Why do the courts matter?

Supporting Questions

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?

<table>
<thead>
<tr>
<th>Inquiry Standard</th>
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<tbody>
<tr>
<td>SS8H4 Explain significant factors that affected westward expansion in Georgia between 1789 and 1840.</td>
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<tr>
<td>Analyze how key people (John Ross, John Marshall, and Andrew Jackson) and events (Dahlonega Gold Rush and <em>Worcester v. Georgia</em>) led to the removal of the Cherokees from Georgia known as the Trail of Tears.</td>
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<tr>
<td>SS8H5 Analyze the impact of the Civil War on Georgia.</td>
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<td>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, the <em>Dred Scott case</em>, Abraham Lincoln’s election in 1860, and the debate over secession in Georgia.</td>
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<tr>
<td>SS8H11 Evaluate the role of Georgia in the modern civil rights movement.</td>
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<td>Explain Georgia’s <em>response to Brown v. Board of Education</em> including the 1956 flag and the Sibley Commission.</td>
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<th>Staging the Compelling Question</th>
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<td>Read the article by Dr. Stan Deaton of the Georgia Hist... to give students an understanding of how the Supreme Court established its federal power.</td>
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<tr>
<th>Supporting Question 1</th>
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<td>Summarize the role of the United States Supreme Court regarding changes observed between three Georgia maps from 1823, 1829, and 1855.</td>
<td>Write a statement explaining the point of view for each of the following groups regarding the <em>Dred Scott</em> Decision: Slaves, Free Blacks, Slave Owners, Abolitionists, and Non-Slave Owning Whites.</td>
<td>Investigate Georgia’s Massive resistance to the Supreme Court decision in the <em>Brown v Board of Education</em> court case. Explain how and why Georgia resisted desegregation.</td>
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<td>Source A: Indian Removal in Georgia</td>
<td>Source A: The Supreme Court and Slavery</td>
<td>Source A: Massive Resistance in Georgia</td>
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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. *Today in Georgia History, Dred Scott and James Moo...*

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 notion your feelings.

ACTION
Write a supporting or dissenting opinion about the rule and submit it to your teacher.
Inquiry Description

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

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

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.
Excerpt

*A Lame Duck Decision that Changed America* by Dr. Stan Deaton of the Georgia Historical Soc.

Source:
Supporting Question 1

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Featured Sources

- **Source A**: Indian Removal in Georgia

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

**Formative Performance Task**

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

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.


Supporting Question 2

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<th>How can a Supreme Court decision affect the lives of American citizens?</th>
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Assess the impact that a Supreme Court decision can have on the lives of everyday Americans.

**Formative Performance Task**

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

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..


The Dred Scott Decision, https://www.pbs.org/video/american-experience-dred...
Supporting Question 3

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

**Formative Performance Task**

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

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**Excerpt**

*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”.*

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**Source:**


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


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

Massive Resistance, https://www.todayingeorgiahistory.org/content/mass..
Summative Performance Task

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Argument

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

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 notion 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.
Appendices