



Dred Scott v. Sandford

Supreme Court Case Summary

Petitioner

Dred Scott

Docket No.

None

Argued

February 11-18, 1856

Respondent

John F. A. Sanford

Citation

60 US 393 (1857)

Decided

Mar 6, 1857

Facts of the Case

Dred Scott was a slave in Missouri. From 1833 to 1843, he resided in Illinois (a free state) and in the Louisiana Territory, where slavery was forbidden by the Missouri Compromise of 1820. After returning to Missouri, Scott filed suit in Missouri court for his freedom, claiming that his residence in free territory made him a free man. After losing, Scott brought a new suit in federal court. Scott's master maintained that no “negro” or descendant of slaves could be a citizen in the sense of Article III of the Constitution.

Question

Was Dred Scott free or a slave?

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"Dred Scott v. Sandford." Oyez. Accessed August 24, 2023. <https://www.oyez.org/cases/1850-1900/60us393>.



Conclusion



Justices ordered
by seniority,
from left to right.

7-2 Decision for Sanford • Majority Opinion by Roger B. Taney

The majority held that “a negro, whose ancestors were imported into [the U.S.], and sold as slaves,” whether enslaved or free, could not be an American citizen and therefore did not have standing to sue in federal court. Because the Court lacked jurisdiction, Taney dismissed the case on procedural grounds.

Taney further held that the Missouri Compromise of 1820 was unconstitutional and foreclose Congress from freeing slaves within Federal territories. The opinion showed deference to the Missouri courts, which held that moving to a free state did not render Scott emancipated. Finally, Taney ruled that slaves were property under the Fifth Amendment, and that any law that would deprive a slave owner of that property was unconstitutional.

In dissent, Benjamin Robbins Curtis criticized Taney for addressing the claim’s substance after finding the Court lacked jurisdiction. He pointed out that invalidating the Missouri Compromise was not necessary to resolve the case, and cast doubt on Taney’s position that the Founders categorically opposed anti-slavery laws.

John McLean echoed Curtis, finding the majority improperly reviewed the claim’s substance when its holding should have been limited to procedure. He also argued that men of African descent could be citizens because they already had the right to vote in five states.