

**Dred Scott v. Sandford**

name:

The Causes of the Civil War

Unit 1

## Dred Scott v. Sandford (1857)

### A Monumental Move

Dred Scott was born enslaved in Virginia in 1799. In 1833, he was purchased by Dr. John Emerson, an army surgeon, living in Missouri. At the time, the U.S. was divided into **free states** (where slavery was outlawed) and **slave states** (where slavery was allowed). The **Missouri Compromise of 1820** made Missouri a slave state. But it also outlawed slavery in any territory north of it.

In 1833, Dr. Emerson was assigned to a fort in Illinois, and later, a fort in the Wisconsin Territory. He took Dred Scott with him. They lived in these areas for years. Even though slavery was outlawed in both places, Emerson never freed Scott. Eventually, Scott was sent back to Missouri to live with Emerson's wife, Eliza Sanford\*. After the doctor died in 1843, Scott tried to buy his freedom. Sanford refused. With the support of his church, abolitionists, and friends, Scott sued to get it. His case ended up going all the way to the Supreme Court.



The map shows the division of free states and slave states. The Missouri Compromise said all territory above the red line, except for Missouri, would outlaw slavery.

#### ? ISSUE

Having lived in free territory, was Dred Scott now a free man?

#### DECISION

No. Scott was enslaved. Enslaved and free Black people are not citizens and do not have a right to sue.

### The Arguments

Scott sued using two Missouri laws. One said any person held in wrongful enslavement could sue for their freedom. The other stated any person taken to a free territory was automatically free, and could not be re-enslaved. Sanford argued that the Missouri laws applied only to someone moving to free areas by choice. Dr. Emerson was ordered by the army to move to his posts. Sanford also said that military authority was greater than the states'. And since they lived on military bases, Emerson did not have to follow state or territory laws.

### The Decision

In a 7-2 decision, the Court ruled that Dred Scott was not free. Chief Justice Roger Taney stated that all people of African descent, free or enslaved, were not U.S. citizens. They did not have rights, like the power to vote or sue in court, so Scott's case was invalid. But Taney did not stop there. He added that, because enslaved people were property, the Fifth Amendment protected the rights of enslavers. The Fifth Amendment says the government can't take someone's property without going through the courts or paying for it. Laws that banned slavery, like the Missouri Compromise, were unconstitutional. No level of government, Taney said, state or federal, could outlaw slavery.

### So What?

This case raised critical questions regarding the future of slavery in the United States. Southern enslavers were overjoyed by the decision. Northern abolitionists were outraged. The case increased tensions between them and served as a stepping-stone to the Civil War. It would take four years of war and the adoption of the 13th, 14th, and 15th Amendments to overturn the Scott decision. Its impact on American society would last longer.



Dred Scott lost the case, but he did become a free man in 1857 when his former owner's family purchased his freedom. Sadly, Scott died nine months later from tuberculosis.

---

1) Analyze: What impact did the Dred Scott decision have on the Missouri Compromise?

---

2) What effect do you think the Court's decision in the Dred Scott case had on the efforts of many Americans to end slavery?

---

3) What did the Court say about enslaved African Americans' position in the United States?

<p>4) What was the Supreme Court's ruling regarding Dred Scott's status as a citizen?</p> <p>A) The Court ruled that Dred Scott was a citizen of the United States.</p> <p>B) The Court ruled that Dred Scott was a citizen of Missouri.</p> <p>C) The Court ruled that Dred Scott was not a citizen and therefore could not sue.</p> <p>D) The Court ruled that Dred Scott was a citizen but could not sue due to his status as a slave.</p>	<p>Explain why you chose your answer.</p>
<p>5) What was the impact of the Dred Scott decision on the status of slavery in the territories of the United States?</p> <p>A) The decision allowed for the expansion of slavery into all territories.</p> <p>B) The decision prohibited slavery in all U.S. territories.</p> <p>C) The decision left the status of slavery in the territories unchanged.</p> <p>D) The decision was inconclusive on the issue of slavery in the territories.</p>	<p>Explain why you chose your answer.</p>
<p>6) What did the Dred Scott decision say about Congress's power over slavery in the territories?</p> <p>A) Congress could prohibit slavery</p> <p>B) Congress had no power to prohibit slavery in the territories</p> <p>C) Congress must allow all new states to choose for themselves</p> <p>D) Congress could impose slavery in all territories</p>	<p>Explain why you chose your answer.</p>
<p>7) What was the broader impact of the Dred Scott decision on the United States?</p> <p>A) It ended slavery</p> <p>B) It intensified national divisions over slavery</p> <p>C) It resolved the debate over slavery</p> <p>D) It led to the Emancipation Proclamation</p>	<p>Explain why you chose your answer.</p>