**Worcester v. Georgia**

**The Background**

Worcester v. Georgia deals with Georgia state laws that were passed in the middle of the 1800s. These laws were passed following an agreement reached between the Cherokee tribe and the state government of Georgia. The laws banned non-Indians from living in Indian territories. Only Non-Native Americans with special permission from the government were allowed to live on these lands.

The case beings when missionary Sam Worcester and his family refused to move from a land that was labeled an “Indian territory.” In addition to refusing to move, the group refused to apply for the government license that would allow them to live on the lands. Because of this refusal, the army entered the Native American lands and arrested Worcester along with the other 6 people. Following his arrest, Worcester appealed his charges and took his case to the Supreme Court.

**The Case Profile**

Worcester v. Georgia began on February 20th of 1832. The case was filed by Worcester who claimed that his family’s forced removal was a violation of his constitutional rights. He believed the state of Georgia over-stepped their boundaries, for they did not maintain jurisdiction to enforce the law within the Native land.

**The Verdict**

Chief Justice John Marshall (the judge who presided over the case) ruled in favor of Mr. Worcester in Worcester v. Georgia. Chief Justice Marshall believed that the state government of Georgia did not have the power to enforce a law within lands that were not within the jurisdiction of the state. The Supreme Court also stated that the interactions between the Native American tribe and the state of Georgia must be considered and approached as international talks.

The Supreme Court of the United States ruled in favor of Worcester because they found the state to have violated his 14th Amendment rights. The 14th Amendment does not allow any government in the United States from blocking a citizen’s right to pursue “life, liberty and happiness.” Furthermore, Worcester v. Georgia also dealt with the due process clause which refers to the government’s obligation to maintain and respect these legal rights. The United States government is thus required to treat all American citizens in a respectful manner. Any attempt to over-step their boundaries will be deemed a violation of the constitution. The case of Worcester v. Georgia is an example of this.

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**Actions leading to the case and Georgia law violated**

**Who filed this suit? Who was the presiding judge? Which court?**

**On what grounds was this suit filed?**

1. **Who won the case?**

**The Supreme Court’s verdict was based on several lines**

**of reason. Which two do you agree LEAST with?**

**Which constitutional Amendment was violated? What might it mean for American citizens if this Amendment did not exist?**