Whose Land, Whose Laws?

Compare Cherokee and settler perspectives in the 1820s

OKH.C.1.6 "Compare cultural perspectives of American Indians and settlers regarding land ownership, social structures (e.g., matrilineal vs. patrilineal), religion, spirituality, and concepts of government."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline Cherokee perspectives and circle related settler perspectives in the passage, then give each matching pair the same number to show what you are comparing.

A Hillside, Two Claims

1 In the 1820s, a Cherokee family and a neighboring white settler might look at the same wooded hillside and see different claims. The Cherokee Nation held its territory collectively, while families used particular fields and homes. A family could improve a farm without treating the nation's land as something an outsider could buy from that family. Many neighboring settlers expected a deed to give an individual owner the right to sell land. Their state governments recognized such deeds, but Cherokee leaders insisted that only the nation could decide the fate of its territory. These competing rules made land deals a source of conflict.

2 Family ties also shaped how people understood property and authority. Among many Cherokee families, clan identity followed the mother, and women held important rights to family homes and fields. In many neighboring settler families, a father's surname marked family descent, and laws gave husbands strong control over married couples' property. Neither pattern describes every person: Cherokee men farmed, and settler women could inherit property. Political authority did not simply follow clan lines, either. In 1827, the Cherokee Nation adopted a written constitution with elected leaders and a national council. Georgia also elected lawmakers, but its leaders asserted state authority over Cherokee territory.

3 Beliefs about the hillside added another layer. Many Cherokee people understood places, plants, and animals through spiritual relationships and responsibilities, not only as resources to own. Many white settlers practiced Christianity and gathered in churches; some believed cultivation and private property showed responsible use of land. Yet these were not two sealed worlds. Some Cherokee people became Christians, and Cherokee households also planted crops and raised livestock. When Georgia pressed its land claims and federal removal policy followed, Cherokee leaders argued that their nation had a right to govern itself. In the 1830s, forced removal carried most Cherokee people to Indian Territory, in present-day Oklahoma.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did Cherokee and settler ideas about who could sell land differ?

2. Compare how family ties shaped property rights in many Cherokee and neighboring settler families.

3. How did the passage describe Cherokee spiritual relationships with places and the religious practices of many white settlers? What detail keeps this from being a strict divide?

4. What was similar about Cherokee and Georgia governments, and where did their claims to authority conflict?

3 YOUR TURN

Your own words

Write a 65 to 90 word museum label for a fence dispute in the late 1820s. Explain how perspectives on land and one other topic from the passage could shape the dispute, and include a detail that complicates a simple “two sides” story.

ANSWER KEY

Whose Land, Whose Laws?

HIGH SCHOOL · OKH.C.1.6

PART 1 · READ AND MARK

Underline Cherokee perspectives and circle related settler perspectives in the passage, then give each matching pair the same number to show what you are comparing. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did Cherokee and settler ideas about who could sell land differ?	**Cherokee leaders held that the nation decided the fate of its territory. Many settlers expected an individual with a deed to have the right to sell land.**
2	Compare how family ties shaped property rights in many Cherokee and neighboring settler families.	**Cherokee clan identity followed the mother, and women held important rights to homes and fields. Settler families often traced descent through the father, while laws gave husbands strong control over married couples' property.**
3	How did the passage describe Cherokee spiritual relationships with places and the religious practices of many white settlers? What detail keeps this from being a strict divide?	**Many Cherokee people saw spiritual relationships and responsibilities connected to places, plants, and animals. Many settlers practiced Christianity and gathered in churches, but some Cherokee people became Christians too.**
4	What was similar about Cherokee and Georgia governments, and where did their claims to authority conflict?	**Both had elected leaders or lawmakers. Georgia's leaders asserted state authority over Cherokee territory, while Cherokee leaders defended their nation's right to govern itself.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

A fence could mark a settler's deeded parcel, but it could not settle who had the right to sell Cherokee national land. A Cherokee family might cultivate fields nearby while insisting that decisions about the nation's territory belonged to Cherokee government. Georgia's elected lawmakers claimed authority there, even though the Cherokee Nation had its own elected leaders and council. This was not a clash between people who farmed and people who did not. Both communities grew crops, but their governments disagreed about whose laws controlled the land.

Accept accurate comparisons in students' own words. For the museum label, look for land, a second topic, and a qualification that avoids treating either group as uniform.