**AP US GOVERNMENT Readings 38, 39, 41**

*#38 Federalist #78 – Alexander Hamilton*

1. If the judiciary has no power to enforce its rulings, but has the authority to make rulings, how do they maintain authority with no power?
2. What is a limited constitution?
3. The courts are meant to be the intermediate body between whom?
4. What is the bulwark that the judiciary has against the legislative branch?
5. Besides the constitution, what else should the judiciary protect?

*Synthesis question:*

Using the Federalist #51 and Federalist #78; describe how these two documents complement each other; what is the common theme in both documents?

*#39 David Obrien – Storm Center*

1. Why did the court wait until 1954 to make their decision in Brown v Board of Ed?
2. The power of the court relies on what?
3. Because the court decisions are “not self-executing” what is on the minds of the judges?
4. What would happen if the court moved “too far or too fast”?
5. Describe the oral argument between Earl Warren and Emory Rogers? (page 300)
6. How did the policy of ending segregation change in the 1970s and 1980s?
7. Why were the rulings on Brown case grudgingly accepted?
8. Has the court ever changed their mind following a presidential threat?
9. Respond to the paragraph that starts on the bottom of pg. 301 to the top of pg. 302.
10. What does the author say is the most important thing that the court must consider in the making of major decisions? (bottom paragraph)

*#41 Richard Fallon – The Dynamic Constitution*

1. What decision did the court make in the early days of the republic that if reversed “would promote economic chaos?
2. What kind of laws does the court always consider to be “suspect” and uses “strict Scrutiny” to evaluate?
3. Does the court have to follow Stare Decisis?
4. What kind of “rules and tests” does the Supreme Court create? (Who has to follow them/why?)
5. What case did the court take on the role of “implementation” rather than interpretation”? Explain.
6. How many cases is the SC asked to review each year?
7. How many cases does the SC actually address each year?
8. What part of the constitution did the SC use to establish a women’s right to an abortion?
9. What are the two objections to “originalism”?
10. What was the “basis” of common law?