4th Grade Lesson
Who Can Be a Citizen? The Legacy of Reconstruction and United States v. Wong Kim Ark (1898)
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GA Standards

SS4H6 Analyze the effects of Reconstruction on American life.
a. Describe the purpose of the 13th, 14th, and 15th Amendments.

Background Information

Following the devastation of the Civil War, the United States entered the era of Reconstruction, a period dedicated to rebuilding the nation and legally redefining the rights of millions of newly emancipated Black Americans. A cornerstone of this era was the passage of three foundational updates to the Constitution, known collectively as the Reconstruction Amendments:

- 13th Amendment (1865): Formally abolished slavery across the United States.
- 14th Amendment (1868): Granted citizenship to **all persons born or naturalized in the U.S**. and guaranteed them "equal protection of the laws."
- 15th Amendment (1870): Protected the right to vote regardless of race, color, or previous condition of servitude.

While the 14th Amendment was explicitly catalyzed by the need to secure and protect the citizenship of Black Americans, its exact wording would soon become a powerful tool for other marginalized groups fighting institutional exclusion.

In the late 19th century, federal immigration laws explicitly signaled who the nation desired as citizens and who it did not, particularly targeting Asian immigrants through discriminatory laws like the Chinese Exclusion Act of 1882. This landmark legislation completely banned Chinese laborers from entering the United States and prohibited existing Chinese immigrants from ever obtaining U.S. citizenship. It marked the first time in US history that a specific ethnic group was explicitly excluded by federal law based purely on race and nationality.



The landmark case of *United States v. Wong Kim Ark* (1898) directly tested whether the Reconstruction protections applied to non-Black minorities. Wong Kim Ark was born in San Francisco, California, to Chinese immigrant parents. Because he was born on U.S. soil, he was a citizen under the plain text of the **14th Amendment—a principle known as birthright citizenship**. However, upon returning from a family visit to China in 1895, immigration officials detained him at the port, claiming that because his parents were Chinese citizens, he was an alien and could not enter.

Wong resisted this exclusion and sued the government. His case reached the Supreme Court, which ruled 6–2 in his favor. The Court affirmed that the 14th Amendment's protection was territorial, granting citizenship to ***any* individual born on U.S. soil,** regardless of race or their parents' status. This victory proved that the legal legacy of Reconstruction reshaped rights not just for Black Americans, but for all future generations.

The legal framework built during Reconstruction remains an active battleground. Today, the debate centers on how the 14th Amendment applies to the children of undocumented immigrants and temporary visa holders.

This enduring conversation escalated significantly when President Trump signed Executive Order 14160 ("Protecting the Meaning and Value of American Citizenship"), which directed federal agencies to deny citizenship documents to children born on U.S. soil if their parents lack permanent legal status.

Opponents argue that the Reconstruction-era framers never intended to cover individuals outside the formal legal community. Conversely, civil rights advocates point directly to the *Wong Kim Ark* precedent, asserting that the 14th Amendment provides an absolute territorial guarantee that cannot be altered by executive action.

Following multiple lower court injunctions, this debate culminated in the Supreme Court case *Trump v. Barbara*, proving to fourth graders that the promises of Reconstruction are still being negotiated today.

Suggested Teaching Activity

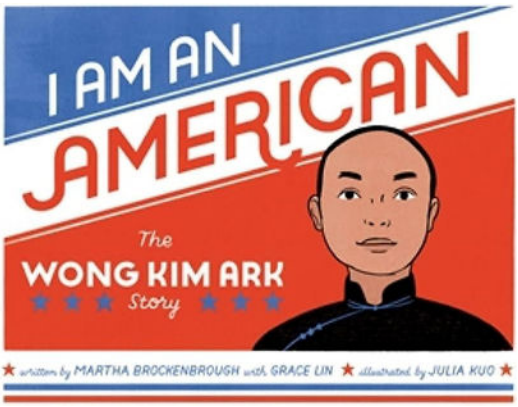
Step 1: The Three Reconstruction Amendments (10 minutes)

Anchor students in the core fourth-grade standard (SS4H6a) before expanding to the case study. To do so:

1. Write the numbers 13th, 14th, and 15th across the top of the board.
2. Review the purpose of each Reconstruction amendment as a class. Write a clear summary phrase beneath each one:
    a. 13th Amendment = Abolished Slavery
    b. 14th Amendment = Defined Citizenship
    c. 15th Amendment = Protected Voting Rights
3. Tell the students: "The 14th Amendment was originally written to protect and guarantee the citizenship of Black Americans after the Civil War. Today, we are going to see how a Chinese American man named Wong Kim Ark used that exact same amendment to protect the rights of millions of other Americans."

Step 2: Critical Read-Aloud & Visual Literacy Analysis (15 minutes)

Read *I am an American: The Wong Kim Ark Story* by Martha Brockenbrough and Grace Lin. After reading, lead class discussion using following questions:



1. When Wong Kim Ark returned home to San Francisco in 1895, why did the immigration officials refuse to let him back into the country? What did they claim about his citizenship?
2. On the page where the text describes how Chinese immigrants were blamed during difficult economic times, the artwork shows a broken window. Why do you think the illustrator chose to draw that? What does it tell us about the safety of Chinese families that the words don't say out loud?
3. The book notes that the lawyers who argued against Wong Kim Ark were untrustworthy. But looking closely at their arguments—that someone's race or where their parents came from makes them less "American"—what is the real root cause of their thinking?
4. Wong Kim Ark used the 14th Amendment to win his case. This amendment was written during Reconstruction to protect newly freed Black Americans. How did Wong's victory prove that this amendment protects *all* people born on U.S. soil, not just one group?

Activity 3: Turning to the 14th Amendment & Defining Birthright Citizenship (10 minutes)

Map out the Supreme Court's decision and define birthright citizenship. To do so:

1. Explain that in 1895, Wong Kim Ark was blocked from entering his own country and chose to fight back using the court system.
2. Explain that the Supreme Court looked directly at the 14th Amendment. In 1898, they ruled that "born in the United States" meant everyone born on the soil.
3. Introduce the term Birthright Citizenship. Have the class write down a fourth-grade definition: If you are born on U.S. soil, you are automatically a citizen. No exceptions for your race or where your parents are from.

Extension: Past Meets Present (15 minutes)

Bridge the 14th Amendment's historical application with the modern *Trump v. Barbara* debate. To do so:

1. Bring the history into the present: "Even though Wong Kim Ark won his case over 125 years ago, leaders today are still arguing over who gets to use the 14th Amendment. Right now, in the case Trump v. Barbara, the Supreme Court is deciding if children born in the U.S. should still get birthright citizenship if their parents do not have legal permission to live here."

2. Present two simplified viewpoints to the class on chart paper:

- Viewpoint 1: The 14th Amendment was only meant for people who immigrated legally or were freed from slavery. It shouldn't apply to families without legal paperwork.
- Viewpoint 2: The 14th Amendment and Wong Kim Ark made the rule clear: the soil decides. If you are born here, you are an American equal to everyone else.

3. Have students engage in a Think-Pair-Share: How is this modern debate a continuation of the Reconstruction story we learned about? Why does an amendment written in 1868 still matter to kids born today?

Exit Ticket Assessment (5 minutes)

- Exit Ticket Prompts:
    1. What is the main purpose of the 14th Amendment?
    2. How did Wong Kim Ark use the 14th Amendment to help himself and other Americans?
    3. Why is the 14th Amendment still a major topic in the news today?

Images Used:

1. Wong Kim Ark, in a photograph taken from a 1904 U.S. immigration document. Public domain via Wikimedia commons.
2. Brockenbrough, Martha and Grace Lin. I am an American: the Wong Kim Ark Story. New York: Little, Brown Brown Books for Young Readers, 2021.