

## Citizenship and the 14th Amendment-Sample Answers

### 1. Quick Write: Summarize what you remember about the *Dred Scott v. Sandford* (1857) Supreme Court case and decision.

Dred Scott was a slave whose owner took him to live in a free state.  
He sued, but the Supreme Court ruled that he wasn't entitled to his freedom

Dred Scott was a slave in Missouri. From 1833 to 1843, he resided in Illinois (a free state) and in the Louisiana Territory, where slavery was forbidden by the Missouri Compromise of 1820. After returning to Missouri, Scott filed suit in Missouri court for his freedom, claiming that his residence in free territory made him a free man. After losing, Scott brought a new suit in federal court. Scott's master maintained that no "negro" or descendant of slaves could be a citizen in the sense of Article III of the Constitution. The question before the court was "Was Dred Scott free or a slave?" (Oyez)



### 2. What did the *Dred Scott* decision say about who could be a citizen and who was excluded?

Black people, whether free or slave, were not citizens, but "a separate class of persons".

In a 7-2 decision for Sanford, with the majority opinion written by Justice Roger B. Taney, the court held portions of the Missouri Compromise unconstitutional in violation of the Fifth Amendment, treating Scott as property, not as a person.

The majority held that "a negro, whose ancestors were imported into [the U.S.], and sold as slaves," whether enslaved or free, could not be an American citizen and therefore did not have standing to sue in federal court. Because the Court lacked jurisdiction, Taney dismissed the case on procedural grounds. Taney further held that the Missouri Compromise of 1820 was unconstitutional and foreclose Congress from freeing slaves within Federal territories. The opinion showed deference to the Missouri courts, which held that moving to a free state did not render Scott emancipated. Finally, Taney ruled that slaves were property under the Fifth Amendment, and that any law that would deprive a slave owner of that property was unconstitutional. (Oyez)



### 3. How did the 14th Amendment (1868) change the definition of citizenship?

All people born in and subject to the jurisdiction of the United States are automatically citizens, as well as anyone naturalized