Discussion Guide

Directions: Discuss the following questions with your partner(s).

1. Why was the United States in a combustible situation in 1857?

2. What was Roger Taney's position regarding slavery and the rights of blacks, and how did his position change over time in the years prior to his appointment to the Supreme Court? Why do you think his position regarding the slavery controversy changed so much from justice to injustice?

3. Once he was appointed to the Supreme Court, where did Taney's sympathies lie? Did he act for justice or some other purpose?

4. Based on the information available in the narrative, what arguments would you have made for Dred Scott's freedom if you had been his attorney? What arguments would you have made against his freedom if you had been the attorney for the opposing side?

5. What was Taney's hope regarding the Supreme Court's decision in the Dred Scott case?

6. What were the most important elements of the Dred Scott majority opinion written by Chief Justice Taney? Did they support the ideal of justice? Did Taney's opinion promote a healthy constitutional republic and civil virtue?

7. Chief Justice Taney hoped that his opinion in Dred Scott's case would be the solution to the nation's slavery controversies. Why was this not the case?

8. How was President Lincoln's approach to the slavery controversy different from that of Taney? How did Lincoln support the natural rights ideals of a constitutional republic and support the ideal of civic virtue?

9. How did Justice Benjamin Curtis's dissent contradict Chief Justice Taney's reasoning?