

A Conflict Between Nations: The U.S. Indian Removal Act and the Cherokee Nation

Lesson Question

How did the Cherokee Nation argue against U.S. Indian removal policies?

Lesson Task: In this lesson students read two primary source documents on the Cherokee Nation’s response to U.S. Indian removal policies. The lesson culminates in students writing a three-paragraph essay that explains how the Cherokee Nation argued against the United States government decision to remove them from their lands. Students will write about legal claims the Cherokee Nation made as well as their claims that removal policies violated American and democratic ideals.

We anticipate that the legal claims—that the removal policies violated treaties and other legal precedents—will be fairly straightforward for students to articulate. The claims related to American ideals—that removal violated principles such as liberty, democracy, and self-governance—are more complex. Another challenge of the lesson is that the Cherokee also made claims about their own assimilation to counteract arguments made at the time about their lack of “civilization.” It will be important to help students to understand the complexity of these kinds of claims.

Finally, some claims could be categorized as both legal and related to American ideals. Central to this lesson, for example, are the concepts of sovereignty and nationhood, concepts rooted in both legal and philosophical principles. Less important than the specific category students choose is their analysis of why the Cherokee were making these kinds of claims at this moment in time.

NAEP Era: 4. Expansion and Reform (1801 to 1861)

Focal Skill: Reading for point of view and purpose

Number of Documents: 2

Number of Days: 4–5

Common Core Standards

- CC reading standard: RHSS.6-8.6 Identify aspects of a text that reveal an author’s point of view or purpose
- CC writing standard: WHSS.6-8.2 Write informative/explanatory texts

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[Suggested time: 1 session]

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[Suggested time: 1–2 sessions]

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OVERVIEW

[Suggested time: 5 minutes]

Content Objectives

Students will understand the Indian removal policies the U.S. government made in the 1830s, and the arguments the Cherokee Nation made in opposition to these policies.

U.S. Indian Removal policies, including the 1830 Indian Removal Act, changed U.S. policy toward Indian nations and forced them off of their lands.

The Cherokee Nation argued that U.S. Indian removal policies were illegal because they violated previous treaties and were not made with the official consent of the Cherokee Nation. In addition, the policies violated American ideals, such as respect for other people's rights.

Historical Thinking Objectives

- Close Reading
- Contextualization

Skill Objectives

- Identifying claims authors make to support a position
- Using evidence to support main ideas

Instructional Sequence

Before you begin the lesson you should share a brief agenda with students:

HOOK	Together, we will read a statement from a former U.S. Supreme Court Justice, John Marshall, and will think about what it means to be a “nation.”
CONTEXT	We'll then review some background context about the Indian Removal Act and the history of U.S. policies and attitudes towards American Indian tribes.
DOCUMENTS	On your own, you will read two primary source documents written from the perspective of the Cherokee nation that argue against U.S. removal policies. We will discuss each document after you read and take notes on it.
CONNECT	We'll discuss the claims the Cherokee Nation made that removal policies were illegal and violated American principles, and why they made these claims.
WRITE	You'll write a three-paragraph explanatory essay in which you will use evidence from the documents to describe the Cherokee Nation's arguments against removal.

Lesson Background

After the American Revolution, the United States government adopted a diplomatic policy towards many American Indian tribes. They formed several treaties that recognized the sovereignty of American Indian land claims and treated Indian governments as separate nations within the territory of the United States.

Relations between American Indian tribes and the United States government became strained in the

early 19th century, however, as American citizens pushed westward onto Indian lands. The five largest American Indian tribes, the Cherokees, Creeks, Choctaws, Chickasaws, and Seminoles, (all located in the Southeast), were constantly harangued by squatters, miners, and other American citizens illegally settling in their lands. The Cherokee brought their case to the Georgia legislature and later the Supreme Court, which ruled in favor of the Cherokee Nation, reaffirming their status as a sovereign nation.

Although many of the tribes adopted aspects of American culture and political systems—most notably the Cherokee who developed a written language, formed their own newspaper, developed a political council and legislature, and settled a capital city called New Echota—American politicians continued to describe Indians as brutish, uncivilized, immoral, and powerless, and used these representations to advocate for their removal to unsettled territories. Andrew Jackson in particular used a parental, dismissive tone when addressing Indian affairs. As president of the U.S., Jackson would later become one of the largest proponents of Indian removal, passing the Indian Removal Act in 1830.

By 1838, the remaining Cherokee were removed from their land and forced to march hundreds of miles to their new homes west of the Mississippi River. In what would later be known as the Trail of Tears, over 4,000 Cherokee died of cold, starvation, disease, and fatigue on the march.

The Trail of Tears was the culmination of decades of disrespect and abuse laid out by the United States government against American Indians. Although treaties had been signed, and sovereignty declared through numerous outlets, the westward expansion of the U.S. and a general dismissive, racist attitude toward American Indians ultimately led to their removal.

Student Background Knowledge

- In the early 19th century, the United States government and several American Indian nations signed treaties that created separate and sovereign Indian lands within U.S. borders.
- The right of American Indians to their lands was put into question as U.S. population growth and westward expansion encroached onto Indian territories.

THE HOOK

[Suggested time: 10 minutes]

American Indian Nationhood

Purpose

To introduce students to the two central categories of the lesson: legal claims and claims built on American ideals.

- This quote presents sovereignty as a legal structure and as a right founded in American history and principles. This quote is intended to help students understand the concept of nationhood and sovereignty from these two perspectives.

To surface background knowledge students may have about the treatment of American Indian tribes by the U.S. government.

- The Marshall document sets up the idea that American Indian tribes had been recognized as distinct nations by the U.S. government. Students may be aware of some of the history of

Justice Marshall



oppression of American Indians and the document should lead to some genuine inquiry and/or dissonance concerning the ways the U.S. treated American Indian tribes.

Process

Read the Marshall quote with students sentence-by-sentence.

- **Check** for student understanding along the way. The text is dense here, so be sure to support students in a close read of the language.
- You may need to help **define** some vocabulary terms such as clarifying what an “Act” is and defining “territorial boundaries.”

Provide students with additional context about John Marshall and this quotation.

- Marshall was chief justice of the U.S. Supreme Court from 1801–1835.
- This quote comes from the 1832 case *Worcester v. Georgia* in which the Supreme Court ruled that the Cherokee Nation had sovereign powers and did not have to abide by the laws of the state of Georgia.

Once students have an accurate understanding of the text, **ask** the first **Think About It** question: What rights does a nation have?

Focus on key details in the text, including descriptions of nations as:

- Being distinct “political communities”
 - You may want to discuss with students what Marshall means by a “political community.”
- Having boundaries within which they exercise their own “authority”
- Having rights to the lands they occupy

Ask follow-up questions to expand on students’ concept of nationhood:

- What else do we know about nations?
- Given what we know about nations, what does it mean that the U.S. Congress had passed acts treating American Indian tribes as “nations”?

Next, **ask** the second **Think About It** question: How does this ruling reflect American ideals?

- *Focus* on language such as “respect their rights,” and their “authority...is acknowledged...by the United States”
- Help *define* what is meant by “American ideals,” thinking about principles the founders of the country wrote about: democracy, liberty, freedom, equality, political rights, etc.
- **Ask** students to think about the history of the United States and America’s own quest for sovereignty.
- **Ask:** How did the United States want to be viewed by the world? How does that parallel what Marshall wrote here?
- **Ask:** In addition to the right to be considered a nation, what other rights would we consider to be “American ideals”?

Allow students to engage in a few minutes of open discussion. It is OK if their thinking is incomplete or vague. The idea is to tap into students’ prior knowledge and to raise some questions about this quotation.

Extension: If you have time, you may want to ask students what they already know about the history of U.S./American Indian relations and how this quote connects to what they know.

After discussion, **transition** to the lesson question. **Say** to students:

- In this lesson we're going to be thinking about the sovereignty of American Indian tribes, and in particular, the Cherokee Nation.
- In the 1830s, the U.S. forced the Cherokee Nation and other tribes off of their lands.
- In this lesson, we'll be thinking about the argument the Cherokee made to try and prevent these actions.
- The big question we will be investigating is: **How did the Cherokee Nation argue against U.S. Indian removal policies?**

Ask students: Does this first quote give you any ideas about what kinds of claims the Cherokee might have made? What are your thoughts?

TRANSITION TO CONTEXT-SETTING

Transition students to the Context slides by letting them know that they are now going to look in a little more detail at the relationship between white Americans and American Indians and the actions the U.S. government took to remove tribes from their lands.

Context slides are intended to serve as a support for a relatively quick “interactive lecture” with students. The goal is to both provide essential background information and engage students’ prior knowledge and thinking.

While you can certainly slow the process down according to your students’ needs, context is not intended to be a “deep dive” into slide images. Documents in the Context slides serve the role of illustrating content, sparking quick observations and reactions, and making abstract ideas more concrete.

CONTEXT

[Suggested time: 25–30 minutes—to be completed in the first session]

Context Overview

The purpose of these slides is to provide the background information that students need in order to fully understand the Cherokee Nation’s arguments against removal policies.

The five Context slides focus on these ideas:

The Cherokee People—Prior to 1800, the Cherokee had developed a sophisticated society and culture

The Cherokee Nation, 1830—The borders of the Cherokee Nation were located within the United States. What does it mean for one nation to exist inside of another?

Timeline of U.S. and Cherokee Legal Decisions—Examines the history of U.S. treaties with the Cherokee that demonstrated legal precedents for Cherokee nationhood, as well as violations of these precedents

A Shift in U.S. Policy—In support of the 1830 Indian Removal Act, the U.S. government made many claims to justify removal

The Cherokee Nation and Assimilation—Prior to 1830, the Cherokee had already assimilated to “American ideals” in many ways

Slide 1: THE CHEROKEE PEOPLE

Purpose

To inform students that the Cherokee tribe was a complex and well-developed nation prior to the 1800s.

- It is essential that students understand that the Cherokee Nation existed prior to pressures to assimilate; and that Cherokee culture, while eventually influenced by Americans, developed independently.

Suggested Process

- **Read** the slide title and text with students.
 - Help students understand the various bullet points. Students may need support with some of the concepts listed here such as, “judicial council,” “spiritual leaders,” and “decorative arts.”
- **Look** at the image and caption.
- **Ask** students the **Think About It** question: What were some of the characteristics of Cherokee society before 1800?
- Be sure to **emphasize** with students the idea that the Cherokee had a complex and well-developed nation prior to any pressures to assimilate.

The Cherokee People

By 1800, the Cherokee people had:



An example of a Cherokee man's coat

- * Seven independent clans with representatives that formed a centralized political and judicial council
- * Almost 14,000 people spread over 15,000 square miles of land
- * A complex religion and powerful class of priests and spiritual leaders
- * Intricate decorative arts including pottery, embroidery, and woodworking

Slide 2: THE CHEROKEE NATION, 1830

Purpose

To orient students to the geography of Cherokee removal.

- It also reinforces the concepts of sovereignty and nationhood and the complications that arise when one nation exists within another.

Suggested Process

- Ask students to **study** the map, noting the colors and labels for political and natural features.
- **Ask** students: What does the map depict?

The Cherokee Nation, 1830

As Americans moved westward, U.S. states and territories completely surrounded the Cherokee Nation.



- The Cherokee Nation's boundaries within the southern U.S. in 1830
- **Provide** additional information:
 - The Cherokee Nation existed within several U.S. states, but conflicts with Georgia were the most frequent.
 - The Mississippi River is highlighted here because the Cherokee were ultimately moved west of the Mississippi.
 - At this time, Arkansas was a territory, but not yet a state.
- **Ask** the **Think About It** question: What conflicts might arise when one nation is situated inside of another?
 - Allow students to brainstorm ideas. It is OK if their ideas are incomplete. More information about these tensions will be discussed in the next slide.

Slide 3: TIMELINE OF U.S. AND CHEROKEE LEGAL DECISIONS

Purpose

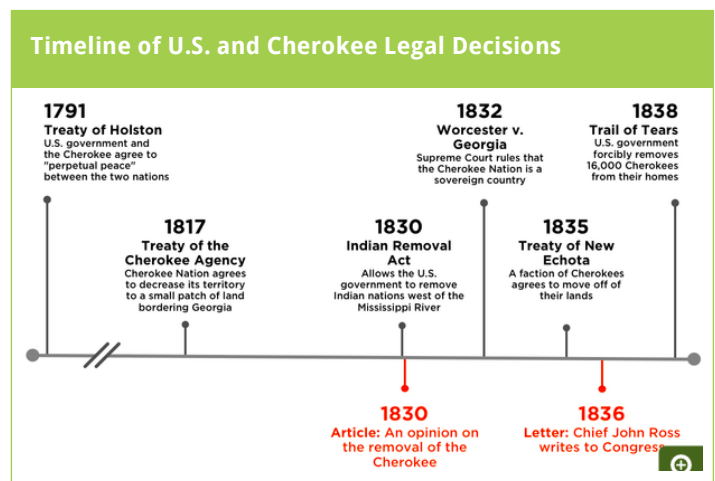
To provide students information about the history of U.S. treaties with the Cherokee that demonstrated legal precedents for Cherokee Nationhood, as well as the violations of these precedents.

Suggested Process

- **Read** the **Think About It** questions with students:
 - Which treaties and legal rulings recognized Cherokee sovereignty?
 - Which did not?
- Then, **read** through the timeline, with the above questions in mind.

As you discuss the events on the timeline, **provide** additional background information:

- There were treaties with the Cherokee before 1791, but **the Treaty of Holston** was the first treaty after the ratification of the Constitution. The treaty established boundaries between the Cherokee Nation and the United States and gave the Cherokee the rights to their land, but also put the Cherokee “under the protection” of the United States.
- **The Treaty of the Cherokee Agency** demonstrated that the Cherokee were willing to cede some of their land, but only through a treaty with the U.S. government, and only after it was agreed upon by representatives of the Cherokee Nation.
- **The Indian Removal Act** itself narrowly passed in the House of Representatives (101-97), which shows the degree to which the country was split on the issue of Indian Removal. Jackson himself had a sordid history with American Indians; as a general in the U.S. Army, he had invaded Seminole



territory in 1818. Jackson signed the Indian Removal Act in May of 1830.

- In the early 1830's, the Supreme Court decided on two major cases regarding Indian sovereignty. **Worcester v. Georgia** (1832) was the most significant case because it defined the Cherokee Nation as sovereign and not under the jurisdiction of any state governments. The court maintained, however, that the Federal government was still the ultimate protector of Indian lands. In **The Cherokee Nation v. Georgia** (1831) the court declared that the U.S. was like a "ward to [the Cherokee Nation's] guardian." While the Supreme Court ruled the Cherokee Nation as sovereign, their decisions were not strong enough to stop the Indian Removal Act.
- The **Treaty of New Echota** was signed by a group of Cherokees who were not an official delegation of the Cherokee Nation. It was not an "official" delegation because the members were not chosen through means outlined in the Cherokee Constitution. However, they still had significant numbers (around 400 Cherokee agreed to the conditions), enough so that the Federal Government was able to use this treaty to justify removal of the entire Cherokee Nation west of the Mississippi.
- During the "**Trail of Tears**," 16,000 Cherokee were forced from their homes by the U.S. military, and 4,000 of them died in the ensuing march to their new territory in Oklahoma. The Cherokee faced hazardous conditions and spartan accommodations along the route, leading many to die of starvation or exposure.

As students discuss the events on the timeline, **ask:** What arguments do you think the Cherokee made to protest the Indian Removal Act?

Slide 4: A SHIFT IN U.S. POLICY

Purpose

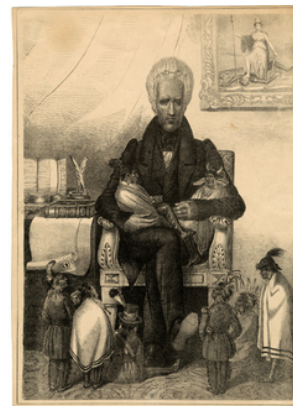
To introduce the Indian Removal Act and the justifications the U.S. government gave for its removal policies.

- The Indian Removal Act represents a change in U.S. policy, which had previously been to recognize American Indian sovereignty.
- As students will be writing about the Cherokee argument against removal policies, it is essential that they have an understanding of the U.S. government's argument and why the country shifted course.

Suggested Process

- **Read** through the slide title and text with students.

A Shift in U.S. Policy



An 1833 political cartoon called "Andrew Jackson as the Great Father"

Supporters of the Act gave **racial, legal, and ethical** reasons such as these to justify Indian removal:

- * According to racist beliefs at the time, American Indians had savage habits and needed guidance to become civilized
- * Since American Indians were occupants of U.S. soil, the U.S. government had full legal control over them
- * Since the U.S. would provide new land for them, removal was ethical and tribes should be grateful for getting a good deal

- **Provide** additional background information about what led to the passage of the Indian Removal Act in 1830.
 - After the American Revolution, the U.S. government adopted a diplomatic policy towards many American Indian tribes. They formed several treaties that recognized the sovereignty of American Indian land claims and treated American Indian governments as separate nations within the territory of the United States.
 - Indian Removal policies came to the forefront of U.S. political discourse in the 1820s and 1830s.
 - As the American population grew, people began moving west into lands that were designated as American Indian territory.
 - When gold was found on Cherokee territory in 1828, thousands of Americans illegally settled on Cherokee land, leading to conflicts between citizens of the state of Georgia and the Cherokee Nation.
 - Andrew Jackson signed the Indian Removal Act into law on May 28, 1830. He opposed previous administrations' policies of negotiating with tribes as sovereign nations.
 - A few tribes went peacefully, but many resisted the relocation policy.
 - While Jackson had much support, removal policies were hotly debated and not universally accepted by white Americans.
- **Ask** students the **Think About It** question: How did the U.S. government justify the Indian Removal Act?
 - Help students understand what is meant by the word “justification” here.
- **Ask** students: Why might the government need to “justify” its actions?
 - Not everyone in the government agreed with what Jackson wanted to do.
- Help students ***pull out the following kinds of claims*** from the slide:
 - Paternalistic and racist claims that the American Indian tribes were savages in need of U.S. “protection.” Help students to think more deeply about this claim.
 - > **Ask** students: Some people made the argument that tribes would be safer out west as they could live undisturbed. In what way might this have been a justification?
 - Legal claims that the tribes did not have the right to national sovereignty.
 - Ethical claims that the tribes should be grateful for the land offered out west.
- **Ask** students: How do you think Indian tribes might have responded to each of these claims?
- Have students **observe** the slide image and read the caption.
 - **Ask:** What is the relationship between Jackson and the American Indians as portrayed in this image?
 - > They are like little children, i.e., in need of protection.
 - > **Key Point:** This image is intended as a direct critique of Jackson’s paternalistic attitudes. Jackson is the one being ridiculed here. This image will help students to see that not all Americans supported removal policies and justifications for them at this time. As the timeline shows, there was not even a unified policy across all branches of government.

Slide 5: THE CHEROKEE NATION AND ASSIMILATION

Purpose

To help students understand the many ways in which the Cherokee had assimilated prior to 1830.

- This is important because one of the central claims Jackson and others in the government made was that the Cherokee were “uncivilized” and “savages.” It will be important in this slide to help students to see the assumptions behind these claims, as well as the reality of the ways in which a drive to assimilate had already impacted the Cherokee culture.

The Cherokee Nation and Assimilation



Sequoyah holding the Cherokee alphabet he created

By 1830, the Cherokee had:

- * Developed a written language of their own
- * Published their own newspaper: The Cherokee Phoenix
- * Built a capital city: New Echota
- * Adopted a constitution

Suggested Process

- **Read** through the slide title with students and remind them that Jackson and many other white Americans at this time viewed American Indians as “savages” in need of “civilizing.”
- **Ask** students why they think this might have been. Ideas to touch on include:
 - A vastly different culture that many white Americans did not understand and viewed as inferior
 - Racist assumptions about the superiority of white Americans
 - Competition for land and resources
 - History of conflict and violence between settlers and tribes
- **Tell** students that as a result, white Americans put pressure on tribes to assimilate *and*, in many instances, tribes themselves took steps to adopt more “Americanized” ways.
- **Read** through the slide bullets with students.
- **Provide** some additional background information on the bullet points:
 - The Cherokee language was essential to prove the “civilized” nature of Cherokee society. It was also a necessary development for the creation of the Cherokee Phoenix newspaper (*Document 1*). The paper was printed in both English and Cherokee.
 - Designating a capital city was both symbolic and practical: A capital represented the Cherokee’s permanence within their territory, and it was also practical to have a single city where all politics, law, and business could take place. New Echota was the site of both the Cherokee courthouse and the Cherokee Phoenix newspaper.
 - The Cherokee constitution (passed in 1827) borrowed heavily from the U.S. Constitution in both the structure of the legislature and the prose of the document itself.
- It is important for students to **contrast** these developments with Jackson’s claims that Indians were uncivilized.
- **Ask** the **Think About It** question: In what ways did the Cherokee take steps to assimilate American ideals? Allow students to discuss.

- **Provide** some additional background information on assimilation:
 - Of the “Five Civilized Tribes” (Cherokee, Choctaw, Creek, Seminole, and Chickasaw), the Cherokee are considered by scholars to be the most willing to assimilate to western ideals.
 - As part of the Treaty of Holston (1791), Cherokees were to be “led to a greater degree of civilization” by the United States, notably by becoming farmers rather than hunters. The Cherokee Nation did become agrarian. *This point will be important in lesson Document 2 because Chief Ross writes about the Cherokee’s “cultivated fields.”*
 - Not all Cherokees were keen on assimilating to “civilized” American culture, however. In 1811, Tecumseh (a Shawnee) attempted to form a separate pan-Indian nation that rejected American culture. While some Cherokee followed Tecumseh (ceremoniously trashing their westernized iron cookware), the Cherokee Nation itself rejected his proposal.

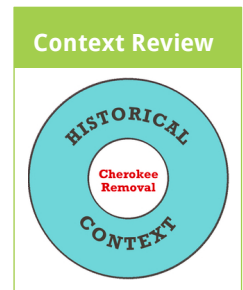
Slide 6: CONTEXT REVIEW: CHEROKEE REMOVAL

Purpose

To summarize the essential information from the Context that students will need for contextualizing the Cherokee Nation’s arguments against removal policies.

Process

- **Look** at the image on this slide.
- **Tell** students that they will use some of the information they’ve just learned or reviewed to answer the lesson question. They will now spend a few moments to *review and take some notes*.
- Guide students in remembering the most important information to answer the two **Take Notes on Context** questions:
 - What was the Indian Removal Act?
 - How did white Americans justify removal policies?
- If necessary, click back to past slides to jog students’ memories. Allow students to **discuss** their answers at table groups or with a partner. Each student, however, should **record** his/her own notes.



TRANSITION TO DOCUMENTS

After reviewing the Context slides say to students:

You will now read two primary source documents on your own. This is the next step in the lesson, and the contextual information we just discussed will help you to better understand the documents.

This is also a good time to remind them of the lesson question: **How did the Cherokee Nation argue against U.S. Indian removal policies?**

DOCUMENTS

[Suggested time: 2 sessions]

Documents: Overview

Students read two primary source documents from the perspective of the Cherokee who opposed removal. Students will identify the claims the authors made in their arguments against removal.

Opinion on the Removal of the Cherokee, newspaper article, 1830

Big Idea: The Indian Removal Act was illegal because it broke previous treaties between the U.S. and Cherokee Nation that recognized Cherokee sovereignty. In addition, in forcing the Cherokee Nation to move against its will, the U.S. was violating its own principles of respect for the rights of others.

A Letter from Cherokee Chief John Ross, letter, 1836

Big Idea: The Treaty of New Echota—the treaty that forced the Cherokee out of Georgia—was illegal because it lacked official agreement by the Cherokee Nation. It also violated U.S. democratic principles.

Sourcing information on the two documents: The newspaper article was written in direct response to the Indian Removal Act of 1830. Ross' letter was written six years later, in response to the Treaty of New Echota. As such, students will be writing about the Cherokee response to “removal policies” more broadly, rather than focusing only on the Indian Removal Act.

Note to Teachers: Preview the categories for note-taking

For several of the Gathering Evidence and Big Idea questions, students will be prompted to categorize their notes as being either an example of a “*claim about American ideals*” or a “*legal claim*.” Both of these categories were addressed in the Hook and the Context slides, but it would be a good idea to review these categories and alert students to the fact that sometimes they will be asked to “sort” their notes. Let students know that some notes could be sorted into either category. What will be most important is not always the category they choose, but how they explain their thinking.

The central reading skill is to identify aspects of a text that reveal an author’s point of view or purpose.

Note: Students can work on these documents independently while you circulate and support their work. (See PD Doc on supporting students during document work.)

Document 1: OPINION ON THE REMOVAL OF THE CHEROKEE

Purpose

To uncover claims (both legal and those based on American ideals) that supporters of the Cherokee Nation made to argue against removal policies.

Key Reading Challenge

This text is dense and complex. In particular, the vocabulary may be a challenge for students. Remind students that they can roll-over key words and phrases written in green to get the glossary definition.

Suggested Process

- You may want to read this document with your whole class to model reading for Source It, Read Closely, and Gathering Evidence questions, and for identifying claims an author makes. The discussion moves would happen while you are reading the document with students.
- If students read independently, move around the room to diagnose difficulties and offer coaching. When you note several students struggling with particular passages or questions bring them to the attention of the class as appropriate. In this case, the discussion would happen after students have read and answered the questions.
- Use your Teacher Dashboard to scan and assess student responses to specific Document questions (such as the Big Idea question) once a majority of students have finished reading the document. This will prepare you for the class discussion.

Newspaper Article, 1830



Document 1: Class Discussion

It is critical for students to briefly discuss each document after they have read it.

Purpose

Check for and deepen students'

- comprehension of the document
- grasp of the "Big Idea"—i.e., reasons why the Indian removal policies are illegal and violate American ideals

Process

Engage students in discussing one or two key questions they have answered in the tool.

- Zoom In* provides Source It, Read Closely, Gather Evidence, and Big Idea questions and prompts alongside this document. Depending on your class's needs, you may choose to focus on certain question types over others.
- We strongly recommend using structures such as turn-and-talk and table group discussions as you engage students in these questions.
- Most important, be sure to follow up on student comments by *pressing for reasons and evidence*, and *for accountable talk*. Use the prompts for the extension questions below.

FORMATIVE ASSESSMENT STRATEGY

Select student responses to the “Big Idea” question, and use them to guide discussion.

- Ahead of time, use the Lesson Dashboard to quickly scan your students’ responses to the “Big Idea” question:
 - What is one claim this author makes about Indian removal policies?
 - What is strong evidence from the document to support this claim?
- Identify student responses that reflect understanding of the Big Idea, and good use of supporting evidence, and those that reflect confusion or misunderstanding.
- Select and project a range of student responses to the summary questions. You can choose model responses as well as responses that need development as a way to spark student discussion. (See the PD document and video on “Discussion Phase 1: Formative Assessment of Student Comprehension of Individual Documents” for more support on using students’ responses to analyze their reading strengths and needs.)

Discuss the Source It Questions

As you talk through the Source It questions, **focus** on the following points:

- This was a newspaper article written for a Cherokee Newspaper.
 - **Ask** students: What can you infer from this?
 - > The Cherokee had organizational structures to support the writing and distribution of a tribal newspaper.
 - > They had a written language (the paper was written in both English and Cherokee).
- Have students note the date: Two months after the passage of the Indian Removal Act.
- The article was written by a “Virginia Patriot.”
 - The author was probably a white supporter of the Cherokee. This is important as it shows that not all whites supported removal policies. This author saw his position as “patriotic.”

Discuss the Read Closely Questions

According to the author, what is the purpose of the Indian Removal Act?

- The expulsion of the Cherokee from their lands and perhaps even their extermination

Ask these follow-up questions to deepen students’ thinking about the questions:

- In what way does the author see removal as a “disgrace”?
- What ties the Cherokee to their lands?

Discuss the Gather Evidence Questions

Ask students to share quotes they highlighted for the first **Gather Evidence** question: According to this author, how was the Indian Removal Act a violation of American ideals?

Focus on key quotes, including:

- ...In contempt of the clearest rules of truth, justice, and humanity...
- ...Disgracing those principles on which our republican government are supposed to be based.
- ...To compel the Cherokees to move west of the Mississippi is to have them submit to laws designed by their longtime enemies, who desire to exterminate them.

Follow-up questions you could **ask** include:

- Why did you highlight this quote? How does it connect to the question you are answering?
- Is there more or less of the text you should include? Why?
- Did anyone find a different place in the article that discussed how removal is a violation of democratic ideals?

Prompt students to put the quotes *in their own words*:

- What does this mean? Can anyone think of another way to explain this quote?
- What does the author mean by “republican principles”? How is removal a disgrace to these principles?
- Let’s think about the idea of nationhood here. The Cherokee thought of themselves as a nation. What did Americans want the right to as a nation? How does this connect with what the Cherokee wanted?

Ask students to share quotes they highlighted for the second **Gather Evidence** question: According to this author, what gave the Cherokee legal rights to their land?

Focus on key quotes, including:

- The title of the Cherokees to the lands they now occupy, the lands where the ashes of their ancestors sleep, has been acknowledged by this government in no fewer than sixteen separate treaties between the government of the United States and the Cherokee Indians...
- All, however, acknowledge to their fullest extent the rights of the Cherokees and concede to them exclusive sovereignty over the territory the Cherokees occupy.

Prompt students to articulate the connection between their quotes and the question.

Follow-up questions you could **ask** include:

- What does this mean? Can anyone think of another way to explain this quote?
- What is the author saying gives the Cherokee the right to their lands?
- What does he say ensures their legal rights? Is he only writing about their legal rights?
- Why do you think he writes about the “ashes of their ancestors”?

Prompt students to put the quotes *in their own words*.

Discuss the Big Idea Questions

Students move at this stage from connecting the specific details in the document to claims the author made about Indian removal policies, in this case the 1830 Indian Removal Act. The author’s claims include:

- Indian removal policies are illegal because they break treaties that had been established between the Cherokee Nation and the U.S. government recognizing the sovereignty of the Cherokee Nation.
- Indian removal policies violate American values, such as justice and respect for people’s rights, because they take the Cherokee away from their land against their will.

Anticipate these difficulties that students will have getting to the Big Idea:

- They may focus too much on smaller details (*The author claimed there were 16 treaties*)
- Or, they may articulate ideas quite generally, without staying connected enough to the document details (*The author claimed the Indian Removal Act was bad for the Cherokee*)

Ask these questions to help students *identify and articulate the Big Idea*:

- Let's think back to the quotes we identified. What were the Big Ideas?
- Can you make that idea more specific?
- What's the Big Idea behind that detail?
- What were the different reasons the author gave for why the Indian Removal Act was disgraceful?
- Did anyone see a different claim? Why? What evidence do you see in the document for that claim?

The idea here is not to push students towards the “right” answer, as there are many possible ways to articulate the Big Idea, but to push them to **engage in a rich discussion with one another** in which they have to articulate their ideas and ground their thinking in the document.

Students will only have written about one claim, so it is important to help them see the range of claims the author made.

Have students revise their notes. Allow students time to revise their notes after and/or during the discussion. Students may need to be prompted to revise how they have articulated the Big Idea.

Document 2: A LETTER FROM CHEROKEE CHIEF JOHN ROSS

Purpose

To uncover the claims (both legal and those based on American ideals) that the Cherokee Nation made to argue against removal policies.

Key Reading Challenges

Again, a key reading challenge is the density and complexity of the text and the vocabulary.

Students will also need to bring in background knowledge about assimilation to this reading. Ross makes the argument that the Cherokee have adopted practices that align with American democratic values and principles.

Chief John Ross



Suggested Process

- As students read independently, move around the room to diagnose difficulties and offer coaching. When you note several students struggling with particular passages or questions bring them to the attention of the class as appropriate.
- Use your Teacher Dashboard to scan and assess student responses to specific Document questions (such as the Big Idea question) once a majority of students have finished reading the document. This will prepare you for the class discussion.

Document 2: Class Discussion

It is critical for students to briefly discuss each document after they have read it.



Purpose

Check for and deepen students'

- comprehension of the document
- grasp of the “Big Idea”—i.e., reasons why the Indian removal policies are illegal and violate American ideals

Process

Engage students in discussing one or two key questions they have answered in the tool.

- *Zoom In* provides Source It, Read Closely, Gather Evidence, and Big Idea questions and prompts alongside this document. Depending on your class's needs, you may choose to focus on certain question types over others.
- We strongly recommend using structures such as turn-and-talk and table group discussions as you engage students in these questions.
- Most important, be sure to follow up on student comments by *pressing for reasons and evidence*, and *for accountable talk*. Use the prompts for the extension questions below.

FORMATIVE ASSESSMENT STRATEGY

Select student responses to the “Big Idea” question, and use them to guide discussion.

- Ahead of time, use the Lesson Dashboard to quickly scan your students' responses to the “Big Idea” question:
 - What is one claim Ross makes about Indian removal policies?
 - What is strong evidence to support this claim?

Discuss the Source It Questions

As you talk through the Source It questions, **focus** on the following points:

- This was a letter written to Congress in 1836. The Cherokee were forcibly removed from their lands beginning just two years later.
- The author, John Ross, was a Chief of the Cherokee Nation. He was authorized to speak for the nation, unlike the Cherokee who signed the Treaty of New Echota.

Discuss the Read Closely Questions

What does Ross mean when he says the Cherokee people are “denationalized”?

- Help students to think about the meaning of this word using their vocabulary as well as close reading skills.
- **Ask** students: What does the root word “national” mean? What happens to the word when we add “de-” in front? Anyone know what “ize” does to a word? Right, it means to “make.” For example, to “sterilize” means to “make sterile.” OK, now what do we think Ross meant?
- What clues does the text give us? Ross is saying that they have no more power, no more land, and are not being treated as fully human.

Discuss the Gather Evidence Questions

Ask students to **share** the quotes they highlighted in response to the **Gather Evidence** question: Why did Ross consider the Treaty of New Echota not legally valid?

Focus on key quotes, including:

- The Treaty of New Echota is not the act of our Nation; we did not participate in negotiating it; it has not received the approval of our people.
- The makers of it hold no office nor appointment in our Nation, under the title of Chiefs, Head men, or any other title, by which they have authority to make bargain and sale of our rights, our possessions, and our common country.

Follow-up questions you could **ask** include:

- Why did you choose this quote? How does it connect to the question you are answering? Is there more (or less) of the text we should include here?
- Does anyone else agree? Disagree?
- Is there another place in the article where Ross discussed the legal validity of the treaty?

Encourage students to articulate these quotes *in their own words*:

- What does this mean? Can anyone think of another way to explain this quote?
- What does Ross mean by “it is not an act of our Nation”?
 - Who did have the authority to represent the Cherokee Nation in negotiations?

Ask students to share quotes they highlighted for the second **Gather Evidence** question: What did Ross mean when he wrote, “Our cause is your own”?

Focus on key quotes, including:

- It is the cause of liberty and of justice.
- It is based upon your own principles, which we have learned from yourselves; for we are proud to count your George Washington and your Thomas Jefferson as our great teachers.
- We have read their communications to us with great respect; we have practiced their ideas with success. And the result is clear. The wildness of the forest has given way to comfortable houses and cultivated fields.
 - Here, Ross is making the claim that the Cherokee have become assimilated. It will be important to investigate with students *why* Ross would make this claim.
 - > **Ask:** Why did the Cherokee feel pressure to assimilate? In what ways did they assimilate? (Let’s think back to the Context slides.)
 - > **Ask:** Why would Ross highlight this in his argument? (He was responding to racist claims about American Indians being uncivilized.)
 - This is in many ways the most challenging part of Ross’ argument as assimilation occurred for complex reasons and Ross’ argument could be interpreted as legitimizing Jackson’s claims (or seen as a shrew and pragmatic course for a disenfranchised group).

Prompt students to articulate the connection between their quotes and the question.

Follow-up questions you could **ask** to encourage students to put quotes in their own words include:

- What does this mean? Can anyone think of another way to explain this quote?
- Why does Ross mention Washington and Jefferson?
- What does he mean when he says “the wildness of the forest has given way...” Let’s think back to what we learned in Context.
- What claims might Ross be responding to? Let’s think back to what we learned about the U.S. government’s justifications in Context.

Discuss the Big Idea Questions

Students move at this stage from connecting the specific details in the text to claims Ross made about Indian removal policies, in this case the Treaty of New Echota. Ross’ claims include:

- Indian removal policies are illegal as they were negotiated without the permission of the leadership of the Cherokee Nation, and as a nation the Cherokee did not agree to them.
- Indian removal policies violate American values of liberty and justice, values that the Cherokee have adopted. The Cherokee have also taken steps to develop a more “civilized” society.

Support students in getting to the Big Idea.

Ask these questions to help students *identify and articulate the Big Idea*:

- Let’s think back to the quotes we identified. What were the Big Ideas?
- Can you make that idea more specific?
- What’s the Big Idea behind that detail?
- What were the different reasons the author gave for why the Treaty of New Echota was not valid?
- Did anyone see a different claim? Why? What evidence do you see in the document for that claim?

The idea here is not to push students towards the “right” answer, as there are many possible ways to articulate the Big Idea, but to push them to **engage in a rich discussion** with one another in which they have to articulate their ideas and ground their thinking in the document. Students will only have written about one claim, so it is important to help them see the range of claims the author made.

Have students revise their notes. Allow students time to revise their notes after and/or during the discussion. In particular, students may need to be prompted to revise how they have articulated the Big Idea.

CONNECT

[Suggested time: ½ session]

Purpose

Before students write in response to a historical question, they need opportunities to talk. They need to clarify their understanding of the documents and how they connect with the larger context and the question they are answering. Your job as a *Zoom In* teacher is to create these discourse opportunities.

Cross-Document Discussion

In this discussion the main goal is to help students to synthesize their learning across documents and connect back to the context and the larger historical question under investigation. This supports the historical thinking skills of corroboration and contextualization.

Three major moves should happen here:

- Re-engage students in the historical inquiry
- Support students in comparing big ideas and details across documents
- Support students in articulating their own thinking, while listening and responding to their peers

A) Re-engage students in the historical inquiry

Begin by reminding students of the lesson question and the larger historical context. Do an initial informal assessment of what “big picture” students have walked away with. **Say** to students:

- Before we look at the claims the Cherokee were making, let’s think back to the Context. What was happening to the Cherokee and other tribes at this time?

Turn-and-talk or table group questions:

- What was the U.S. government doing to the Cherokee at this time? How did the government justify its actions?

Prompt groups to look at the Context slides and their notes. Let groups discuss and then share their responses.

B) Support students in comparing big ideas and details across documents

Display the Connect Tab.

Tell students:

- Let’s look across these two documents at the types of claims the Cherokee were making in response to the removal policies.

Connect will display a t-chart labeled “Legal Claim” and “Claim About American Ideals” that displays student notes on the Big Idea questions, and their supporting evidence. You can choose one student’s work to project to guide the discussion, or you can project notes you’ve “starred” while using the Teacher Dashboard to review students’ Big Idea notes.

An example of student work in the t-chart format is shown on the net page. *(Note: Each document argues both types of claims and, depending on the claim and evidence a student chose, could be sorted into either category.)*

CONNECT	
Legal Claim	Claim About American Ideals
<p>Opinion on the Removal of the Cherokee</p> <p>Big Idea:</p> <ul style="list-style-type: none"> Indian Removal policies are illegal because they break treaties that came before them that recognized Cherokee sovereignty. <p>Evidence:</p> <ul style="list-style-type: none"> 16 treaties between the U.S. and Cherokee acknowledged Cherokee rights to their land. 	<p>A Letter from Cherokee Chief John Ross</p> <p>Big Idea:</p> <ul style="list-style-type: none"> Indian removal policies go against American ideals of liberty and justice. <p>Evidence:</p> <ul style="list-style-type: none"> The Cherokee have adopted American values, taught by Washington and Jefferson, and so the U.S. should respect the Cherokees' liberty.

The Connect tab will also display the key discussion questions:

- What claims did the Cherokee Nation make in their argument against Indian removal policies?
- Why did they make these kinds of claims?
- How convincing are these claims to you?

Engage students in the Connect questions.

We recommend that you give students time to discuss these questions with each other in small groups or turn-and-talks before engaging with them as a whole group. Follow-up questions you could **ask** include:

- What were the Cherokee Nation's goals?
- Why do you think legal and moral reasons were central to their arguments?
- What were they up against?
- What was persuasive about their claims?
- Why do you think they were ultimately forced off their land despite their arguments?

This part of the discussion is intended to support students in both synthesizing the documents and reflecting on their larger historical significance.

Give students time to **edit** their responses in *Zoom In* based on class discussion.

C) Support students in articulating their own thinking

Finally, be sure to allow students time to speak with each other about their own thinking. This can happen at any stage of the discussion through turn-and-talks or small group discussion. Questions to support this kind of thinking include:

- What's important here and why?
- What are your thoughts and reactions?
- How is it that a stronger argument can also be a losing argument?

WRITING

[Suggested time: 1–2 sessions]

In this three-paragraph essay, students must describe the claims the Cherokee Nation made to argue against the U.S. government's Indian removal policies. The focal writing skill is for students to cite evidence in support of the claims they describe.

Teacher's Roles During Writing

As students are writing, support them in these key ways according to their needs:

- Circulate and observe students' progress through the template or outline. Take some notes to help you think about mini-lessons in writing you may want to teach to the whole class.
- Conference individually with students on their writing. Support their development through asking probing questions:
 - You seem stuck; where might you find that information?
 - If you don't remember what that quote means, where can you go?
 - Tell me why you introduced that evidence that way? What more do you think the reader might want to know?
 - Can you tell out-loud what the Big Idea is here? OK, how could you put that into writing?
- If you see patterns, pull together small groups of students for mini-lessons, or to review instructions.
- Support students in being peer editors.
- Help students move on to polished writing.

Preparing Students to Write

Tell students that the next stage of the lesson will be their writing. Remind them they will be writing a three-paragraph explanatory essay. The key elements of historical essay writing you will help them with are:

- Describing the historical context
- Citing details from the documents to support their explanation of the authors' claims

Project the Essay Outline View. Use this to review the writing prompt and preview the essay structure with students. Review explicitly each part of the essay and the role it serves in developing an answer to the historical question. Making these elements of the essay explicit for students will help them to develop the skills to construct essays more independently down the road.

Essay Outline View

Prompt: Write a three-paragraph essay that answers the question: How did the Cherokee Nation argue against U.S. Indian removal policies?

Use historical context to describe what the Indian Removal Act was and how the U.S. justified removal policies. Cite details from the primary sources to support your explanation of the claims the Cherokee made to argue against these policies.

Paragraph-by-paragraph guidance: In your essay you must have the following sections:

- **An introduction in which you describe the U.S.’s Indian removal policies**
 - Provide a topic sentence that tells the reader the main subject you will be writing about.
 - Provide historical context on the Indian Removal Act and how the U.S. justified removal policies.
 - Introduce your thesis about Cherokee arguments against removal.
- **A first body paragraph in which you describe one claim about American ideals the Cherokee Nation made to oppose removal policies**
 - Provide a topic sentence that introduces one claim the Cherokee made.
 - Introduce the source you will cite and provide background information about it.
 - Provide evidence from the document that supports the claim.
 - Explain the quote and explain how it connects to the Cherokee claim.
 - Optional: Introduce, provide and explain a second piece of evidence that supports that claim.
- **A second body paragraph in which you describe one legal claim the Cherokee Nation made to oppose removal policies**
 - Provide a topic sentence that introduces a second claim the Cherokee made.
 - Introduce the source you will cite and provide background information about it.
 - Provide evidence from the document that supports the claim.
 - Explain the quote and explain how it connects to the Cherokee claim.
 - Optional: Introduce, provide and explain a second piece of evidence that supports the same claim.

Setting the Level of Writing Support

Using the Teacher Dashboard, you can set the level of students’ writing support. (Note: Do this before they begin drafting their essays, or essay writing will be lost.) *Zoom In* offers two levels of writing support. High Support (the default) gives all students sentence-level tips, optional sentence-starters, and guidance in selecting and using evidence. As students show progress as historical writers – especially in using evidence from documents to support their ideas – teachers can set writing support for individual students to Low Support. The system will provide these students with paragraph-level tips only, meaning students will shape and support their essays substantially on their own.

Preparing Students to Write with Low Supports

If most of your students are writing with Low Supports (meaning with outline only, rather than the detailed Writing Template), you may wish to give them more up-front preparation to write their historical essays. The following outline may help.

Overview

- Let students know that the next stage of the lesson will be their writing.
- Remind them that they will be explaining how the Cherokee argued against removal policies.
- Their final product will be a three-paragraph explanatory essay.

Introduction

- Remember, what is the purpose of your essay? Right, you are going to explain two kinds of claims the Cherokee Nation made to fight against removal.
- What do the various pieces of this essay need to be? [Review the overarching structure of the paragraphs.]
- What's going to go into this introduction?
- How will you start this essay?
- What background information will you need to provide? In order to understand the Cherokee's argument, your reader will need to know about what the Indian Removal Act was and how the U.S. justified its actions. You will need to use information from the Context slides to write about removal policies at this time.
- What is the thesis statement in an essay like this? Right, you have to set up the fact that you are going to be writing about how the Cherokee argued against removal policies.

Body Paragraphs

- OK, now that we have a sense of what needs to go into the introduction, let's think about the two body paragraphs.
- It makes most sense to organize your paragraphs by the sub-topic, in this case, the type of claim. One paragraph will be about legal claims. The other paragraph will be about "American ideals" claims.
- In each paragraph you will need to use details from the documents to support the claims and explain how these details connect to the Cherokee's larger argument.
- Finally, you will end the essay with a concluding idea about the strength of the Cherokee claims and/or the outcome of the argument.

Allow students time to ask questions for clarification before they move on to independent writing.

Sample Student Essay

In 1830 President Andrew Jackson signed the Indian Removal Act into law. This act gave the U.S. government the right to remove American Indians from where they were living and move them to the west. Jackson wanted to get the Cherokee and other tribes out of the southern states where they were living so white people could take that land. Jackson and others in the government claimed that they knew what was best for the American Indians. They thought American Indians were like uncivilized children and that they should be grateful for the opportunity to move west. The Cherokee Nation did not want to be removed from their lands and they made several claims to argue against the U.S. government.

One claim the Cherokee Nation made was that it went against American ideals to remove them from their lands. Chief John Ross, who was the leader of the Cherokee Nation, wrote a letter to the U.S. government in 1836 saying, "Our cause is your own; it is the cause of liberty and of justice; it is based upon your own principles, which we have learned from yourselves; for we have gloried to count your [George] Washington and your [Thomas] Jefferson our great teachers." Ross is saying that forcing the Cherokee to leave their own lands goes against the ideas of freedom and justice that the U.S. supposedly believes in. The Cherokee were saying that they were not savages like many Americans said.

Another claim the Cherokee Nation made was that the U.S. government did not have the legal right to kick them off their land. An article in the Cherokee Phoenix, a newspaper for the Cherokee tribe, said, “The title of the Cherokees to the lands they now occupy, the lands where the ashes of their ancestors sleep, has been acknowledged by this government in no fewer than sixteen separate treaties between the government of the United States and the Cherokee Indians, who are now asserting their rights.” This means that the U.S. had already made treaties saying that the Indians could stay on these lands and that the Cherokee have the right to stay. The Cherokee Nation had a stronger argument than the U.S. government did, but in the end they did not have enough power and they were forced to leave.

Assessing Student Writing with the Essay Rubric

For information on assessing student writing, see these documents:

- “*Zoom In* Essay Rubric” (PDF)
- “Tracking Students' Progress and Assessing Student Work” (PDF)