**Case # 3: Dred Scott v. Sandford 1846**

One of the most famous court cases in US history, began in the 1840’s, when then slave, Dred Scott and his family decide to sue the state of Missouri in the hopes that he would become free. Since Dred Scott had moved around the US and had lived both slave and Free States, he argued that was free. This was especially so since his master had died. However, the court ruled against him. By the time the case made it all the way to the US Supreme Court, the court argued that since the United States Congress had no authority to say which states in the United States were Free States and which states were Slave states, any such law now in force, was unconstitutional. Similarly, since it was the opinion of the court that the original intent of the constitution was not to consider African Americans as citizens, then Mr. Scott had no right to sue the State of Missouri (a slave state).

The decision in this case rose tensions between the northern Free states and the southern Slave states which eventually lead to the Civil War. Once the Civil War had ended in 1865, the US Congress passed the 14th Amendment to the Constitution:

“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 shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

1. **What are the rights that are guaranteed by the 14th Amendment to the United States Constitution?**
2. **How does the original ruling in the Dred Scott v. Sandford case, violate the 14th Amendment to the Constitution?**

**Case # 4:** [**Plessy v. Ferguson**](https://www.oyez.org/cases/1850-1900/163us537)**(18 May 1896)** ―

The Louisiana legislature had passed a law requiring black and white residents to ride separate, but equal, train cars. In 1892, Louisiana police arrested Homer Adolph Plessy—who was seven-eighths Caucasian—for taking his seat on a train car reserved for “whites only” because he refused to move to a separate train car reserved for blacks. Plessy argued that the Louisiana statute violated the 13th and 14th Amendments by treating black Americans inferior to whites. Plessy lost in every court in Louisiana before appealing to the Supreme Court in 1896. In a 7-1 decision, the Court held that as long as the facilities were equal, their separation satisfied the 14th Amendment. Justice John Marshall Harlan authored the lone dissent. Passionately he clarified that the Constitution was color-blind, railing the majority for an opinion which he believed would match Dred Scott in it’s (lack of regard for Plessy as a citizen who is just as much a citizen as anyone else and who only lost the case because he was of African American decent) –last part of the case was added for clarity of understanding.

1. How does this case violate the 14th Amendment of the United States?
2. The United States Supreme Court argued that the Louisiana law did not violate the 14th Amendment because the train cars that were designated for blacks, were of “equal quality”. “Is there anything wrong with this statement?” If so what is wrong?
3. Years later, the United States Supreme Court would overturn the decision of *Plessey v. Ferguson* by saying that having separate but “equal facilities” in terms of train cars, was not constitutional. The reason they gave was that the original intent of the law was to segregate blacks from whites. This meant that black citizens were treated as lesser citizens than whites in this case. Do you agree with this statement, and if so, explain why the new ruling upholds the 14th Amendment?