

## The Dred Scott Decision

Not every significant event in the timeline of black history is a victory. In fact, many of the huge setbacks for African Americans in this country were the result of some very bad events that hurt the cause of civil liberties for Blacks for a long time. Such is the case in the infamous Dred Scott Decision.

It is important to get the context of why the Dred Scott case is so significant and to understand the facts of the case so we can be truly informed citizens. Dred Scott was a slave during that dark time in our history when slavery was legal. But the difference was that his owner took Dred Scott with him in a move to Wisconsin which was a free state where Scott lived in that legal status for many years. The movement on behalf of Dred's owner was because of military orders.

None of this was itself unusual until the master was again relocated to Missouri, a slave state and then the master passed away. The result was that Dred Scott's legal status was in question because he had spent so many years so recently as a resident of a free state. Abolitionists and others opposing slavery rallied to Dred Scott's defense and the case went all the way to the Supreme Court.

It was at the Supreme Court level that the decision was handed down that inflamed the divide between North and South in this country. The court decided that because of Scott's slave status, he was never and could never be a citizen of the United States and therefore had no standing in the eyes of the law. Hence he was trapped in his slave status despite his most recent residency.

This was a huge slap in the face to every free state in the union because it essentially nullified their status as a free state entirely. The court went on to make some truly astounding rulings related to the Dred Scott Case dictating that that Congress had no authority to keep slavery from coming about in new territories or states coming into the union and even declaring The Missouri Compromise which set in place the border between North and South to be unconstitutional.

This case set off such a wave of social and political repercussions that it could be considered to be a powder keg that set off the Civil War leading to the defeat of the south and the fall of slavery in America forever. Abraham Lincoln vehemently opposed the Dred Scott decision and spoke passionately against it only deepening the divide and the inevitability of war in America.

The lessons of the Dred Scott Case are many. For one thing it showed that even

our revered Supreme Court which we count on for ultimate wisdom in all things ethical and legal, can be flawed in their judgment. No Supreme Court justice today would deny that these decisions were deeply flawed and failed to recognize the ultimate immorality of slavery or the fundamental denial of human rights to slaves that was guaranteed by our constitution.

But looking at the Dred Scott case in context, one wonders if it took such a dramatically upsetting ruling to put the wheels in motion to finally bring change to this country. There is no question that the Civil War was a bloody and horrible part of our national past. But the outcome of ending slavery forever was a fundamental need for this free society to continue to grow. Dred Scott had its place in that drama and in a strange way, we can be grateful it happened because of the outcome. It is very sad to see that it takes something so awful to make good come. But that was true in pre-Civil War days and, sadly, it is still true today.

PPPPP 644