Structured Academic Controversy Lesson on the Removal of Cherokee Indians:  
Should the United States forcefully remove Cherokee Indians from Georgia?

Context

Overview

The Cherokee nation occupied land in Georgia and Alabama long before the United States was even a country. Through treaties with the United States and recognized by the Supreme Court as a dependent domestic entities, the Cherokee became a sovereign nation within Georgia. By the early 1800’s, the Cherokee had their own schools, their own newspaper, and even their own constitution. Many Cherokee learned to read and write in their own language as they even developed their own alphabet. The Cherokee were located on some of the richest land in Georgia, best suited for farming. Their farmland in combination with the gold found on Cherokee land in 1829 made white settlers curious. They began trespassing on Cherokee land and Cherokee reported hostile behavior between the two groups. It was clear that the Cherokee wanted to remain on the land that their fathers had lived on for centuries and that the white settlers wanted the land to use to make profit.

It was clear that the federal government, along with President Andrew Jackson, was in favor of removing the Cherokee to the Oklahoma Territory. The Indian Removal Act of 1830 allowed the United States to pay Native American tribes for their land. In 1835, a small Cherokee faction signed the controversial Treaty of New Echota with the United States, signing Cherokee land over to the federal government. The Cherokee leaders opposed this treaty as it was ratified by Congress. Today, the legality of this treaty is still disputed. Despite the 1832 ruling of Worcester v. Georgia, which stated that the federal government could not forcefully remove Indians from their lands, President Jackson ordered the removal of the Cherokee to the Oklahoma Territory. This action is known as the Trail of Tears. This lesson will focus on the arguments presented by the settlers and the Cherokee to the federal government and what actions the federal government took to placate the situation before the controversial Trail of Tears in 1838.

Rationale

The Cherokee removal is a complex historical situation. The conflicting viewpoints of the Cherokee and the white settlers represented a struggle everywhere on the frontier, hindering the westward expansion of the United States. In this lesson, students will have the opportunity to argue both the case of the Cherokee Indians and the white settlers. They will also play the role of the federal government and try to come up with a compromise between the two. By approaching this historical controversy by all the important angles, students are gaining valuable skills in understanding the controversy from all perspectives. They will also be exercising
their skills in interpreting acts of the federal government in three different forms: an act of congress, a ruling made by the Supreme Court, and a treaty ratified by congress.

There are multiple advantages for using a structured academic controversy lesson plan with this particular topic. The first is that students will be able to argue from the perspective of both settlers and the Cherokee. Understanding the issue from both sides will help the students realize what a sticky situation the American government was in and the varied dimensions of the problem. By analyzing the two perspectives, they are also using skills that real life historians use to interpret documents and historical situations. They are also engaged in higher order thinking when they synthesize the two perspectives in order to come up with a balanced compromise. In order to develop this compromise, students will be developing problem solving skills that they can use to interpret any historical problem, as well as use in their everyday lives. Throughout the lesson, students will also be using discussion skills. The ability of the student to express the different perspectives will rely on their ability to vocalize the idea.

This lesson is intended for 6th graders taking an Early American History class at Toano Middle School in Williamsburg, VA. Some basic accommodations have been made in order to incorporate a relatively large percentage of students with disabilities. The lesson was designed to fit one 60 minute period. Recommendations for expanding the lesson to fit a larger time scale are found in the pre-reflection.

**Objectives**

*NCSS Standards*

This activity can be used to satisfy two NCSS Standards:

1e.: [The student will be able to] articulate the implications of cultural diversity, as well as cohesion, within and across groups.

6d.: [The student will be able to] describe the ways nations and organizations respond to forces of unity and diversity affecting order and securing.

*Virginia Standards of Learning*

VA SOL USI.8a and USI.8b: The student will demonstrate knowledge of westward expansion and reform in America from 1801 to 1861 by:

a. describing territorial expansion and how it affected the political map of the United States, with emphasis on the Louisiana Purchase, the Lewis and Clark expedition, and the acquisitions of Florida, Texas, Oregon, and California;

b. Identifying the geographic and economic factors that influenced the westward movement of settlers.

*Academic Objectives*

1. Students will be able to list the pros and cons of Indian removal from the perspective of the federal government.

2. Students will be able to interpret the Indian Removal Act of 1830, *Worcester v. Georgia*, and the Treaty of New Echota from the different perspectives of settlers and the Cherokee.
3. Students will write a brief 5-6 sentence paragraph arguing their own opinion on whether or not the United States should have forcefully removed the Cherokee from Georgia land.

Intellectual Objectives

1. Students will construct an argument using key points to support their interpretations of the federal actions taken in the Indian Removal Act of 1830, Worcester v. Georgia, and the Treaty of New Echota.

Assessment

Both informal and formal assessment will take place during this lesson. I will observe students while they are answering questions during the hook and while they are structuring and presenting their arguments during class. I will also be monitoring student participation throughout the lesson, and will address the student if I notice they are not participating. Unfortunately, it is impractical for me to hear every team’s argument in full so it is difficult for me to assess the extent to which they have learned the content at that point in time. Therefore, formal assessment will occur when I grade their homework. I have asked the students to write a brief five to six sentence paragraph explaining their opinions on Cherokee removal. I will ask them what they would have done using evidence from the arguments that were presented in class. They must use at least three points from an argument they learned in class and show that they have thought critically about coming up with a solution. The solution may be complete removal, leaving the Cherokee undisturbed, or a solution they have come up with on their own. I will also be looking for a topic and concluding sentence as well, since they have been learning basic paragraph structure throughout the class.

Content and Instructional Strategies

I. Perennial Issue: Conflicts between settlers moving westward and Indians
II. Case Issue for SAC: Cherokee Removal
III. Hook: (15 minutes)
   a. When students enter the classroom, the tables will be grouped together in a square. There will be 7 sets of 2 tables, each table having four chairs around it, two on opposing sides. The students will be asked to sit in the area in which they normally sit. This is a common procedure already conducted in the classroom and the students will know where to go. The partnerships will be paired by who is sitting next to them, and their opposing team will sit across from them.
   b. I will present map on page 342 of American Journey textbook underneath document camera. The map depicts the states that had been established by 1820, territory that the Indians occupy as of 1820, and the territories in the West in which the United States would like to move the tribes to. To introduce the perennial issue, I will ask them what sort of conflicts they think might be arising from settlers and Indians living so closely together.
   c. Next, we will begin to look at the background of removal specific to the Cherokee. I will pass out the graphic organizer. The first section of the organizer focuses on the three main events: The Indian Removal Act of 1830, Worcester v. Georgia, and the Treaty of New Echota. We will go over these individually as students fill in the blanks on the organizer to bring their attention to key events. These three events will act as a lead up to the controversial case question.
   d. Next, I will pose the question, “Should the United States forcefully remove the Cherokee?” I will bring their attention to the graphic organizer, which lists pros and cons of Indian removal from the perspective of the federal government. We will go over each point and refer to the map on page 342 when necessary. The students will be filling in the blanks as we discuss.
e. To conclude the hook, I will remove the map from underneath the document camera for any students who may need to view the sheet fill in because they missed an answer. I will explain the next section as a role playing activity, where students were going to be both the settlers arguing for Indian removal and the Indian arguing against it. I will explain that the students sitting next to them will be their partner and the opposing team is sitting across from them. Each side will get their chance to argue both positions.

IV. Round I: (20 minutes)

a. Next, I will tell them what they are going to do for the activity. Each pair is going to receive a data sheet with 6 different views and points on the sheet. One team will be the Cherokee Indian, and the other will be a settler. They will read over the data sheet and structure an argument based on the view point. All teams must present their interpretations of the three federal actions and choose three key points to back up their arguments. Then the settlers will present their argument while the other team quietly listens and jots down any notes. I will emphasize that both teammates will need to speak. The settlers will have four minutes to present their arguments. Then, the Cherokee may ask up to two clarifying questions and the settlers will have 1 minute to respond. Then, I will tell them they will switch sheets, and each team will switch sides.

b. To explain how to construct an argument, I will post instructions underneath the document camera. I will tell students to begin their arguments by interpreting the three main actions of the federal government. These viewpoints are on their data sheets. Next, they will choose three of the other six points to back up their arguments. I will allow them to read from the data sheets when necessary. The instructions will read as follows:

   i. Begin your argument by stating your interpretation of the Indian Removal Act of 1830, Worcester v. Georgia, and the Treaty of New Echota. These interpretations are found in the first section of your data sheet.
   
   ii. Next, choose three of the six key points and include them in your argument. Answer how these key points back up your interpretations of the three federal actions listed above.

c. Next, I will hand out the data sheets and assign each pair their view point. I will try to keep the same sides of each table aligned so that everyone has the same part.

d. I will repeat my instructions, telling the students to chose three points and practice them in an argument. I will re-emphasize that each student must speak. Then, I will tell them to begin structuring their argument. I will give them a specific time they have to be finished by. By this point in the lesson, students should have roughly 8 minutes to structure their argument.

e. Next, we will begin the settlers’ presentation. Before the settlers start, I will re-emphasize that the other side should be thinking of questions they would like to ask. The settlers will have three minutes to argue their case. The Cherokee will be writing down notes and questions they may have.

f. Then, the Cherokee will ask any questions they have and the settlers will have one minute to answer.

g. The Cherokee will then present their issue in three minutes. The settlers will ask their questions, and the Cherokee will have 1 minute to respond.

h. The teacher will use the digital timekeeper to maintain time intervals.

V. Round 2 (15 minutes)

a. Students will switch data sheets. I will instruct each team to pick out two points they like the best and structure an argument around those points, including how they back up the three
interpretations of federal actions. They will have roughly 8 minutes to structure their arguments, and two minutes to present.

b. The settlers will present first again, allowing the opposite team to present first. Their arguments should be short and concise. Then, the Cherokee will ask any questions they may have the settlers will have one minute to answer.

c. The Cherokee will present their argument in two minutes. The settlers will ask any questions, and the Cherokee will have one minute to answer.

VI. **Group Discussion** *(10 minutes)*

a. To conclude the activity, I will ask the students to come to consensus. They should pretend to be congressman, assess the arguments made by both the settlers and Cherokee, and come up with a solution. They should aim for a compromise. I will give them five minutes to talk about this.

b. Next, I will spend about two or three minutes and ask some groups to volunteer their compromises to see what they concluded.

c. To finish the activity, I will ask the students to stand up. I will ask all the students who personally believe the Cherokee should be removed to move to the left side of the room and the students who think another compromise could have been worked out to stand on the right. While they are in these positions, I will ask them for homework to write a five or six sentence paragraph on their opinion of Indian removal.

**Resources**

1. Document camera, projector, and screen
2. *American Journey* textbook
3. 100 copies of graphic organizer
4. 100 copies of supporting removal sheet
5. 100 copies of opposing removal sheet
6. 2 copies of model argument, with opposite parts highlighted
7. Digital timekeeper

**Differentiation**

This assignment could easily be made more challenging for either gifted students or students in a higher grade level. One way to accomplish this would be to increase the amount of reading. Actual primary documents could be taken from the Indian Removal Act of 1830, Worcester v. Georgia, or the Cherokee Memorial as an example. Teachers could also make model newspaper articles to present the points in non-bullet point format, leaving students the task to dissect the article and pull out the main points themselves. Teachers could also use different data sheets for both round 1 and round 2 of the activity. The assessment of this activity could also be made more challenging by lengthening the writing assignment to an essay. It also might be a fun activity for the students to draft a skit of the argument in an imaginary court setting based on the evidence for both sides.
Adaptations

This assignment is already geared to accommodate students with minor disabilities. However, other ways to make this assignment more appropriate for students with severe disabilities would be to hand them a copy of the graphic organizer that is already filled out so that they do not have to write to fill in the blanks. Or, a word bank could be included so that the students can see the word in front of them. Depending on the logistics of the classroom, another student or a special education teacher might be able to read the data sheet out loud to students with severe reading disabilities. Also, the length of the assessment may also be limited to two or three sentences.

Pre-Reflection

My main concern with this lesson is time. If I had my own classroom, I would have split this lesson into two days, giving them the content knowledge they learned in the hook in the previous day. Then, we could jump right into how to model an argument and spend a little more time developing the arguments themselves during the second day. Since this is not an option at this time, I made the hook content heavy. I attempted to present the essential information efficiently while giving the students a physical sheet with the information on it. There will be some students who will not retain this and having the sheet to look back on will be helpful for them. Another way to introduce them to the topic that could be worked out before the lesson is having the students read about Indian removal in their textbook. There are three pages that would provide a great introduction for the students, filled with pictures and the map we will look at during the hook. If the students could orient themselves to the topic before the class, it may save time during the hook and open up more time to invite discussion on how to structure an argument.
**Indian Removal Act of 1830**: allowed the United States to pay Native Americans for their lands and to move out west.

**Worcester v. Georgia**: Chief Justice John Marshall ruled that Georgia had no right to interfere with the Native Americans in 1832.

**Treaty of New Echota**: Congress ratified this treaty in 1835, which gave the Cherokee land to the federal government. It was unfair since the Cherokee party that signed the treaty was not the ruling body of the tribe. The Chief of the Cherokee wished to remain on his land and 17,000 Cherokee opposed the treaty.

### Should the United States forcefully remove the Cherokee?

<table>
<thead>
<tr>
<th>Pros of Removing Cherokee</th>
<th>Cons of Removing Cherokee</th>
</tr>
</thead>
<tbody>
<tr>
<td>States are eager to gain access to lands inhabited by the Cherokee to engage in increased cotton farming.</td>
<td>When Indians refuse to leave their land they will fight. These wars will be costly and many lives will be lost.</td>
</tr>
<tr>
<td>White settlers are hungry for land and they often attack the Cherokee. If the Cherokee move out west, then the attacks will stop.</td>
<td>The Cherokee have a written constitution of their own declaring their sovereignty. Courts have decided in favor of the Cherokee, stating that Indians have the right to self government. It is unconstitutional to declare law over them.</td>
</tr>
<tr>
<td>Other Indians have already signed treaties with the federal government and are successfully living out west.</td>
<td>Removal is inhumane. When Indians move to the west, many will die of cold, hunger and disease. They will not know how to survive in their new lands.</td>
</tr>
<tr>
<td>Most Americans believe the United States will never extend beyond the Mississippi River. Removal would give Cherokee peaceful existence and they can govern themselves.</td>
<td></td>
</tr>
</tbody>
</table>

(Answer Sheet)
Indian Removal Act of 1830: allowed the ___________ ___________ to pay ______________ ______________ for their lands and to move out ___________.

Worcester v. Georgia: Chief Justice John Marshall ruled that Georgia had no right to ______________ ______________ with the Native Americans in 1832.

Treaty of New Echota: Congress ratified this treaty in 1835, which gave the Cherokee land to the federal government. It was ____________ since the Cherokee party that signed the treaty was not the ruling body of the tribe. The Chief of the Cherokee wished to ______________ on his land and 17,000 Cherokee opposed the treaty.

Should the United States forcefully remove the Cherokee?

Pros of Removing Indians
• States are eager to gain access to lands inhabited by the Cherokee to engage in increased ______________ farming.

• White settlers are hungry for land and they often ______________ the Cherokee. If the Cherokee move out west, then the attacks will __________.

• Other Indians have already signed treaties with the federal government and are successfully ______________ out west.

• Most Americans believe the United States will never extend beyond the ________________ River. Removal would give Cherokee peaceful existence and they can govern themselves.

Cons of Removing Cherokee
• When Indians refuse to leave their land they will ____________. These wars will be costly and many lives will be lost.

• The Cherokee have a written ______________ of their own declaring their sovereignty. Courts have decided in favor of the Cherokee, stating that Indians have the ______________ to self government. It is unconstitutional to declare law over them.

• Removal is ________________. When Indians move to the west, many will die of cold, hunger and disease. They will not know how to ______________ in their new lands.
The United States Should Remove the Cherokee to the West

Interpreting Federal Government Actions:

The Indian Removal Act of 1830 gives the United States the right to pay Cherokee money for their land. It is a fair trade.

Worcester v. Georgia ruled that the United States cannot forcefully remove Indians. However, under the Indian Removal Act, the United States can still enter into agreement with the Cherokee.

The Treaty of New Echota is legal. Cherokee Indians did sign a treaty with the United States government that was legally ratified. It does not matter that there are other Indians that oppose the agreement.

Key Points:

- Settlers are eager to gain access to lands inhabited by the Cherokee to engage in increased cotton farming. They have been attacking the Cherokee and burning their crops.

- White settlers can make better use of the land than the Cherokee through cotton farming.

- The Cherokee are uneducated and do not know what is right for them. If they move out west, they will be able to govern themselves. They will also be free from settlers who attack them for their land. Removal is best for them.

- As a result of the treaties, the United States gained control over three-quarters of Alabama and Florida, as well as parts of Georgia, Tennessee, Mississippi, Kentucky and North Carolina. Indians that inhabited these parts have already settled out west. They live peacefully there.

- Indians are illegally harboring and protecting fugitive slaves. If they move out west they will no longer give them protection, and the slaves can be recaptured and returned to plantations.

- The United States will never extend beyond the Mississippi River. Removal would assure them a peaceful existence in an area where they could govern themselves in peace.
Cherokee Indians: Against

The United States Should Not Remove the Cherokee to the West

Interpreting Federal Government Actions:

The Indian Removal Act of 1830 gives the United States the right to pay Cherokee money for their land. It does not mean that Indians are forced to enter into this agreement. They have the right to decline.

Worcester v. Georgia ruled that the United States cannot forcefully remove Indians. The government must sign a treaty with the Cherokee before forcing them to move west.

The Treaty of New Echota is illegal. It was not signed by the leader of the Cherokee tribe.

Key Points:

- As a result of treaties, the United States has already gained control over three-quarters of Alabama and Florida, as well as parts of Georgia, Tennessee, Mississippi, Kentucky and North Carolina. The United States has already acquired so much land. They do not need more.

- The Cherokee are transforming into civilized people. They have already adopted large-scale farming, Western education and slave-holding. They can assimilate them to be productive members of our society and learn to produce cotton.

- The Cherokee will fight if we are forced to move from our land. These wars are costly to the federal government and many lives will be lost.

- Cherokee removal is inhumane. When we move to the west, many will die of cold, hunger and disease on the journey there.

- The United States has offered the Cherokee land in the Oklahoma territory. This land is dry and there is little water. The Cherokee will not know how to survive in their new territory and they may die.

- Nothing is going to stop the expansion of the United States to the West. If the United States moves the Cherokee to the west, then they are only prolonging the problem.