

1. The power of judicial review allows the Supreme Court to
  - A) repeal amendments to the Constitution
  - B) determine the constitutionality laws and government actions
  - C) break tie votes in the electoral college
  - D) impeach the president and other high-level officials
2. Base your answer to the following question on **Source: Roger Taney, in the Supreme Court opinion in *Dred Scott v. Sanford*, 1857**

The words "people of the United States" and "citizens" are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the **sovereignty** and who hold the power and conduct the Government through their representatives. They are what we familiarly call the "sovereign people," and every citizen is one of this people, and a **constituent** member of this sovereignty. The question before us is whether the class of persons described in the plea (**slaves**) compose a portion of this people, and are constituent members of this sovereignty? We think they are not, and that they are not included, and were not intended to be included, under the word "citizens" in the Constitution, and can therefore claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States. On the **contrary**, they were at that time considered as a **subordinate** and inferior class of beings who had been **subjugated** by the dominant race, and, whether **emancipated** or not, yet remained subject to their authority, and had no rights or privileges but such as those who held the power and the Government might choose to grant them.

Now, as we have already said in an earlier part of this opinion, upon a different point, the right of property in a slave is **distinctly** and expressly **affirmed** in the Constitution. The right to traffic in it, like an ordinary article of merchandise and property, was guaranteed to the citizens of the United States, in every State that might desire it, for twenty years. And the Government in express terms is pledged to protect it in all future time, if the slave escapes from his owner. This is done in plain words-too plain to be misunderstood. And no word can be found in the Constitution which gives Congress a greater power over slave property, or which entitles property of that kind to less protection than property of any other description. The only power **conferred** is the power coupled with the duty of guarding and protecting the owner in his rights.

Upon these considerations, it is the opinion of the court that the act of Congress which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line therein mentioned, is not warranted by the Constitution, and is therefore void; and that neither Dred Scott himself, nor any of his family, were made free by being carried into this territory; even if they had been carried there by the owner, with the intention of becoming a permanent resident./box2>

1) How does Chief Justice Roger Taney define the "people" or "citizens" of the United States?

2) According to Chief Justice Roger Taney, can a slave be considered a citizen of the United States? Why or why not? Support your answer with direct evidence from the text.

3. 3) According to Chief Justice Roger Taney, is slavery legal under the U.S. Constitution? Why or why not? Support your answer with direct evidence from the text.

4) Discuss *one* way in which the decision in the Dred Scott case could have increased the tensions between the North and the South prior to the Civil War?

4. **Word Bank**

**Sovereignty**- a country's independent authority and the right to govern itself

**Constituent**- any one of the people who live and vote in an area : a member of a constituency : one of the parts that form something

**Contrary**- a fact or condition incompatible with another : opposite

**Subordinate**- in a position of less power or authority than someone else: placed in or occupying a lower class, rank, or position : inferior : submissive to or controlled by authority

**Subjugate**- to defeat and gain control of (someone or something) by the use of force : to conquer and gain the obedience of (a group of people, a country, etc.)

**Emancipate**- to free (someone) from someone else's control or power

**Distinct**- different in a way that you can see, hear, smell, feel, etc. : noticeably different : easy to see, hear, smell, feel, etc: strong and definite

**Affirm**- to decide that the judgment of another court is correct

**Confer**- to discuss something important in order to make a decision

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