature to repeal the law the state had used to convict Worcester and the other missionaries. After intense pressure from the governor, the American Board, and their lawyers, the missionaries gave up on their Cherokee campaign, accepted a pardon, and were released from prison in January 1833.

In several decisions in the latter half of the twentieth century the Supreme Court revived Marshall's assertion that the Native American tribes possess an inherent form of national sovereignty and the right of self-determination. From that point forward the *Worcester* decision became the Indian nations' most powerful weapon against state and local encroachments on their tribal powers.

Further Reading

Tim Alan Garrison, *The Legal Ideology of Removal: The Southern Judiciary and the Sovereignty of Native American Nations* (Athens: University of Georgia Press, 2002).

Jill Norgren, *The Cherokee Cases: The Confrontation of Law and Politics* (New York: McGraw-Hill, 1996).

Cite This Article

Garrison, Tim A. "Worcester v. Georgia (1832)." New Georgia Encyclopedia. 25 September 2014. Web. 01 October 2014.

A program of the [Georgia Humanities Council](#) in partnership with the [University of Georgia Press](#), the [University System of Georgia/GALILEO](#), and the [Office of the Governor](#).

Copyright 2004-2014 by the Georgia Humanities Council and the University of Georgia Press. All rights reserved.

Site developed by [CSE](#).

Town of Greece v. Galloway deep dive

On May 5th, the Supreme Court decided a major Establishment Clause case. **Check out our deep dive** on the topic to find out more about the case.

WORCESTER V. GEORGIA



Term: 1792-1850 **1832**

Location: **Cherokee land**

Facts of the Case

In September 1831, Samuel A. Worcester and others, all non-Native Americans, were indicted in the supreme court for the county of Gwinnett in the state of Georgia for "residing within the limits of the Cherokee nation without a license" and "without having taken the oath to support and defend the constitution and laws of the state of Georgia." They were indicted under an 1830 act of the Georgia legislature entitled "an act to prevent the exercise of assumed and arbitrary power by all persons, under pretext of authority from the Cherokee Indians." Among other things, Worcester argued that the state could not maintain the prosecution because the statute violated the Constitution, treaties between the United States and the Cherokee nation, and an act of Congress entitled "an act to regulate trade and intercourse with the Indian tribes." Worcester was convicted and sentenced to "hard labour in the penitentiary for four years." The U.S. Supreme Court received the case on a writ of error.

Question

Does the state of Georgia have the authority to regulate the intercourse between citizens of its state and members of the Cherokee Nation?

Conclusion

No. In an opinion delivered by Chief Justice John Marshall, the Court held that the Georgia act, under which Worcester was prosecuted, violated the Constitution, treaties, and laws of the United States. Noting that the "treaties and laws of the United States contemplate the Indian territory as completely separated from that of the states; and provide that all intercourse with them shall be carried on exclusively by the government of the union," Chief Justice Marshall argued, "The Cherokee nation, then, is a distinct community occupying its own territory in which the laws of Georgia can have no force. The whole intercourse between the United States and this nation, is, by our constitution and laws, vested in the government of the United States." The Georgia act thus interfered with the federal government's authority and was unconstitutional. Justice Henry Baldwin dissented for procedural reasons and on the merits.

Cite this Page

WORCESTER v. GEORGIA. The Oyez Project at IIT Chicago-Kent College of Law. 30 September 2014.

<http://www.oyez.org/cases/1792-1850/1832/1832_2>.

Case Basics

Plaintiff in error
 Worcester

Defendant in error
 Georgia

Decided By
Marshall Court (1830-1834)

Opinion
31 U.S. 515 (1832)

Argued
Monday, February 20, 1832

Decided
Saturday, March 3, 1832



BPHS Lesson Plan – Indian Removal Guided readings

Subject(s): US History

Grade: 11

Teacher(s): Gross

1. Essential Unit Question:

Why did Andrew Jackson want to remove the Indians?
How Democratic Was Andrew Jackson?
Was Indian Removal Constitutional?

Aim: Was Indian Removal necessary?

2. CCLS:

CCSS.ELA-LITERACY.RH.11-12.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

CCSS.ELA-LITERACY.RH.11-12.7

Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.

3. Relevance: Why are the outcomes of this lesson important in the real world? Why are these outcomes essential for future learning?

Students are learning about the legacy of Indian Removal, and how different parties struggled over power and territory in early United States history.

4. Knowledge/Skill: What knowledge and what skills are the focus for today's lesson? Are these essential for the upcoming performance task?

Students will be reading a variety of primary sources to support their understanding of different viewpoints on Indian Removal. They will be asked to collect evidence and use it to analyze and support their answer to this question: Was Indian Removal necessary? Students will be using this evidence and their arguments to further support their arguments on their DBQs.

5. Activities/Tasks: What learning experiences will students engage in?

1. Do Now –What was Indian Removal? (5 mins)
2. Students receive a collection of primary sources and will be asked to read and annotate documents. Students will be tasked with finding evidence to support an argument: Was Indian Removal necessary? They will be asked to use the class period to silently read, collect evidence, and take a position on this argument. This will be a quiet reading and writing period for 30 mins. Students will be expected to write 3 paragraphs at least.
3. With remaining time, students will have a chance to lead a Socratic discussion on their responses. (10 mins)

6. What **Level of Rigor/Understanding** is required *by student* to perform task?

Level 3/4 – reading variety of primary sources

Level 4 – writing response with evidence

Level 4 discussion – students lead socratic discussion

7. **Formative Assessment:** How will you & your students know if they have successfully met lesson/task outcomes? What does success for this lesson look like?

- Students' written responses to question with evidence and analysis
- Students ability to verbally articulate responses

8. **Resources/Materials:** What texts, digital resources, & materials will be used in this lesson?

- Readings on Indian Removal
- Talking piece

Guided Readings: Indian Removal

READING 1

Toward the aborigines of this country no one can indulge a more friendly feeling than myself, or would go further in attempting to reclaim them from their wandering habits and make them a happy, prosperous people.

Humanity has often wept over the fate of the aborigines of this country, and philanthropy has been long busily employed in devising means to avert it, but its progress has never for a moment been arrested, and one by one have many powerful tribes disappeared from the earth. To follow to the tomb the last of his race and to tread on the graves of extinct nations excites melancholy reflections. But true philanthropy reconciles the mind to these vicissitudes as it does to the extinction of one generation to make room for another. . . . Nor is there anything in this which, upon a comprehensive view of the general interests of the human race, is to be regretted. Philanthropy could not wish to see this continent restored to the condition in which it was found by our forebears. What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive Republic, studded with cities, towns, and prosperous farms?

—Andrew Jackson defends the removal policy in his Second Annual Message to Congress, 1830

READING 2

We wish to remain on the land of our fathers. We have a perfect and original right to remain without interruption or molestation. The treaties with us, and laws of the United States made in pursuance of treaties, guaranty our residence and our privileges, and secure us against intruders.

—Memorial of the Cherokee Nation (“Address of the Committee and Council of the Cherokee nation to the People of the United States”), 1830

READING 3

The Cherokee nation . . . is a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of Georgia can have no force, and which the citizens of Georgia have no right to enter.

—Chief Justice John Marshall in the US Supreme Court ruling in *Worcester v. Georgia*, 1832

READING 4

The ingenuity of man might be challenged to show a single sentence in the Constitution of the United

States giving power, either direct or implied, to the general government . . . to nullify the laws of a State . . . or coerce obedience, by force, to the mandates of the judiciary of the Union.

—Wilson Lumpkin, Governor of Georgia, 1832

READING 5

The Cherokees were happy and prosperous under a scrupulous observance of treaty stipulations by the government of the United States, and from the fostering hand extended over them, they made rapid advances in civilization, morals, and in the arts and sciences. Little did they anticipate, that when taught to think and feel as the American citizen, and to have with him a common interest, they were to be despoiled by their guardian, to become strangers and wanderers in the land of their fathers, forced to return to the savage life, and to seek a new home in the wilds of the far west, and that without their consent.

—Memorial and Protest of the Cherokee Nation, 1836

QUESTIONS FOR DISCUSSION

1. Could Indians and white Americans peacefully coexist?
2. How did Andrew Jackson defend his removal policy?
3. Was the Supreme Court in *Worcester v. Georgia* decision realistic? Can a president and states disregard a high court decision?
4. Was Jackson's policy unjust? What policy might have been better?

Citation Guidelines for Online Resources

RELATED SITE CONTENT

Teaching Resource: Andrew Jackson's Message to Congress Concerning the Indian Removal Act of 1830

Primary Source: Davy Crockett on the removal of the Cherokees, 1834

Teaching Resource: Essential Questions in Teaching American History

Essay: The Indian Removal Act

Essay: Andrew Jackson's Shifting Legacy

Essay: Andrew Jackson and the Constitution

Multimedia: Exchanges of Culture and Conflict in the Southwest

Product: The American West (People, Places, Politics: History in a Box)

Teaching Resource: The Nullification Crisis

Essay: Why We the People? Citizens as Agents of Constitutional Change
