Who Counts?

Tracing citizenship through historical sources

8.H.26 "Using primary and secondary sources, analyze an issue confronting the United States from colonial times through the Reconstruction period."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the citizenship claim in each historical document, then circle one sentence explaining a limit of those documents. Number the two claims in time order so you can compare them.

Citizenship on Paper and in Practice

1. In colonial America, slavery denied many Black people freedom, while even free Black people faced limits on their rights. After independence, states disagreed about whether free Black residents could be citizens. In 1857, the Supreme Court ruled in Dred Scott v. Sandford that people of African descent could not be United States citizens. Chief Justice Roger Taney wrote that they "are not included, and were not intended to be included, under the word 'citizens' in the Constitution." His ruling made citizenship a national issue.

2. The Civil War ended slavery in 1865, but it did not settle who would receive full protection under the law. In 1868, the Fourteenth Amendment became part of the Constitution. Its opening sentence states, "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." The amendment does not name a racial group in this sentence. It also says that states may not deny any person the equal protection of the laws.

3. A historian writing today can use these two documents to trace a change in federal rules about citizenship. But legal words cannot, by themselves, show how people were treated in daily life. During Reconstruction, white supremacist groups threatened and attacked Black voters, even after the Constitution recognized Black citizenship. A voter's letter or a report of an attack could offer details that the court opinion and amendment do not. Looking at each source's purpose and limits helps explain both the legal change and the struggle to make it real.

2 ANSWER WITH EVIDENCE

Use the passage

1. What did Taney's words claim about Black people and the Constitution, and how did that claim support the 1857 ruling?

2. How does the Fourteenth Amendment's citizenship sentence challenge Taney's claim? Use a phrase from each document.

3. Why is the Fourteenth Amendment stronger evidence of the citizenship rule in 1868 than a historian's later explanation?

4. Why can't the court opinion and amendment alone show whether Black citizens could vote safely during Reconstruction? Use a detail from the passage.

3 YOUR TURN

Your own words

Write a four- or five-sentence museum label explaining how federal citizenship rules changed from 1857 to 1868. Use evidence from both historical documents, then identify one question they cannot answer and a different kind of source that could help answer it.

Who Counts?

PART 1 · READ AND MARK

Underline the citizenship claim in each historical document, then circle one sentence explaining a limit of those documents. Number the two claims in time order so you can compare them. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	What did Taney's words claim about Black people and the Constitution, and how did that claim support the 1857 ruling?	**Taney claimed that Black people were not included under the Constitution's word "citizens." That claim supported the ruling that people of African descent could not be United States citizens.**
2	How does the Fourteenth Amendment's citizenship sentence challenge Taney's claim? Use a phrase from each document.	**Taney said Black people were not included under the word "citizens." The amendment declares that "All persons born or naturalized in the United States" who are subject to its jurisdiction are citizens.**
3	Why is the Fourteenth Amendment stronger evidence of the citizenship rule in 1868 than a historian's later explanation?	**The amendment is the rule adopted in 1868, so its own words are direct evidence of what the Constitution said. A historian's explanation is a later account of that rule.**
4	Why can't the court opinion and amendment alone show whether Black citizens could vote safely during Reconstruction? Use a detail from the passage.	**The documents state legal positions, not what happened to individual voters. The passage says white supremacist groups threatened and attacked Black voters.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

In 1857, the Dred Scott ruling said that people of African descent were not included under the Constitution's word "citizens." In 1868, the Fourteenth Amendment declared that people born or naturalized in the United States, and subject to its jurisdiction, are citizens. Together, these documents show a major change in federal law. They cannot tell us what happened when a Black citizen tried to vote, but a voter's letter might describe that experience.

Accept accurate paraphrases of the two documents. For the museum label, look for a clear comparison, a limit of the legal sources, and a relevant additional source.