

Overturing *Dred Scott v. Sandford*: African American Citizenship in the Antebellum City
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What was citizenship for African Americans in the United States of the 1850s? One answer comes out the era's most notorious of U.S. Supreme Court decisions, *Dred Scott v. Sandford*. That high court ruling declared all Americans of African descent to be non-U.S. citizens, without standing in federal courts and divorced from the nation's body politic. What if we sought to investigate this question starting at the local courthouse rather than the appellate bench? What did citizenship look like – how was it claimed, performed, inhabited, and enforced – in the local courthouses? When we examine black Americans' routine appearances in antebellum courthouses we learn how routine claims – not unlike standing in federal court – were constitutive elements of citizenship's bundle of rights. Contrary to Taney's infamous declaration, black people possess rights that white persons were bound to respect.

This paper examines the daily working of the Baltimore City court house. Baltimore was not only home to Roger Taney, it was home to the nation's largest free black population, which number over twenty-five thousand persons in the 1850s. In Baltimore's civil court rooms, black city dwellers appeared regularly before judges and clerks. Their claims included those for licenses to marry, to own a dog, to sell liquor, and to travel.) Black Baltimoreans filed petitions for debt relief, defended themselves against charges of gambling and pugilism, and sometimes faced charges of aiding fugitive slaves. Through these proceedings they constructed their standing within legal culture, and this paper will analyze the courthouse dynamics that surrounded black claims making. These proceeding had far-reaching meaning in the social world as well, and this paper argues that through these somewhat ordinary matters black Marylanders established their standing in the city's public culture, and their membership in its body politic.