

11th Grade: Informational Writing
Writing Prompt: Dred Scott

In the past America has a great history, but on the other hand there's some stuff that really could've have been questioned about the choices we've made in the past for example the "Dred Scott" case back in the 1800's. Dred Scott was a Slave and yet lived in a free state. African Americans were completely angered on why this was happening. The 13th and 14th amendment to the constitution is allowing the black slaves more rights in their lives.

Slaves deserve their rights they have the right to live as they please with a few exceptions of course such as laws. The law states all men are treated equal and that's probably one of the most important rule because it controls the amount of power one human being can have. It doesn't limit your expectations it is just saying that the person sitting next to you has the same rights given to them because they breath and are a citizen of the united states

We should be careful on what decisions we make in our lives such as wanting to become a great American citizen and I'm sure these African American people wanted that for themselves just as much as the freemen. In the case that Dred Scott had he was backed up by a lot of citizens who have the right to protest peacefully but in some cases they did not they were crazy and violent.

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On March 6, 1857, the United States Supreme Court issued a decision for the Dred Scott v. Sanford case. This decision defined the right of slave owners to take their slaves into the Western territories. (Remembering Dred Scott). This decision however showed a controversial and significant part in the history of the United States in terms of justice. The origin of this case was in 1846- Dred Scott and his wife Harriet (both born into slavery) sued for their freedom, and that of their daughters, who were born in free states. The Scotts however lived in Missouri, where slavery was legal. The reason they felt they could sue for their freedom was because their perspective owner (an army doctor) had spent time in Illinois and Wisconsin- both free territories. (Remembering Dred Scott) Their justification was followed by the Missouri Law This law stated that slaves who were taken to free areas had the right to be freed. This unfair decision was soon nullified by the 13th and 14th amendments ratified in 1865 and 1866.

The 13th amendment strictly nullified this decision with its content. This amendment states the prohibition of slavery, except for the mere purpose of punishment. The court's reasoning clarified that Congress could not ban slavery in new territories; Judge Taney's claim was also contradicted by this amendment- Congress does have the right to prohibit slavery. When this amendment was ratified it showed the controversy created with the Dred Scott v. Sanford case. (Remembering Dred Scott)

The court's reasoning also included the rejection of black citizenship. Judge Taney claimed that "It is clear that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this declaration." Not only was he contradicting the declaration's famous quote- "All men are created equal." He was also showing racism in his words. (Remembering Dred Scott). The 14th amendment however nullified this reasoning strictly as well. This amendment states that any person naturally born in the US is officially a citizen of the United States. This case showed that Judge Taney based his conclusions on weak reasoning and racist appeals. It's also used as an example for today's laws.

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The Dred Scott decision is widely considered to be one of the worst decisions made by the supreme court. The Dred Scott decision was the decision to deny any slaves or decedents of slaves the right to ever become citizens of The United States of America. This decision is would not go without a fight as it was a major reason for the Civil War itself. In due time the decision would be overruled and two new important things would take its place, namely the 13th and 14th amendments. These amendments would do the complete opposite of what the Dred Scott decision would, it would help the blacks and overall help us as a country.

The 13th Amendment was ratified in the December of 1865, this amendment is famous because it was the actual declaration that slavery was done for in The United States of America, this amendment would abolish slavery and prohibit "any involuntary servitude" which meant slavery. This amendment would be the downfall of the Dred Scott decision, modernly the Dred Scott decision is seen as the worst decision ever made by The United States, the current Maryland court of Appeals chief judge Mr. Robert bell said the ruling "was based on weak reasoning" and the only way to get rid of the distress was to abolish slavery itself.

The 14th amendment was Ratified in July of 1868 and it declared that all people born or naturalized in the U.S.A were considered U.S citizen and therefore are protected by the same laws as anyone else and it prohibited laws that could potentially favor people of color or people not of color. Even though this amendment was made to overturn the Dred Scott decision it really didn't do anything in terms of civil right for blacks until Martin Luther King Jr. would eventually bring it to the attention of America that we should have equal rights.

Why was the Dred Scott decision even made? Well according to the current Maryland Court of Appeals chief judge, the Dred Scott decision was made on "weak reasoning" and didn't carry the American values that all people are created equal. The decision is widely considered to be the worst decision ever made because it gave a judicial verdict to a growing political problem. It is also considered to be bad because the judge overlooked many of the constitutional rights that people of color had because he personally didn't think that people of color were citizens of the United States of America even if they were legal citizens of a state, this added fuel to the flame because it brought personal opinion into a court room which should never be the case.

In conclusion the Dred Scott decision was the worst decision ever made by the supreme court because it denied colored people rights and it denied any people of color from even being citizens however, the 13th and 14th amendments did in fact nullify the Dred Scott decision because it granted rights to blacks and granted all people naturalized or born in the United States of America the same rights and protections under law.

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The Dred Scott case in 1857, might have been the most controversial case to ever be laid on the desk of any supreme court judge. The decisions made in court, on that day, would forever impact the Civil War and what our country is based upon. The case is still known to be a series of unanswered questions and difficult events of ethics.

Amendment 14 details how a person can't be deprived of life, liberty or law without the due process of the law. The Dred Scott case was not fairly judged by a true and just judge and that was clearly depicted in the second to last passage on Chief Justice Taney. He used nothing but weak reasoning and maybe a little racism and immoral actions to depict his ruling that cause serious rage in America at the time.

Amendment 13 clearly and definitely outlines slavery being abolished in the United States of America. This ruling by the supreme court most definitely invalidates the 13th Amendment by allowing a long withholding case of slavery to be continued and ultimately ruled in opposite favor. I could see how abolitionists could be very aggravated by this response because of how all men are created equal. Taney includes how the constitution was not meant to include colored people and that is such an immoral thing to say.

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The Dred Scott decision had a large impact in American history. Some of the ideas and rulings that were brought about through this case were controversial and effected the people in many ways. The Supreme Court Chief Justice Roger Brooke Taney ruled that Congress could not ban slavery in new territories. It also decided that slaves and Africans were not to be considered United States citizens and as such they could not expect any legal protection from the government. These ideas, along with a few others, served to further infuriate abolitionists. Many historians feel that the Dred Scott decision, "would become a major catalyst for the Civil War (Remembering Dred Scott)." These seemingly unethical rulings would later be completely negated by the 13th and 14th Amendments.

In an article titled, "Remembering Dred Scott," the author mentions that, "The Dred Scott decision [states] that Congress never had the authority to prohibit slavery in the first place." This was one of the main arguments Supreme Court Chief Justice Roger Brooke Taney used to support his and the Supreme Court's argument. This ruling was made because Taney along with his supporters felt that the Missouri Compromise was unconstitutional because it prohibited slavery in specific areas. It is understandable that they felt Congress lacked the power at this time to make rulings like that, but at the same time, because they favored slavery it is difficult to say that their intentions were purely selfless. Later, the 13th and 14th Amendments would declare that "Neither slavery nor involuntary servitude... shall exist within the United States, or any place subject to their jurisdiction," and, "Congress shall have power to enforce this article by appropriate legislation." This definitely contrasts the Dred Scott ruling as it gives Congress the power to prohibit slavery in the United States and the territories.

The Dred Scott ruling also declared that, "Slaves were not citizens of the United States. Therefore... slaves could not expect any legal protection from the federal government." This is a pretty major conclusion based off of very little logical evidence. Taney argued that Africans were not kept in mind when our founding fathers penned the phrase, "all men are created equal," and thus should not be protected by our government. In contrast, the 14th Amendment states that, "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside... [No State can] deny to any person within its jurisdiction the equal protection of the laws." This not only declares that slaves and Africans can obtain citizenship in the United States, but they are also entitled to protection from the government. The Amendment also states that no State can, "deprive any person of life, liberty, or property." The Dred Scott decision was overturned and negated by the 13th and 14th Amendments and our country has benefitted.