

The Dred Scott Decision

Summarize Dred Scott's argument in court, why did he feel that he should be free?

Summarize the Supreme Court ruling, why did a judge rule that he was still a slave?

This case proved to be EXTREMELY damaging to the US! Explain why you think this was true.

Do you think the tense situation in the US would have been eased if the Supreme Court had decided in favor of Dred Scott? Explain your ideas.

The Dred Scott Decision

Dred Scott was the name of an African-American slave. He was taken by his master, an officer in the U.S. Army, from the slave state of Missouri to the free state of Illinois and then to the free territory of Wisconsin. He lived on free soil for a long period of time.

When the Army ordered his master to go back to Missouri, he took Scott with him back to that slave state, where his master died. In 1846, Scott was helped by Abolitionist (anti-slavery) lawyers to sue for his freedom in court, claiming he should be free since he had lived on free soil for a long time. The case went all the way to the United States Supreme Court. The Chief Justice of the Supreme Court, Roger B. Taney, was a former slave owner from Maryland.

In March of 1857, Scott lost the decision as seven out of nine Justices on the Supreme Court declared no slave or descendant of a slave could be a U.S. citizen, or ever had been a U.S. citizen. As a non-citizen, the court stated, Scott had no rights and could not sue in a Federal Court and must remain a slave.

At that time there were nearly 4 million slaves in America. The court's ruling affected the status of every enslaved and free African-American in the United States. The ruling served to turn back the clock concerning the rights of African-Americans, ignoring the fact that black men in five of the original States had been full voting citizens dating back to the Declaration of Independence in 1776.

The Supreme Court also ruled that Congress could not stop slavery in the newly emerging territories and declared the Missouri Compromise of 1820 to be unconstitutional. The Missouri Compromise prohibited slavery north of the parallel 36°30' in the Louisiana Purchase. The Court declared it violated the Fifth Amendment of the Constitution which prohibits Congress from depriving persons of their property without due process of law.

Anti-slavery leaders in the North cited the controversial Supreme Court decision as evidence that Southerners wanted to extend slavery throughout the nation and ultimately rule the nation itself. Southerners approved the Dred Scott decision believing Congress had no right to prohibit slavery in the territories. Abraham Lincoln reacted with disgust to the ruling and was spurred into political action, publicly speaking out against it.

Overall, the Dred Scott decision had the effect of widening the political and social gap between North and South and took the nation closer to the brink of Civil War.