



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 19 Answer Key

Michael Moser, Chiann Bao



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California. Supreme Court. Records and Briefs California (State)., Number of Exhibits 1 Court of Appeal Case s D013303 *Introduction to Criminal Justice* Callie Marie Rennison,Mary Dodge,2015-01-08 Introduction to Criminal Justice Systems Diversity and Change offers a brief accessible approach to Criminal Justice with comprehensive and up to date coverage of all aspects of the criminal justice system in 14 succinct chapters Using running cases that appear in each chapter the book offers students real life examples of the pathways and outcomes of criminal behavior Designed to enhance learning and critical thinking skills each case study provides concrete examples of events concepts and terms Additionally the emphasis on technology and the criminal justice system demonstrates the evolution and rapid societal changes that create complex questions for policy and ethical decision making Offered both in print and Interactive eBook editions this text provides flexibility for different modes of instruction and appeals to students of all learning styles **Virtualizing Oracle Databases on vSphere** Kannan Mani,Don Sullivan,2014-10-15 The start to finish guide to virtualizing business critical Oracle Software and Databases on VMware vSphere Virtualizing large scale Oracle software and databases on vSphere can deliver powerful scalability availability and performance benefits Recognizing this opportunity thousands of organizations are moving to virtualize Oracle However reliable best practices have been difficult to find and database and virtualization professionals often bring incompatible perspectives to the challenge Virtualizing Oracle Databases on vSphere is the first authoritative comprehensive and best practice guide to running Oracle on VMware platforms Reflecting a deep understanding of both Oracle and vSphere this guide is supported by extensive in the field experience with the full spectrum of database applications and environments Both a detailed reference and a practical cookbook it combines theory and practice and offers up to date insights for the entire lifecycle supported by case studies Kannan Mani and Don Sullivan fully address architecture performance design sizing and high availability Focusing on current versions of Oracle and vSphere they highlight the differences between ESX ESXi 4 x and 5 x wherever relevant To deliver even more value they provide extensive online resources including easy to adapt scripts and expert how to videos Coverage includes Understanding the DBA s expanded role in virtualized environments and the emergence of the vDBA vRACDBA and Cloud DBA Identifying your best opportunities to drive value from virtualizing Oracle Anticipating challenges associated with virtualizing Oracle based Business Critical Applications on vSphere Using VMware to overcome ongoing database deployment and management problems Protecting your virtualized database environment with vSphere s high availability capabilities Designing databases to achieve scalability on demand maximize availability consolidate servers and improve compliance Implementing best practices for memory storage and database layout Demystifying the impact of virtualization on Oracle support and licensing Using VMware Site Recovery Manager SRM to accelerate disaster recovery by seamlessly integrating VM and storage failover Streamlining provisioning and taking advantage of opportunities to automate AP U.S. Government and Politics

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