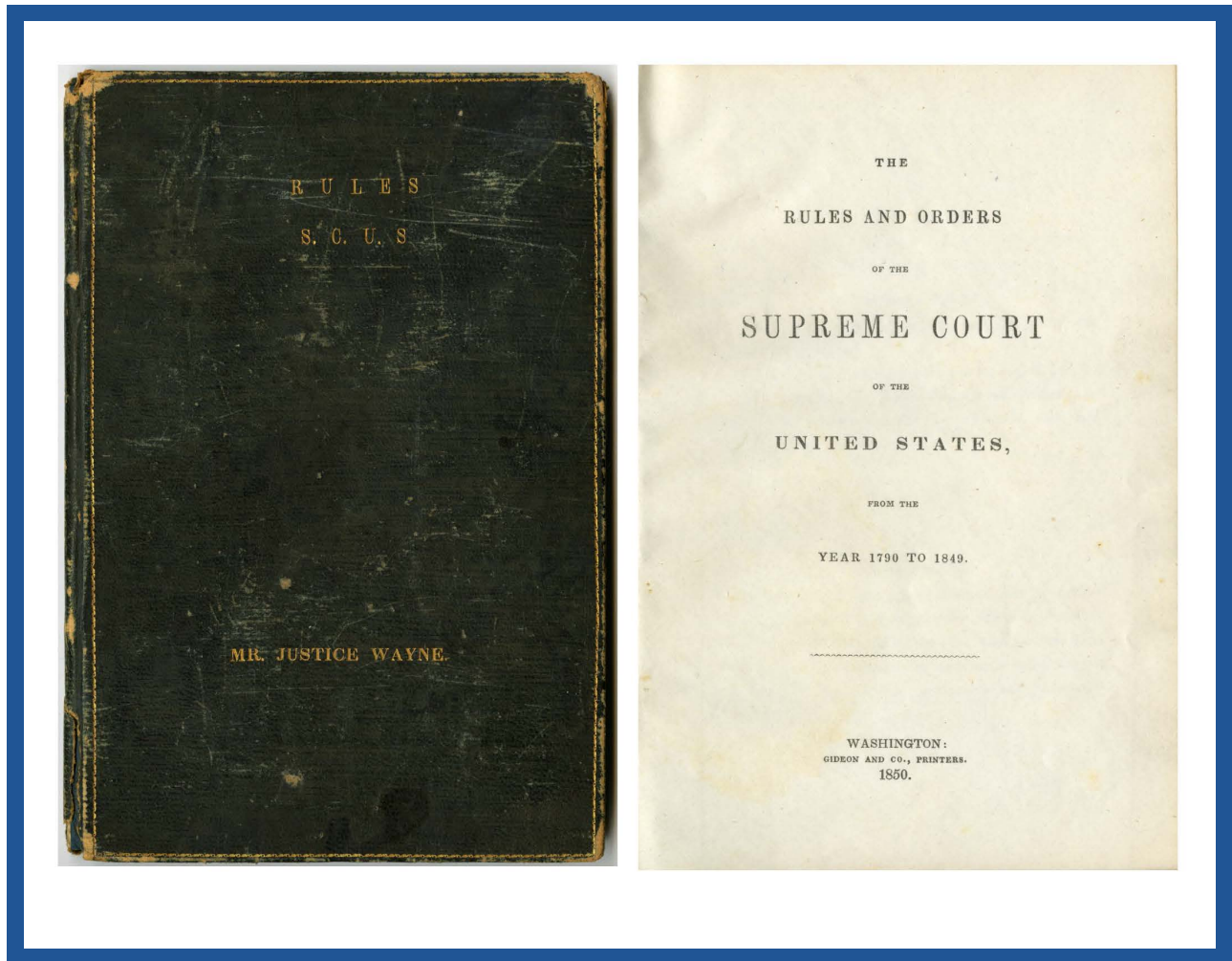


# Why Do the Courts Matter?

**8TH GRADE GEORGIA HUB INQUIRY**

*GEORGIA* HISTORICAL SOCIETY

# Why do the courts matter?



Supreme Court of the United States Rule Book, James Moore Wayne papers, MS 845 next hit, Georgia Historical Society, Savannah, Georgia.

## Supporting Questions

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1. How much power does the Supreme Court have?
2. How can a Supreme Court decision affect the lives of American citizens?
3. Can a state ignore a Supreme Court ruling?

## Why do the courts matter?

Inquiry Standard	<p><b>SS8H4</b> Explain significant factors that affected westward expansion in Georgia between 1789 and 1840.</p> <p>Analyze how key people (John Ross, John Marshall, and Andrew Jackson) and events (Dahlonega Gold Rush and <b>Worcester v. Georgia</b>) led to the removal of the Cherokees from Georgia known as the Trail of Tears.</p> <p><b>SS8H5</b> Analyze the impact of the Civil War on Georgia.</p> <p>Explain the importance of key issues and events that led to the Civil War; include slavery, states' rights, nullification, Compromise of 1850 and the Georgia Platform, <b>the Dred Scott case</b>, Abraham Lincoln's election in 1860, and the debate over secession in Georgia.</p> <p><b>SS8H11</b> Evaluate the role of Georgia in the modern civil rights movement.</p> <p>Explain <b>Georgia's response to Brown v. Board of Education</b> including the 1956 flag and the Sibley Commission.</p>
Staging the Compelling Question	<p>Read <a href="#">the article by Dr. Stan Deaton of the Georgia Hist.</a> to give students an understanding of how the Supreme Court established its federal power</p>

Supporting Question 1	Supporting Question 2	Supporting Question 3
How much power does the Supreme Court have?	How can a Supreme Court decision affect the lives of American citizens?	Can a state ignore a Supreme Court ruling?
Formative Performance Task	Formative Performance Task	Formative Performance Task
Summarize the role of the United States Supreme Court regarding changes observed between three Georgia maps from 1823, 1829, and 1855.	Write a statement explaining the point of view for each of the following groups regarding the <i>Dred Scott</i> Decision: Slaves, Free Blacks, Slave Owners, Abolitionists, and Non-Slave Owning Whites	Investigate Georgia's Massive resistance to the Supreme Court decision in the <i>Brown v Board of Education</i> court case. Explain how and why Georgia resisted desegregation.
Featured Sources	Featured Sources	Featured Sources
Source A: Indian Removal in Georgia	Source A: The Supreme Court and Slavery	Source A: Massive Resistance in Georgia

Summative Performance Task	<p><b>ARGUMENT</b></p> <p>Construct an argument (e.g., detailed outline, poster, essay) in response to the compelling question using specific claims and relevant evidence from historical sources, while acknowledging competing views.</p>
	<p><b>EXTENSION</b></p> <p>Analyze the role that Supreme Court Justice James Moore Wayne played in national politics. Being from Georgia, Justice Wayne was the only southern Justice to remain on the Supreme Court during the Civil War. Use the following video to introduce James Moore Wayne to students. <a href="#">Today in Georgia History, Dred Scott and James Moo.</a></p>
Taking Informed Action	<p><b>UNDERSTAND</b></p> <p>Read rules from your school's code of conduct. Choose a rule to assess further.</p> <p><b>ASSESS</b></p> <p>Decide if that rule is good or bad. Make sure to consider how the rule is applied to you and your classmates. Make sure that your decision is based in fact and notion your feelings.</p> <p><b>ACTION</b></p> <p>Write a supporting or dissenting opinion about the rule and submit it to your teacher.</p>

### Inquiry Description

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This is the fourth inquiry in a series from the Georgia Historical Society that focuses upon civic education and is based on the theme, "The United States Constitution: Ensuring Liberty and Justice for All". This 8th grade inquiry focuses on the role of the Supreme Court in relation to court cases that have had an indelible impact on the state of Georgia. Students are challenged to assess three landmark cases to help them understand the role of the Supreme Court of the United States as one of the three branches of government.

### Structure

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To set the stage for the compelling question students read about judicial review and how it was established under the guidance of Supreme Court Chief Justice John Marshall. In order to assess the power of the Supreme Court students will examine *Worcester v. Georgia* by analyzing changes in historic maps of Georgia. Next, students will analyze how the Supreme Court has had an impact on the daily lives of Americans via the *Dred Scott v. Sanford* court case. Finally, students will decide whether states can resist Supreme Court decisions by studying sources related to Georgia's Massive Resistance to school desegregation required by the landmark court case, *Brown v. Board of Education*.

## Staging the Compelling Question

Compelling Question	Why do the courts matter?
Featured Sources	<ul style="list-style-type: none"><li>• <b>Source A:</b> Establishing the federal power of the Supreme Court</li></ul>

### Staging the compelling question

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Why are Supreme Court judges appointed for life? Discuss the judicial appointment process including the role of the President and the Senate. Analyze the appointment of John Marshall and how he came to establish federal power of the Supreme Court through judicial review.

## Compelling Question

Featured Source A

Establishing the federal power of the Supreme Court

### Excerpt

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[A Lame Duck Decision that Changed America](#) by Dr. Stan Deaton of the Georgia Historical Soc.

**Source:**

Deaton, Stan. "A Lame Duck Appointment That Changed America." *US News and World Report*, April 1, 2016.  
<https://www.usnews.com/news/the-report/articles/20..>

## Supporting Question 1

Supporting Question	How much power does the Supreme Court have?
Formative Performance Task	Summarize the role of the United States Supreme Court regarding changes observed between three Georgia maps from 1823, 1829, and 1855.
Featured Sources	<ul style="list-style-type: none"><li>● <b>Source A:</b> Indian Removal in Georgia</li></ul>

Analyze the strengths and weaknesses of the Supreme Court's power and its role within the system of checks and balances.

### Formative Performance Task

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Analyze the three historical maps of Georgia. Note the changes that occur in the organization of the state from 1823 to 1855. Read about the court case *Worcester v. Georgia* and the Indian Removal Act of 1830 to help explain the changes observed in the maps. Make sure to explain the Supreme Court decision in *Worcester v. Georgia*, but that the Court lacked any power to enforce its ruling.

# Supporting Question 1

Featured Source A

Indian Removal in Georgia

## Excerpt

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[Maps of Georgia, 1823-1855, GHS](#)

[Worcester v. Georgia, Digital History](#)

[Indian Removal Act, May 28, 1830, pgs 411-412, LOC](#)

### Source:

Map of Georgia, 1823. From the Georgia Historical Society Map Collection, MS 1361-MP 070.

Map of Georgia, 1829. From the Georgia Historical Society Map Collection, MS 1361-MP 079.

Map of Georgia, 1855. From the Georgia Historical Society Map Collection, MS 1361-MP 083.

"Indian Removal Timeline." Digital History. Accessed 2018.

[http://www.digitalhistory.uh.edu/active\\_learning/e...](http://www.digitalhistory.uh.edu/active_learning/e...)

A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 - 1875, 21<sup>st</sup> Congress, Chapter CLXVIII, pages 411-412. <https://memory.loc.gov/cgi-bin/ampage?collId=llsl&..>



## Supporting Question 2

Supporting Question	How can a Supreme Court decision affect the lives of American citizens?
Formative Performance Task	Write a statement explaining the point of view for each of the following groups regarding the <i>Dred Scott</i> Decision: Slaves, Free Blacks, Slave Owners, Abolitionists, and Non-Slave Owning Whites
Featured Sources	<ul style="list-style-type: none"><li>● <b>Source A:</b> The Supreme Court and Slavery</li></ul>

Assess the impact that a Supreme Court decision can have on the lives of everyday Americans.

### Formative Performance Task

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Using the primary and secondary sources have students assess the point of view of each of the differing groups of people relative to the Supreme Court's decision in the *Dred Scott v. Sanford* court case.

## Supporting Question 2

Featured Source A

The Supreme Court and Slavery

### Excerpt

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[Slave Tag, GHS – slaves as property; not citizens](#)

[Robert Toombs Speaks in Boston, GHS](#)

[Speech, Abraham Lincoln on the scope of the Dred Scott decision, LOC](#)

[American Experience, Dred Scott Decision, PBS](#)

#### Source:

Slave Tag, Robert L. Heriot records, MS 1371, Georgia Historical Society, Savannah, Georgia.

<https://georgiahistory.pastperfectonline.com/photo..>

Drawing [Robert Toombs], Georgia Historical Society collection of etchings, silhouettes, and other prints, MS 1361-PR, Georgia Historical Society, Savannah, Georgia. <https://georgiahistory.pastperfectonline.com/photo..>

Lincoln, Abraham. *Abraham Lincoln papers: Series 1. General Correspondence. -1916: Abraham Lincoln, December 1856 Speech Fragment on Dred Scott Case*. December, 1856. Manuscript/Mixed Material.

<https://www.loc.gov/item/mal0070700/.>

The Dred Scott Decision, <https://www.pbs.org/video/american-experience-dred..>

## Supporting Question 3

Supporting Question	Can a state ignore a Supreme Court ruling?
Formative Performance Task	Investigate Georgia's Massive resistance to the Supreme Court decision in the <i>Brown v Board of Education</i> court case. Explain how and why Georgia resisted desegregation.
Featured Sources	<ul style="list-style-type: none"><li>● <b>Source A:</b> Massive Resistance in Georgia</li></ul>

Assess to the extent in which states can resist or not enforce Supreme Court rulings.

### Formative Performance Task

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Use the sources to understand how Georgia resisted school desegregation after the Supreme Court decision in the *Brown v. Board of Education* court case. Read the Court's unanimous opinion striking down segregation in public schools. Use the remaining sources to understand the massive resistance to school desegregation in Georgia.

## Supporting Question 3

Featured Source A

Massive Resistance in Georgia

### Excerpt

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[\*Brown v Board of Education\* Decision](#)

[Letter to Georgia Governor Ernest Lester, GHS](#)

[US News and World Report article, "Three Souther..](#)

[Today in Georgia History, "Massive Resistance"..](#)

#### Source:

U.S. Reports: Brown v. Board of Education, 347 U.S. 483 (1954).

<http://cdn.loc.gov/service/ll/usrep/usrep347/usrep..>

Letter, Charles H. Prout research materials on Georgia go., MS 1797, Georgia Historical Society, Savannah, Georgia. <http://ghs.galileo.usg.edu/ghs/view?docId=ead/MS%2..>

Article, Charles H. Prout research materials on Georgia governors, MS 1797, Georgia Historical Society, Savannah, Georgia. <http://ghs.galileo.usg.edu/ghs/view?docId=ead/MS%2..>

Massive Resistance, <https://www.todayingeorgiahistory.org/content/mass..>

## Summative Performance Task

Compelling Question	<b>Why do the courts matter?</b>
Argument	Construct an argument (e.g., detailed outline, poster, essay) in response to the compelling question using specific claims and relevant evidence from historical sources, while acknowledging competing views.
Extension	Analyze the role that Supreme Court Justice James Moore Wayne played in national politics. Being from Georgia, Justice Wayne was the only southern Justice to remain on the Supreme Court during the Civil War. Use the following video to introduce James Moore Wayne to students. <a href="#">Today in Georgia History, Dred Scott and James Moo..</a>

### Argument

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Students should be able to explain why the judicial branch has a crucial role in the balance of power in the United States Government. Students should also be able to explain the limits in power that the Supreme Court may face. As a non-elected body, students should be able to address the impact that the courts have on legislation and American's lives.

### Extension

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Take a look at a unique story of a Georgian who served on the Supreme Court. James Moore Wayne concurred with Chief Justice Tawney in the *Dred Scott* decision, but was later labeled a traitor to the South during the Civil War. Examine his role as a Supreme Court Justice and as a citizen of Georgia.

## Taking Informed Action

Understand	Read rules from your school's code of conduct. Choose a rule to assess further.
Assess	Decide if that rule is good or bad. Make sure to consider how the rule is applied to you and your classmates. Make sure that your decision is based in fact and not on your feelings.
Action	Write a supporting or dissenting opinion about the rule and submit it to your teacher.

Act as a member of the Supreme Court by assessing the fairness of school rules. Write an informed, evidence-supported opinion about the fairness of that rule.

- [November Bibliography.pdf](https://s3.amazonaws.com/idm-dev/u/b/9/f/0/5602/b9f085a65001f6cd283759f62f400f03676df7b4.pdf) (https://s3.amazonaws.com/idm-dev/u/b/9/f/0/5602/b9f085a65001f6cd283759f62f400f03676df7b4.pdf)

