

CITIZENSHIP
SS.8.CG.2.1 Identify the constitutional provisions for establishing citizenship.

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2023 BENCHMARK UPDATES
<ul style="list-style-type: none"> Updated from SS.8.C.1.1 <ul style="list-style-type: none"> Moved to Standard Two with no changes in language Depth of Knowledge Changes within Benchmark <ul style="list-style-type: none"> No changes Benchmark Clarification Changes <ul style="list-style-type: none"> Benchmark clarifications are an addition to the 2023-2024 middle school civics and government benchmarks. Benchmark clarifications are listed in the lesson summary below. Vocabulary Changes <ul style="list-style-type: none"> No changes

Essential Teacher Content Background Information

[Teacher Content Notes Not Appropriate For Student Use]

This section addresses the following topics:

1. Definition of Citizenship
2. Citizenship in *Dred Scott v. Sandford* (1857)
3. Citizenship in the United States after the 14th Amendment (1868)

1. Definition of Citizenship

A citizen is one who has specific rights and obligations within a political unit such as being a citizen of a country or a state. All countries have their own definitions and expectations of citizenship, although there are several similarities and differences across countries and types of government. For example, it is common for democracies to grant citizenship to all persons born within their jurisdictions although not all democracies have the same procedures for granting naturalization, nor do all democracies grant the same rights to naturalized citizens.

2. Citizenship in *Dred Scott v. Sanford* (1857)

In this ruling, the U.S. Supreme Court stated that enslaved people were not citizens of the United States and, therefore, could not expect any protection from the federal government or the courts. The opinion also stated that Congress had no authority to ban slavery from a federal territory.

3. Citizenship in the United States after the 14th Amendment (1868)

Citizenship in the United States may be achieved through two methods: citizenship by birth and citizenship by naturalization. Citizenship by birth may be achieved through the “jus sanguine”, which translates to “law of blood” or “jus solis”, which translates to “law of soil”. U.S. citizens who become citizens through “law of blood” are those whose biological parents are U.S. citizens, whether by birth or naturalization. Citizenship by “law of soil” is citizenship based on where one is born. A person born in the U.S. (or a location under U.S. control such as a U.S. military base overseas) is a citizen by “law of soil” even if that child’s biological mother is not a U.S. citizen.

Both methods for achieving citizenship are mentioned in the 14th Amendment to the U.S. Constitution. The 14th Amendment was ratified in 1868 and is the first time that citizenship is defined in the U.S. Constitution.

The U.S. Constitution as ratified in 1788 mentions citizenship 13 times although it does not define it. For example, the U.S. Constitution limits office holding only to those who are U.S. citizens and requires that the president be a natural born citizen. The original U.S. Constitution fails to define who is a citizen.

Below is an excerpt of Section 1 of the 14th Amendment:

“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.”

“Aliens” are persons living in the U.S. who are not citizens. Non-citizens include resident aliens, who live legally in the U.S., and illegal immigrants.

A person who is not born a U.S. citizen may become a citizen through the naturalization process. The U.S. Congress has the power to make naturalization laws for the United States.

Lesson Summary

ESSENTIAL QUESTION	
How does the 14th Amendment establish the idea of citizenship?	
BENCHMARK	
SS.8.CG.2.1 Identify the constitutional provisions for establishing citizenship.	
CIVICS EOC REPORTING CATEGORY	
N/A	
OVERVIEW	
In this lesson, students will identify how the 14th Amendment to the U.S. Constitution overturned the Supreme Court's decision in <i>Dred Scott v. Sandford</i> (1857) and established new constitutional provisions for citizenship.	
BENCHMARK CLARIFICATIONS	
<ul style="list-style-type: none"> Students will explain how the 14th Amendment establishes citizenship. 	
BENCHMARK CONTENT LIMITS	
N/A	
CIVICS CONTENT VOCABULARY	
<ul style="list-style-type: none"> 14th Amendment, alien, citizen, <i>Dred Scott v. Sandford</i>, naturalization 	
INSTRUCTIONAL STRATEGIES	
Video as text	Primary source analysis
MATERIALS	
<ul style="list-style-type: none"> Sticky notes or index cards Citizenship and the 14th Amendment activity sheet The Dred Scott Decision With Justice Neil Gorsuch video (external link) 14th Amendment slides 	
B.E.S.T. STANDARDS	
<ul style="list-style-type: none"> ELA.8.V.1.3- Apply knowledge of context clues, figurative language, word relationships, reference materials, and/or background knowledge to determine the connotative and denotative meaning of words and phrases, appropriate to grade level. 	

Suggested Student Activity Sequence & Pace

DAY	ACTIVITY SEQUENCE
DAY 1	<p>Planning Note: Prior to this lesson students should already be familiar with the <i>Dred Scott v. Sandford</i> (1857) Supreme Court decision, as well as have a general sense of the changes that resulted from the Reconstruction Era constitutional amendments (see lesson SS.8.CG.1.2)</p> <ol style="list-style-type: none"> 1. Begin the lesson by passing out the “Citizenship and the 14th Amendment” activity sheet and reviewing with students what they may remember about the <i>Dred Scott v. Sandford</i> (1857) Supreme Court decision. Teacher Note: <i>Dred Scott v. Sandford</i> (1857) is SS.8.A.5.2 in the U.S. History Benchmarks. 2. Have students complete box #1 on the handout: a quick-write to summarize what the <i>Dred Scott</i> case and decision was about. 3. As students write, circulate the classroom to monitor for engagement and understanding. 4. Have students share out some of their responses. Students should add to or revise their own responses based on what their classmates share. Teacher may choose to keep track of responses on the board. 5. Explain to students that today they will learn how the 14th Amendment changed the meaning of citizenship in the United States and therefore overturned the <i>Dred Scott</i> decision. 6. Continue by reviewing the qualifications for citizenship that were established through the <i>Dred Scott</i> case by watching the video “The Dred Scott Decision With Justice Neil Gorsuch” from the National Constitution Center (3 minutes). 7. While watching the video, students should complete box #2 on their graphic organizer: What did the <i>Dred Scott</i> decision say about who could be a citizen and who was excluded? 8. As students write, circulate the classroom to monitor for engagement and understanding. 9. After watching the video, again have students share out some of their responses, with students adding to or revising their own responses based on what their classmates share. 10. Next, project the “14th Amendment” slides. 11. Read the text aloud together as a class, pausing to see if together, you can summarize the text and explain its meaning. Teacher Note: If students are struggling to comprehend the text of this amendment, you could also use the next slide with a more student friendly version. 12. After reading the text, students should complete box #3 on their handout: How did the 14th Amendment (1868) change the definition of citizenship? 13. As students write, circulate the classroom to monitor for engagement and understanding. 14. Again have students share out some of their responses, with students adding to or revising their own responses based on what their classmates share. Teacher Note: Students should be guided to responses that the 14th amendment provides for citizenship through birth (‘law of soil’), born to U.S. citizen parent(s) (‘law of blood’), or naturalization. It also applies to all persons. 15. To end class, have students complete an exit ticket on a sticky note or index card putting into their own words the biggest change to citizenship resulting from the 14th Amendment.

Civics Content Vocabulary

Word/Term	Definition
14th Amendment	an amendment to the U.S. Constitution that defines citizenship, grants citizenship to former slaves, and defines voters as males at least 21 years of age
alien	any person not a citizen of national of a country
citizen	a legal member of a state and/or country
<i>Dred Scott v. Sandford</i>	an 1857 Supreme Court case that decided that slaves who were descendants of American slaves were not citizens of the United States under Article III of the U.S. Constitution
naturalization	the process by which an immigrant becomes a citizen

ADDITIONAL RESOURCES

[Civics 360 Resources](#)

Florida Department of Education's Civic Literacy Reading List

- *Dred Scott v. Sandford* (1857)
- *Words We Live By: Your Annotated Guide to the Constitution*, by Linda R. Monk

ANSWER KEYS

Sample Answers: Citizenship and the 14th Amendment activity sheet

SOURCES

Oyez *Dred Scott v. Sandford* (1857): <https://www.oyez.org/cases/1850-1900/60us393>

U.S. Constitution text: <https://www.archives.gov/founding-docs/constitution>

Dred Scott v. Sandford (1857) from the National Archives:

<https://www.archives.gov/milestone-documents/dred-scott-v-sandford>

"The Dred Scott Decision with Justice Neil Gorsuch" video from the Constitution Center:

<https://constitutioncenter.org/education/videos/the-dred-scott-decision-with-justice-neil-gorsuch>

"Reconstructing Citizenship" <https://nmaahc.si.edu/explore/exhibitions/reconstruction/citizenship>

Kid's Constitution from the Constitutional Sources Project with Civic Ed:

https://www.civiced.org/images/stories/downloads/United_States_Constitution_for_Kids.pdf