

Chapter 02 - The Constitution: The Foundation of Citizens' Rights

**Chapter 02**

**The Constitution: The Foundation of Citizens' Rights**

**Multiple Choice Questions**

1. (p. 15) Over the last 20 or so years, constitutions around the world have
- A. been modeled primarily on the United States Constitution.
  - B. provided more explicit protection of rights than does the United States Constitution.**
  - C. mostly stopped mentioning explicit guarantees of citizens.
  - D. taken away any power of the judiciary to interpret the meaning of constitutions.
  - E. contained provisions that make them very difficult to amend.

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2. (p. 15) The Bill of Rights contains explicit expression of the right to
- A. education.
  - B. form unions.
  - C. move freely.
  - D. work.
  - E. express one's beliefs.**

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3. (p. 17) The American nation's experience with representative government dates back to the founding of the House of Burgesses in \_\_\_\_\_.
- A. 1619**
  - B. 1651
  - C. 1689
  - D. 1763
  - E. 1775

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4. (p. 17) The American nation's first representative government, the House of Burgesses, was established in
- A. Maryland.
  - B. Massachusetts.
  - C. Pennsylvania.
  - D.** Virginia.
  - E. New York.

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5. (p. 18) The colony of Massachusetts was founded to
- A. give English Catholics a place to worship freely.
  - B. provide a haven for religious freedom for all dissenting sects.
  - C.** create a society based on Puritan ideals, where competing religious ideals would not be tolerated.
  - D. create a society that decisively separated church from state.
  - E. create a society where Protestants of any sect could worship freely, though Catholicism would not be tolerated.

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6. (p. 18) Which of the following statements about the American colonial economy is LEAST accurate?
- A. The colonies could legally only receive manufactured goods that originated in or passed through England.
  - B. The Crown viewed the colonies chiefly as suppliers of raw materials.
  - C. Smuggling foreign goods into the colonies was common practice, tacitly accepted by many colonial governors.
  - D.** Throughout colonial history, the colonists funded their own defense and could not count on British forces for protection.
  - E. The colonial legislatures' power of the purse gave them significant leverage over colonial governors.

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7. (p. 18-19) Which of the following statements about the early stages of the American Revolution is LEAST accurate?

- A. Tensions between the colonists and Parliament resulted largely from British attempts to have colonists help pay the expenses of the Seven Years' War.
- B. Colonists objected to Parliament's efforts to impose taxes on them.
- C. One of the forms that colonial resistance took during the Revolution was a boycott on British goods.
- D.** When the First Continental Congress met in 1774, every state was represented by a delegation.
- E. Military conflict had already broken out over a year before the colonies declared their independence.

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8. (p. 19) In which colony did the Tea Party and the battles of Lexington and Concord occur?

- A.** Massachusetts
- B. Virginia
- C. North Carolina
- D. Pennsylvania
- E. Georgia

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9. (p. 19) Which of the following statements about the colonies' decision to declare their independence is LEAST accurate?

- A. The final draft of the Declaration of Independence excised earlier comments that condemned the institution of slavery.
- B. The philosophy expressed in the Declaration of Independence relied heavily on ideas formulated by John Locke.
- C. The men who drafted and voted for the Declaration of Independence generally believed that the phrase "all men are created equal" applied only to men, and not to women.
- D. Thomas Paine's *Common Sense*, which was published the same year as the Declaration of Independence, played an important role in inspiring popular support for independence.
- E.** During the American Revolution, the majority of American people expressed their clear and active backing of independence.

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10. (p. 19) The Declaration of Independence

- A. was written by the same man who wrote *Common Sense*.
- B. provided equal rights to both men and women.
- C. explicitly supported the institution of slavery.
- D.** provides an extensive list of grievances against the English king.
- E. helped give courage to the Minutemen who fought at Lexington.

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11. (p. 20) Which of the following factors did NOT play a significant role in building support for replacing the Articles of Confederation with a different instrument of government?

- A. internal rebellion
- B.** an oppressive national government
- C. unpaid debt
- D. economic turmoil
- E. the fears of influential state leaders

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12. (p. 20) The core problem with the Articles of Confederation is that this system of government

- A. levied onerous taxes on the American people.
- B. consolidated too much power in the hands of the national government.
- C.** was based on the idea that each state was a sovereign entity.
- D. allowed a simple majority of states to impose its will on all others.
- E. created a chief executive who was not accountable to either the American people or their representatives.

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13. (p. 20) Under the Articles of Confederation

- A. the national government had no difficulty collecting taxes.
- B. each state was able to tax the goods of other states.**
- C. interest rates were overall quite low.
- D. it was easy for businesses to get loans.
- E. intercolonial trade flourished.

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14. (p. 21) The 1787 constitutional convention in Philadelphia was originally convened for the express purpose of

- A. revising the Articles of Confederation.**
- B. writing a new constitution.
- C. preventing insurrections such as Shays' Rebellion.
- D. negotiating comprehensive treaties with Native Americans.
- E. creating a lasting peace settlement with Britain.

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15. (p. 21) The Philadelphia Convention, which drafted the Constitution, included delegates from every state EXCEPT

- A. Rhode Island.**
- B. New Jersey.
- C. Virginia.
- D. Connecticut.
- E. New Hampshire.

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16. (p. 21) Which of the following statements about the Constitutional Convention is MOST accurate?

- A. Working-class Americans and debtors were well represented at the Convention.
- B. Although most of the members of the Convention were white men, there was a small contingent of African Americans, as well as two women.
- C. Most of the delegates subscribed to a republican ethos that shunned deferential displays to the rich and powerful.
- D.** The delegates worked in strict secrecy, deliberating—literally and figuratively—behind closed doors.
- E. In terms of political views and interests, the delegates were a homogeneous group who agreed on most particulars.

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17. (p. 21) The majority of the delegates to the Constitutional Convention were

- A. farmers.
- B. craftsmen.
- C. bankers.
- D. merchantmen.
- E.** lawyers.

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18. (p. 22) The Framers of the Constitution overcame internal squabbling by agreeing to the Great Compromise, which created a

- A. bicameral legislature in which seats in both houses would be proportionate to population.
- B. bicameral legislature in which the members of the lower house would be elected by the people and the members of the upper house would be chosen by the members of the lower house.
- C. bicameral legislature in which the right to originate money bills was reserved for the upper house.
- D.** bicameral legislature, based on proportionate representation in one house and state-by-state voting in the other.
- E. unicameral legislature with equal representation among the states.

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19. (p. 22) Which of the following statements about regional tensions during the drafting of the Constitution is LEAST accurate?

- A. The delegates eventually agreed to count three-fifths of the enslaved population for purposes of representation and taxation.
- B.** Although the South had by far the largest number of slaves, slavery was legal in every state at the time that the Constitution was written.
- C. In order to appease the Lower South, the Constitution prevented the government from banning the international slave trade for at least twenty years.
- D. Southern agriculturists managed to win a concession that the new government would have no power to tax exports.
- E. Northern interests wanted to ensure that the new government would have adequate power to regulate international commerce.

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20. (p. 23) Which of the following statements MOST accurately reflects the Constitution's explicit provision about voting rights at the time that it was drafted?

- A. Only white men with a certain amount of property could vote.
- B. All white men were allowed to vote.
- C. Men of any race who owned a certain amount of property could vote.
- D. Any citizen who owned a certain amount of property, regardless of race or color, could vote.
- E.** State governments could establish their own requirements for voting.

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21. (p. 23) In order to be ratified, the Constitution would need the approval of

- A. at least five states.
- B. at least seven states.
- C. at least nine states.
- D. at least eleven states.
- E.** all thirteen states.

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22. (p. 23) Which of the following is NOT one of the founding principles enshrined in the Constitution as it was originally written?

- A. federalism
- B. checks and balances
- C.** human equality
- D. separation of powers
- E. liberal democracy

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23. (p. 24) The principle of separation of powers, particularly with regard to an independent judiciary, is primarily associated with the writings of which political philosopher?

- A. Voltaire
- B. Rousseau
- C. Thomas Hobbes
- D.** Montesquieu
- E. John Stuart Mill

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24. (p. 24) As an example of its powers under checks and balances, the Supreme Court can

- A.** declare laws unconstitutional.
- B. override a congressional declaration of war.
- C. appoint judges to lower federal courts.
- D. select the president when no candidate has a majority in the Electoral College.
- E. ratify proposed constitutional amendments.

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25. (p. 24) Congress has all of the following powers under the Constitution, EXCEPT this one:

- A. appoint federal judges.
- B. impeach the president.
- C. override presidential vetoes.
- D. declare war.
- E. propose constitutional amendments.

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26. (p. 24) Which of the following is NOT a power of the president?

- A. Call special sessions of Congress
- B. Grant pardons
- C. Veto bills
- D. Appoint federal judges
- E. Formally propose constitutional amendments

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27. (p. 24-25) This system is intended to prevent the arbitrary use of power and to give leaders sufficient time to forge consensus on divisive issues.

- A. separation of powers system
- B. checks and balances system
- C. spoils system
- D. civil service system
- E. None of these answers is correct.

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28. (p. 25) What is the fundamental concept behind federalism?

- A. Some powers belong to state governments; others belong to the national government.
- B. States retain their sovereignty and use the national government only as an arbiter.
- C. The federal government is sovereign and the states have no power except what the federal government grants them.
- D. There is one single system of national law, drafted by the federal government and administered by the states.
- E. Although the national government may make law, the state governments decide whether or not to follow it.

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29. (p. 25) When a state law and a federal law conflict,

- A. the Supreme Court must decide which is paramount.
- B. the federal law is paramount.
- C. the state law is paramount.
- D. the laws must be reconciled to a compromise law.
- E. both laws are null and void.

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30. (p. 25-26) Which of the following topics is NOT covered by Article I of the Constitution?

- A. the impeachment process
- B. congressional electoral procedures and qualifications
- C. powers that are denied to the states
- D. the role of political parties in the legislative process
- E. the origin of revenue bills

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31. (p. 26) Which of the following is NOT covered by Article II of the Constitution?

- A. presidential qualifications
- B. circumstances under which the president can send troops abroad**
- C. electoral methods for choosing the president
- D. the president's ability to negotiate treaties
- E. the succession of the vice president

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32. (p. 26) Which clause of the Constitution affirms that the federal government, in exercising any of the powers enumerated in the Constitution, must prevail over any conflicting or inconsistent state exercise of power?

- A. full faith and credit clause
- B. implied powers clause
- C. necessary and proper clause
- D. supremacy clause**
- E. None of these answers is correct.

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33. (p. 26) Which article of the Constitution defines the amendment process?

- A. Article I
- B. Article IV
- C. Article V**
- D. Article VI
- E. Article VII

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34. (p. 26) Which article of the Constitution includes the supremacy clause?

- A. Article I
- B. Article IV
- C. Article V
- D.** Article VI
- E. Article VII

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35. (p. 26) Which of the following issues is NOT covered in Article IV?

- A.** the federal government's authority to protect citizens' civil liberties from actions of their state governments
- B. the responsibility of states to recognize each other's laws
- C. the responsibility of states to grant equal protection to citizens from other states
- D. the responsibility of states to extradite escaped criminals and slaves to the states from which they fled
- E. the guarantee that all states will have a republican form of government

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36. (p. 26-27) Which of the following was NOT among the concerns raised by Antifederalists about the new Constitution?

- A. the lack of a Bill of Rights
- B. the long Senate terms
- C.** the weakness of the national government
- D. the creation of a national currency
- E. the presumption of the Framers, who had been tasked solely with amending the Articles of Confederation

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37. (p. 27) Which of the following was NOT among the loci of early support for the ratification of the Constitution?

- A. commercial centers
- B. western territories
- C. land speculators
- D. plantation owners
- E.** the larger states

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38. (p. 27) *The Federalist* was written by John Jay, Alexander Hamilton, and

- A.** James Madison.
- B. John Hancock.
- C. Patrick Henry.
- D. George Clinton.
- E. Thomas Jefferson.

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39. (p. 27) Despite its long-lasting national influence, *The Federalist* was originally written with the limited purpose of garnering support for the Constitution in

- A. Virginia.
- B. Pennsylvania.
- C. Massachusetts.
- D.** New York.
- E. Rhode Island.

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40. (p. 27-28) In order to get the Constitution ratified, the Federalists employed all of the following means EXCEPT for

- A. publishing a series of persuasive articles in the press.
- B. hinting to a prominent opponent that there would be a position for him in the new government.
- C. forcibly escorting Antifederalist delegates to a convention in order to obtain the necessary quorum.
- D. threatening the secession of New York City.
- E.** sending mercenaries to besiege state ratifying conventions and ensure that the delegates voted for the Constitution.

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41. (p. 28) Which was the first state to ratify the Constitution?

- A. Rhode Island
- B.** Delaware
- C. Virginia
- D. New York
- E. Massachusetts

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42. (p. 28) Which state did not ratify the Constitution until 1790, after the new government had already taken effect?

- A.** Rhode Island
- B. Delaware
- C. Virginia
- D. New York
- E. Massachusetts

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43. (p. 28-29) Which of the following statements about the Bill of Rights is LEAST accurate?

- A. The Bill of Rights was not added until after the Constitution was ratified.
- B. The promise of a Bill of Rights was a substantial factor in the ratification of the Constitution.
- C. The first three amendments cover political liberties, while the next five cover legal rights.
- D. The last two amendments in the Bill of Rights cover the relationship among the states, the people, and the national government.
- E.** The Bill of Rights guaranteed freedoms and liberties from intrusion by the national government and state governments alike.

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44. (p. 29) Which U.S. Supreme Court decision contended that the Bill of Rights applied only to the national government?

- A. *Plessy v. Ferguson*
- B.** *Barrons v. Baltimore*
- C. *Roe v. Wade*
- D. *Brown v. Board of Education*
- E. *Marbury v. Madison*

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45. (p. 29) Which amendment states that any rights not explicitly mentioned in the Constitution are reserved for the people?

- A. First
- B. Third
- C. Fifth
- D.** Ninth
- E. Tenth

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46. (p. 29) Which amendment laid the groundwork for applying the Bill of Rights to the actions of state governments?

- A. First
- B. Ninth
- C. Tenth
- D. Fourteenth**
- E. Nineteenth

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47. (p. 30) Which of the following statements about the ratification of constitutional amendments is LEAST accurate?

- A. Though it has never been done, Congress may convene a national convention to discuss amendments, if two-thirds of the state legislatures request it.
- B. Initially, no time limit was placed on the ratification process, allowing one amendment passed by Congress in the eighteenth century to be ratified at the end of the twentieth.
- C. An amendment is ratified as soon as a simple majority of states vote to approve it.**
- D. In order to pass Congress, an amendment must secure two-thirds of the vote in both houses.
- E. States can ratify amendments either through a vote in the legislature or by calling a special ratifying convention.

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48. (p. 30) So far, all successful amendments to the Constitution have been proposed by

- A. national conventions.
- B. the President of the United States.
- C. a request from two-thirds of state legislatures.
- D. a two-thirds vote in both chambers of Congress.**
- E. a two-thirds vote in a national referendum.

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49. (p. 31) What percentage of state legislatures must approve a constitutional amendment for that amendment to be officially accepted?

- A. 50%
- B. 60%
- C. 66.7%
- D. 75%**
- E. 87%

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50. (p. 31) How many amendments have been added to the Constitution?

- A. 20
- B. 23
- C. 27**
- D. 31
- E. 35

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51. (p. 31) How many times has Congress formally declared war?

- A. 0
- B. 5**
- C. 8
- D. 13
- E. 19

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52. (p. 31-32) Which of the following instances is NOT an example of institutional adaptation?

- A. the expansion of the president's role as commander-in-chief
- B. congressional use of budgetary powers to impose national standards
- C. congressional protection of civil rights through Congress's right to regulate interstate commerce
- D. congressional regulation of fundraising by political parties
- E. the president's use of the veto to reject legislation**

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53. (p. 32) The power of judicial review, which the Supreme Court claimed in the case of *Marbury v. Madison*, allows the Court to

- A. review each bill proposed by Congress before it becomes a law.
- B. enact new laws in order to implement its decisions.
- C. judge the constitutionality of laws and other acts of government.**
- D. hear direct appeals from all citizens who were convicted due to a trial error.
- E. prorogue—or suspend—Congress in times of national emergency.

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54. (p. 32) The Supreme Court's ruling in *Roe v. Wade* is an example of which of the following?

- A. the use of an enumerated power in the Constitution
- B. a widely accepted use of judicial review
- C. a highly controversial example of judicial review**
- D. a repudiation of the power of judicial review
- E. a legal enforcement of the supremacy clause

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55. (p. 32) Which of the following is NOT included in Article III of the Constitution?

- A. the explicit power of judicial review
- B. the creation of the Supreme Court
- C. Congress's right to create federal courts
- D. judicial terms of appointment
- E. legal definition of treason

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56. (p. 32-33) Which of the following statements about voting is LEAST accurate?

- A. Initially, the national electorate consisted primarily of white, property-owning men.
- B. Until the end of the Civil War, states could bar citizens from voting solely on the basis of their race.
- C. Until 1920, states could bar citizens from voting solely on the basis of their sex.
- D. The ending of property qualifications was not widespread until the early twentieth century.
- E. Until 1971, states could block citizens from voting until they reached the age of 21.

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57. (p. 33) Which amendment banned suffrage restrictions based on sex?

- A. Tenth
- B. Fourteenth
- C. Fifteenth
- D. Nineteenth
- E. Twenty-sixth

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58. (p. 33) Which amendment banned suffrage restrictions based on race?

- A. Tenth
- B. Fourteenth
- C. Fifteenth**
- D. Nineteenth
- E. Twenty-sixth

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### **Essay Questions**

59. Discuss the American tradition of representative government. What were its colonial origins? How did it contribute to a rupture with the British Empire? How did it initially hinder the development of a national government following independence? Is representative government as strong today as it was when the Constitution was formed? Why or why not?

Answers will vary.

60. What were the key principles of the Declaration of Independence? Why was the document drafted? How well did it serve its intended purpose?

Answers will vary.

61. What were the major political and economic weaknesses of the Articles of Confederation? How did the Constitution specifically address those weaknesses?

Answers will vary.

62. Describe the systems of checks and balances and separation of powers, giving at least three examples of each. What is the difference between these two concepts?

Answers will vary.

63. In what specific ways does the Constitution incorporate checks and balances? Which of these checks have proven most lasting? Which have been most frequently evaded?

Answers will vary.

64. Explain the processes by which the American people can amend the Constitution. How many obstacles must be surmounted before an amendment is ratified? Why did the Framers make it so difficult to amend the Constitution? Does this difficulty hamper democracy or help to preserve it? Do things like the elastic clause and institutional adaptability undermine the Framers' intention to make it hard to change the Constitution?

Answers will vary.

65. Discuss the drafting and ratification of the Constitution. Which disagreements had to be overcome before the Constitution could reach its final form? What compromises were implemented to address those disagreements? Why did so many Americans oppose the Constitution when it was first presented to them? What steps did the Federalists take to allay or evade their concerns?

Answers will vary.

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66. Identify the fundamental political principles enshrined in the Constitution. Have those principles changed over time? Have some principles gained more prominence than others? How does the Constitution put those principles into actual effect? Which aspects of the Constitution most contributed to a government that has been able to exist for over two hundred years?

Answers will vary.

67. Pick three provisions in the Bill of Rights. First describe each provision and then explain why Anti-Federalists felt the need for these provisions.

Answers will vary.