

Dred Scott v. Sanford, 1857

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Grade level: 11th grade

Subject/Course: United States History and the Constitution

Time/Duration: One class period

Overview: In the decision of *Dred Scott v. Sanford*, 1857, the court held that slaves were property and not citizens. With this ruling, the Supreme Court justified the right of slave owners to their property regardless of where they took their slaves; therefore, Congress could make no law restricting the expansion of slavery. Although this ruling narrowly applied to the territories, it led Northerners to fear that the Supreme Court, dominated by southern Democrats, might rule state laws against slavery unconstitutional, and so the democratic process of popular sovereignty would not be effective in restricting the spread of slavery. Compromise became impossible (SC Social Studies Standards Essential Knowledge).

This lesson will provide students with the information needed to understand the background, ruling, and impact of the case.

Standards USHC-3.1: Evaluate the relative importance of political events and issues that divided the nation and led to civil war, including the compromises reached to maintain the balance of free and slave states, the abolitionist movement, the Dred Scott case, conflicting views on states' rights and federal authority, the emergence of the Republican Party and the formation of the Confederate States of America.

Objectives:

- The student will be able to summarize the background of the Dred Scott case and the ruling of the Court.
- The student will be able to evaluate the impact of the Dred Scott decision in the context of other events and issues which led to the American Civil War.
- The student will be able to contrast the views of those in southern states with those in northern states on the ruling of the Court.

Materials:

- Varied, depending on instructional method use
- Handout: "Dred Scott Editorial"
- Handout: "Editorial Rubric"

Instruction: Through presentation method of his or her choosing (power point, lecture, web quest, reading assignment, use of primary documents), the teacher will review the content previously taught on the issues and events leading up to the American Civil War to the point of 1857, concentrating on the issue and controversies

regarding the extension of slavery in the territories. Then he or she will give the background of the Dred Scott case and explain the Court's opinion and the legal ramifications of the ruling in regard to the extension of slavery. The teacher will ask the students to consider the ruling from the point of view of both northerners and southerners at the time, and there will be class discussion on this topic. Then students will be given the handout "Dred Scott Editorial" and instructed on how to complete the assignment.

Lesson Content Main Ideas:

- Dred Scott was a slave from Missouri. He had lived for four years with his owner north of the Missouri Compromise Line. When they returned from Missouri and his owner died, Scott sued for his freedom, saying he had become a free person by living in a free territory.
- The Supreme Court ruled in *Scott v. Sanford* in 1857 that slaves did not have rights as citizens; they were property. Furthermore, the Missouri Compromise was unconstitutional, and Congress could not pass laws forbidding slavery in any part of the territories, because that would interfere with a slave-owner's right to own property, a right protected by the Fifth Amendment.
- Southerners cheered the ruling, while Northerners were stunned. By striking down the Missouri Compromise, this meant that slavery could be extended with no obstacles.

Links:

www.loc.gov/rr/program/bib/ourdocs/DredScott.html

www.Digital.wustl.edu/d/dre/index.html

www.streetlaw.org/en/landmark/cases/dred_scott_v_sanford#Tab=Background

Activity: "Dred Scott Editorial" assignment. Teacher may differentiate assignment requirements by ability level of class (number of vocabulary words, which must be used, length requirement, amount of time given for assignment completion, etc.)
(See handout)

Assessment/Evaluation: Editorial Rubric (See handout)

-----Dred Scott Editorial -----

DIRECTIONS: Use the vocabulary listed to write an editorial on the Supreme Court's Decision in the *Scott v. Sanford* case. Your editorial should be written from the point of view of either an abolitionist or a slave owner at the time of the ruling.

- Missouri Compromise
- Kansas-Nebraska Act
- Popular Sovereignty
- Fifth Amendment
- Supreme Court of the United States
- Abolition
- Citizenship
- Free States/Territories
- Slave States/Territories
- Dred Scott Ruling
- Impact of Dred Scott case

Editorial Writing Rubric

Criteria	Great Work 4	Good Work 3	Needs Work 2	Poor Work 1
<p>Accuracy</p> <p>How correct is the information? Does the writing properly use the vocabulary?</p>				
<p>Perspective</p> <p>How effectively did the writer stay in the assigned role? How effectively did the writer convey a point of view?</p>				
<p>Focus</p> <p>How effectively does the writer maintain the assigned format? How effectively does the writer support the topic with details and examples?</p>				
<p>Meets Criteria of Assignment</p> <p>(differentiated by ability level)</p>				
<p>Mechanics</p> <p>To what degree is the writing free of mechanical and grammatical errors?</p>				
<p>Comments:</p> 				
<p>Total Points on this assignment</p>				