

Dred Scott Decision

Bonnie L. Lukes

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Northwest Ordinance and the Wisconsin Enabling Act By 1840 Dred Scott had married another slave of Emerson's named Harriet and the couple had a child Desperate to shake off the yoke of slavery but unable to buy his family s freedom Scott sued for his freedom in Missouri arguing that once he had entered free territory he could no longer be a slave Scott's case made its way through the court system and when the Missouri Supreme Court struck down a lower court ruling in Scott s favor Scott and his lawyers appealed to the United States Supreme Court What followed was the 19th century s most important and far reaching case In Dred Scott v Sandford 1857 the Supreme Court ruled 7 2 against Scott and Chief Justice Roger Taney wrote what is widely considered the most notorious opinion in American jurisprudence The Court held that it lacked jurisdiction to hear the case because slaves and their descendants were not and could not be citizens of the United States because the Constitution never intended for them to be citizens Thus Scott had no standing to bring a case in court to begin with Since every black person in the country had presumably come as a result of the slave trade or was the descendant of a slave the Court essentially ruled that blacks could not be American citizens Additionally the Court opined that Congress could not prohibit slavery in federal territories had no authority to prohibit slavery in federal territories Taney hoped the case would help settle the growing political tension over the issue of slavery but it had the opposite effect of becoming a springboard for Republicans and Abraham Lincoln Though Scott and his family were set free just months after the case he would die less than two years after being part of one of America's seminal cases American Legends The Life of Dred Scott and the Dred Scott Decision looks at the life of one of the most famous slaves in American history and the plaintiff in one of its most famous cases but it also humanizes the man whose yearning for freedom shaped the destiny of a nation Along with pictures of important people places and events you will learn about Dred Scott and the Dred Scott Decision like you never have before Origins of the Dred Scott Case Austin Allen, 2010-01-25 The Supreme Court's 1857 Dred Scott decision denied citizenship to African Americans and enabled slavery s westward expansion It has long stood as a grievous instance of justice perverted by sectional politics Austin Allen finds that the outcome of Dred Scott hinged not on a single issue slavery but on a web of assumptions agendas and commitments held collectively and individually by Chief Justice Roger B Taney and his colleagues Allen carefully tracks arguments made by Taney Court justices in more than 1 600 reported cases in the two decades prior to Dred Scott and in its immediate aftermath By showing us the political professional ideological and institutional contexts in which the Taney Court worked Allen reveals that Dred Scott was not simply a victory for the Court s prosouthern faction It was instead an outgrowth of Jacksonian jurisprudence an intellectual system that charged the Court with protecting slavery preserving both federal power and state sovereignty promoting economic development and securing the legal foundations of an emerging corporate order all at the same time Here is a wealth of new insight into the internal dynamics of the Taney Court and the origins of its most infamous decision Slavery, Law, and Politics Don E. Fehrenbacher, 1981-04-30 This is an abridgement of the Pulitzer Prize winning The Dred Scott Case making Fehrenbacher's

monumental work available to a wider audience Although it condenses the original by half all the chapters and major themes of the larger work have been retained providing a masterful review of the issues before America on the eve of the Civil War

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