



UNIVERSITY OF CAMBRIDGE INTERNATIONAL EXAMINATIONS  
General Certificate of Education Advanced Subsidiary Level and Advanced Level

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**HISTORY**

**9697/05**

Paper 5 The History of the USA, c.1840–1968

**October/November 2008**

**3 hours**

Additional Materials: Answer Booklet/Paper

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**READ THESE INSTRUCTIONS FIRST**

If you have been given an Answer Booklet, follow the instructions on the front cover of the Booklet.

Write your Centre number, candidate number and name on all the work you hand in.

Write in dark blue or black pen.

You may use a soft pencil for any diagrams, graphs or rough working.

Do not use staples, paper clips, highlighters, glue or correction fluid.

**Section A**

Answer **Question 1**.

**Section B**

Answer any **three** questions.

At the end of the examination, fasten all your work securely together.

All questions in this paper carry equal marks.

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This document consists of **4** printed pages.



## Section A: The Road to Secession and Civil War

You **must** answer Question 1.

### THE DRED SCOTT DECISION OF THE SUPREME COURT, 1857

- 1 Read the sources and then answer the question.

#### Source A

The right of property in slaves is distinctly and expressly affirmed in the Constitution. No word can be found there which entitles slave property to less protection than to any other kind of property. The only power it confers on Congress is the power and also the duty of guarding and protecting property owners' rights.

The Act of Congress prohibiting slavery in territory north of 36° 30' is not warranted by the Constitution and is therefore void. Accordingly Scott was not made free by being taken by his owner into Minnesota Territory. Also, as a slave, Scott is not a citizen of Missouri, whence he came, hence he has no right to sue in any federal court.

*Chief Justice Taney's majority judgement in the case of Dred Scott v. Sandford, 6 March 1857.  
Six associate justices agreed with Taney, two disagreed.*

#### Source B

The opinion of the United States Supreme Court in the Dred Scott case in which seven of the nine Judges concur is unquestionably the most important one this century. The Supreme Court is the highest Judicial authority. It is the authorized expounder of the Constitution, its decisions are the supreme law of the land, and its voice is final on all questions within its jurisdiction. We say final because there is no appellate tribunal on earth above this Court, and every man who swears to support the Constitution of the United States, must support it as it is interpreted by this body. Members of Congress must respect its decisions, and the President cannot set up his own opinion or be guided by his own discretion in opposition. Attorney General Cushing in his speech to this court said to the Justices, 'In the complex institutions of our country, you are the pivot point upon which the rights and liberties of all, Government and people, alike, turn; or rather you are the central light of constitutional wisdom around which they perpetually revolve.'

*Cincinnati Plain Dealer, 11 March 1857.*

#### Source C

Mr Lincoln goes for warfare upon the Supreme Court, because of their decision in the Dred Scott case. I give obedience to the decisions in that court – to the final determination of the highest judicial tribunal known to our Constitution. Mr Lincoln also casts an imputation on the Supreme Court by supposing they would violate the Constitution. I tell him that such a thing is not possible. It would be an act of moral treason that no man on the Bench could ever descend to.

Nevertheless it matters not what the Supreme Court may decide on the abstract question whether slavery may or may not go into a Territory. The people have the lawful means to introduce it or exclude it as they please, because slavery cannot exist a day or an hour anywhere unless supported by local police regulations. Those can only be established by the local legislature; and if the people are opposed to slavery, they will elect representatives who will by unfriendly legislation bring about a change. If, on the contrary, they are for it, their legislation will favor its extension.

*Stephen Douglas, speech at Freeport, Illinois, October 1858.*

**Source D**

Chief Justice Taney and the four Southerners among the judges hoped to settle the question of slavery by extending it legally to all Territories. President-elect Buchanan put Justice Catron up to it, in order to restore harmony in the Democratic Party. Catron informed him of what to expect so that Buchanan was able to insert in his inaugural address a declaration that the Court was to determine precisely when the people of a Territory could decide for or against slavery, pledging his support for their decision and urging all good citizens to do likewise. Poor foolish Buchanan! In the event the nine judges filed nine separate opinions and Taney's judgement on behalf of the majority was immediately subject to savage criticism often expressed in intemperate language.

*From an American historian's account of the Dred Scott decision of the Supreme Court, 1998.*

**Source E**

The Dred Scott decision provoked a greater storm than any other judicial decision before or since. While the South was elated, Northern anger was intense. Republicans alleged that Buchanan and the Supreme Court had conspired to extend slavery throughout the country and pledged themselves to reverse the decision.

Northern opinion, believing that the racist views Chief Justice Taney ascribed to the Founding Fathers were also his own, was deeply offended. More important, by establishing the constitutionality of slavery in all the territories, the Court cut the ground from under the Republicans. It even called in question the constitutionality of Douglas' position on popular sovereignty.

*From a British historian's account of the Dred Scott decision of the Supreme Court, 1999.*

Now answer the following question.

*'The Dred Scott decision demonstrated the Supreme Court's inability to deal with sectional issues in a satisfactory manner.' Using Sources A–E, discuss how far the evidence supports this assertion.*

**Section B**

You must answer **three** questions from this section.

- 2 Why did the Kansas-Nebraska Act (1854) produce such a storm of political controversy?
- 3 'He was hopelessly unfitted for the office of President.' To what extent is this a fair judgement of Grant's two Presidential terms (1869–1877)?
- 4 Why did it prove so difficult for both Federal and State governments to regulate big business effectively in the period 1865–1913?
- 5 Consider the view that the dramatic legal gains for African-Americans from 1945 to 1968 did little in practice to improve their social and economic position.
- 6 How far did Roosevelt's second term of office demonstrate that critics of the New Deal had been right all along?
- 7 To what extent was isolationism the key doctrine of US foreign policy, 1919–1941?
- 8 How far did the role of women in US society change from 1945 to 1968?

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