



Supreme Court Case Study 5 (continued)

Marshall declared the Cherokee Nation to be "a distinct community occupying its own territory . . . in which the laws of Georgia can have no force." Discussing the Treaty of Hopewell, Marshall wrote, "Protection does not imply the destruction of the protected. . . . To construe the expression 'managing all their affairs' into a surrender of self-government would be, we think, a perversion of their necessary meaning." The act under which Worcester was imprisoned was thus declared unconstitutional.

President Andrew Jackson's administration refused to enforce the Court's decision. In 1835, the government signed a removal treaty with a small number of Cherokee. The U.S. Army resettled many Cherokee through a brutal, forced march to present-day Oklahoma. The Cherokee called this resettlement march the "Trail of Tears." Later, the Worcester decision was revived and became a legal weapon against encroachments on Native American rights.

***** Dissenting Opinion *****

Justice Henry Baldwin dissented. He referred back to his opinion in *Cherokee Nation v. Georgia* (1831). In this matter, Justice Baldwin claimed that by accepting the Treaty of Hopewell, "The Indians . . . do acknowledge all the Cherokees to be under the protection of the United States." Baldwin reasoned that this acceptance of United States protection waived all claims of Cherokee sovereignty. Furthermore, if the Court agreed to hear one such case, the federal courts would be overwhelmed with cases.



Questions *****

DIRECTIONS: Answer the following questions on a separate sheet of paper.

1. Why did Samuel Worcester challenge the constitutionality of the Georgia act?
2. How did the Court's opinion in the *Cherokee Nation* case differ from Worcester?
3. Do you agree more with Justice Marshall's opinion or with Justice Baldwin's dissent? Give reasons for your answer.
4. Suppose you were a Cherokee living at the time of the Worcester decision. How would the Court's ruling have affected you?
5. Why was the Worcester decision important in terms of Native American rights?

Supreme Court Case Study 1 Answer Key

**United States. Congress. House.
Committee on Appropriations.
Subcommittee on District of Columbia
Appropriations**

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Supreme Court Case Studies, 1997 **Impact of the COVID-19 Pandemic on Justice Systems** Katarzyna Gajda-Roszczyńska, 2023-08-14 How have the arrangements in European countries regarding the functioning of justice changed in the period of the COVID 19 pandemic Will the solutions implemented in various countries in the context of the COVID 19 pandemic last and find their place in the legal systems of these countries for a longer period of time The contributors analyse this in four thematic blocks The first refers to the impact of COVID 19 on the administration and technical functioning of the judiciary including international courts The second part focuses on the impact of COVID 19 on the model of civil procedure including the effects on general and structural principles such as the principle of openness writing and oral proceedings the principle of consistency of panels of judges as well as digitalization The third refers to the impact of COVID 19 on criminal proceedings And the last one deals with the impact of COVID 19 on the administrative proceedings Great Lakes Steel Corporation v. Employment Security Commission, 381 MICH 249 (1968), 1968 51858 51859 51860 **Employment Law Update** Jonathan Ingber, 2020-08-17 Protect clients assets and shield their estates from increased taxation brought about by changing tax laws This book can help you to understand the tax obligations of trusts and estates and how these obligations affect beneficiaries It provides exercises and examples that reflect the calculation and allocation of taxable income and its presentation on the appropriate forms In addition you will also learn how to prepare federal Form 1041 US Income Tax Return for Estates and Trusts Key topics covered include How are trusts and estates taxed under the internal revenue code What is a trust What is a simple trust What is a complex trust How is the income of a trust or estate defined for tax purposes What are the ordinary deductions and credits allowed How is the deduction for distributions to beneficiaries determined How are trust and estate beneficiaries taxed What is a grantor trust and how is it taxed How to prepare Form 1041 *Business and Human Rights* Dalia Palombo, 2020-02-06 This book analyses the accountability of European home States for their failure to secure the human rights of victims from host States against transnational enterprises It argues for a reconfiguration of the relationship between multinational enterprises and individuals both of which have been profoundly changed by globalisation Enterprises are now supranational entities with numerous affiliates all over the world Likewise individuals are increasingly part of a global community Despite this the relationship between the two is deregulated Addressing this gap this study proposes an innovative business and human rights litigation strategy Human rights advocates could file a test case against a European home State at the European Court of Human Rights for its failure to secure the rights of victims vis vis European multinational enterprises The book illustrates why such a strategy is needed and points to the lack of effective legal remedies against European multinationals The goal is to empower victims from developing countries against European States which are failing to hold multinational enterprises accountable for human rights abuses *S/G Americas Government* Harris, Wasserman, 1990-02 **Minerals and Waste** Mario Tribaudino, Daniel

Vollprecht, Alessandro Pavese, 2023-03-15 In the field of waste disposal recovery and recycling industrial residues from ceramic and mining activities are just an assemblage of minerals So is municipal waste after removing the organic part in incinerators or after long time disposal In almost every case a natural counterpart is present Applying what is known from natural systems on waste assemblages is the key to predicting their fate at a short and long time and suggesting the best for high temperature recycling This book aims to bring the Earth Science community to the edge of waste management offering background information the basics of high and low temperature geochemistry involved and an overview of waste investigation connected to minerals This book also addresses mineral tailings incinerator bottom fly ashes metal slags ceramic industry residue and eventually sanitary issues The primary readership will be graduate students and professionals in geological and environmental fields Resources in Education ,1996 **District of Columbia, Nondepartmental**

witnesses United States. Congress. Senate. Committee on Appropriations. Subcommittee on District of Columbia, 1978

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Subcommittee on District of Columbia, 1978 **District of Columbia Appropriations for 1979** United States. Congress.

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Scott McDonald, 2018-09-03 While many introductory public administration textbooks contain a dedicated chapter on ethics

The Public Administration Profession is the first to utilize ethics as a lens for understanding the discipline Analyses of the

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