

CHAPTER 2: THE CONSTITUTION

MULTIPLE CHOICE

1. Shays's Rebellion highlighted weaknesses of the Articles of Confederation, most notably _____.
 - a. that only a simple majority of states paid into federal funds through the requisition system
 - b. the dangers of vesting too much power in a single executive
 - c. the coordination problems inherent in a bicameral system
 - d. the difficulty of maintaining security when states could not be forced to coordinate action
 - e. the lack of attention representatives paid to the needs of the everyman

ANS: D PTS: 1 DIF: moderate REF: The Constitution
 MSC: understanding

2. Under the Articles of Confederation, many states failed to pay the full amount of money "requisitioned?" by the national government to support the nation's military forces. This is most clearly an example of a/an _____.
 - a. collective-action problem
 - b. political institution
 - c. unstable coalition
 - d. Prisoner's Dilemma
 - e. path dependent outcome

ANS: A PTS: 1 DIF: moderate
 REF: The Articles of Confederation MSC: understanding

3. The rule of law ensures that _____.
 - a. all citizens of a country are treated equally regardless of the offices they hold
 - b. all visitors to a country are treated equally regardless of the offices they hold
 - c. all government officials are equally subject to laws when not acting in an official capacity
 - d. it is illegal for government officials to make arbitrary decisions when not acting in an official capacity
 - e. it is illegal for citizens to make laws arbitrarily

ANS: A PTS: 1 DIF: moderate
 REF: What Do Constitutions Accomplish? MSC: understanding

4. Officials in North Korea, which is an authoritarian regime, may avoid paying taxes, receive usually banned foreign luxury goods, and arrest everyday people for violating laws that they themselves need not obey. This is a violation of _____.
 - a. international coordination problems
 - b. natural liberty
 - c. civil liberty
 - d. the rule of law
 - e. statutory protections

ANS: D PTS: 1 DIF: easy
 REF: What Do Constitutions Accomplish? MSC: applying

5. The United States needs to pass a law determining whether or not to enter into a trade agreement with France. _____ determines who gets to make that decision, because _____.
- a. the Constitution; it specifies the institutional rules that determine who is in the judiciary
 - b. the Constitution; it specifies the institutional rules that determine which body has power over making trade law
 - c. the legislature; it determines who may join either house
 - d. the executive; he or she has power over international treaties
 - e. the courts; they revise statutory law and have veto power

ANS: B

PTS: 1

DIF: difficult

REF: What Do Constitutions Accomplish?

MSC: applying

6. Which establishes the formal institutions of government and declares how and under what circumstances government may legitimately use its powers?
- a. statute
 - b. regulation
 - c. decree
 - d. constitution
 - e. executive order

ANS: D

PTS: 1

DIF: easy

REF: What Do Constitutions Accomplish?

MSC: remembering

7. Early revolutionary activities in the American colonies of Great Britain were principally motivated by opposition to _____.
- a. taxes imposed with the consent of colonial legislatures
 - b. continued British support for the slave trade
 - c. the Louisiana Purchase
 - d. the terms of the treaty ending the French and Indian War
 - e. King George III's efforts to promote religious reforms in the Church of England

ANS: A

PTS: 1

DIF: easy

REF: Revolution

MSC: remembering

8. _____ law is the collection of fundamental rules and procedures for creating _____ law and regulations.
- a. Constitutional/statutory
 - b. Statutory/commercial
 - c. Tort/constitutional
 - d. Statutory/tort
 - e. Commercial/statutory

ANS: A

PTS: 1

DIF: easy

REF: Hierarchy of Law

MSC: remembering

9. Why was the Constitutional Convention called?
- a. Antifederalists were unhappy with the Virginia compromise.
 - b. The executive had become too strong.
 - c. States felt they were not paying enough under the system of requisition.
 - d. Massachusetts wanted to retaliate against Connecticut for levying taxes on its goods.
 - e. A weak national government made it impossible to solve collective dilemmas.

ANS: E PTS: 1 DIF: easy

REF: Origins of the American Political System

MSC: remembering

10. What proportion of the states' votes was required to amend the Articles of Confederation?
- a simple majority
 - three-fifths
 - two-thirds
 - three-quarters
 - unanimous consent

ANS: E PTS: 1 DIF: easy

REF: The Articles of Confederation

MSC: remembering

11. Compared to the Constitution, federalism under the Articles of Confederation assigned _____.
- greater authority to local governments at the expense of states
 - greater authority to states at the expense of local governments
 - greater authority to states at the expense of the national government
 - greater authority to the national government at the expense of states
 - greater authority to international organizations at the expense of the United States government

ANS: C PTS: 1 DIF: moderate

REF: The Articles of Confederation

MSC: understanding

12. Why were colonial charters an important forerunner of U.S. governmental structures?
- Proprietary charters allowed entities like the Virginia Company to experiment with different forms of government.
 - Royal colonies' reliance on a strong executive was a model for the U.S. presidency.
 - The popular election of charter council members created democratic institutions.
 - Colonial governments usually had bicameral legislatures and an executive.
 - The crown's methods of granting colonial charters was the model for granting statehood.

ANS: D PTS: 1 DIF: moderate REF: Colonial Charters

MSC: applying

13. Compared to either the Virginia Plan or the Connecticut Compromise, what did the New Jersey Plan propose?
- a much stronger national government
 - to weigh states' slave populations more heavily for apportioning representation
 - about the same balance of federal and state powers
 - to weigh states' slave populations less heavily for apportioning representation
 - much greater state sovereignty and independence

ANS: E PTS: 1 DIF: moderate

REF: Liberty versus Strong National Government

MSC: applying

14. Which proposal made to the Constitutional Convention resolved the conflict between supporters of greater national power and advocates of greater state sovereignty?
- Virginia Plan
 - New Jersey Plan
 - Connecticut Compromise
 - Three-fifths Compromise

e. Kentucky and Virginia Resolutions

ANS: A

PTS: 1

DIF: easy

REF: Virginia Plan

MSC: remembering

15. Which three cleavages presented the most difficult challenges at the Constitutional Convention?

- a. the nature of federation, representation of big and small states, slavery
- b. representation of big and small states, popular representation, states' rights
- c. unicameral versus bicameral legislatures, slavery, popular representation
- d. the strength of the executive, representation of big and small states, the nature of federation
- e. popular versus financial representation of states, slavery, the strength of the executive

ANS: A

PTS: 1

DIF: easy

REF: Difficult Compromises

MSC: remembering

16. A unicameral legislature is composed of _____ houses or chambers.

- a. one
- b. two
- c. three
- d. four
- e. five

ANS: A

PTS: 1

DIF: easy

REF: The Constitution

MSC: factual

17. For purposes of apportioning representation and tax obligations to the states, slaves were counted as _____ of free persons.

- a. one-third
- b. one-half
- c. three-fifths
- d. two-thirds
- e. three-quarters

ANS: C

PTS: 1

DIF: easy

REF: Slavery

MSC: remembering

18. Which is NOT a major feature of the Constitution adopted by the Philadelphia Convention in 1787?

- a. unitary executive
- b. bicameral legislature
- c. Bill of Rights
- d. independent judiciary
- e. enumerated powers

ANS: C

PTS: 1

DIF: easy

REF: Major Features

MSC: remembering

19. Which institution created by the U.S. Constitution is most clearly related to resolving the coordination problems involved in selecting someone to serve as president?

- a. Senate
- b. House of Representatives
- c. Supreme Court
- d. Electoral College

e. Federalism

ANS: D PTS: 1 DIF: moderate REF: President as Executive
MSC: understanding

20. The Electoral College represents a compromise between those who wanted _____ to select the president and those who thought the president should be selected by _____.
- a. the House of Representatives; the Senate
 - b. Congress; the people
 - c. state legislatures; the people
 - d. state legislatures; the House of Representatives
 - e. the Senate; state legislatures

ANS: B PTS: 1 DIF: easy REF: President as Executive
MSC: remembering

21. A bicameral legislature is composed of _____ houses or chambers.
- a. one
 - b. two
 - c. three
 - d. four
 - e. five

ANS: B PTS: 1 DIF: easy REF: Bicameralism
MSC: remembering

22. Which constitutional provision states that Congress may create whatever laws are "necessary and proper" in order to execute other enumerated powers?
- a. necessary clause
 - b. free exercise clause
 - c. elastic clause
 - d. sanity clause
 - e. supremacy clause

ANS: C PTS: 1 DIF: easy REF: Bicameralism
MSC: remembering

23. In 1987, President Reagan nominated Robert Bork to fill a vacancy on the U.S. Supreme Court. The Senate voted against Bork's nomination, 42–58, preventing him from serving as a justice on the Court. This interaction demonstrates the system of _____.
- a. federalism
 - b. bicameralism
 - c. executive independence
 - d. checks and balances
 - e. reserved powers

ANS: D PTS: 1 DIF: easy REF: Checks and Balances
MSC: applying

24. Which term denotes an institutional arrangement in which specific governmental powers are divided among distinct branches of government?
- a. federalism

- b. bicameralism
- c. separation of powers
- d. checks and balances
- e. reserved powers

ANS: C PTS: 1 DIF: easy REF: Separation of Powers
MSC: remembering

25. Judicial review, the presidential veto, and requirements of senatorial “advice and consent” are examples of _____.
- a. federalism
 - b. separation of powers
 - c. checks and balances
 - d. expressed powers
 - e. reserved powers

ANS: C PTS: 1 DIF: moderate REF: Checks and Balances
MSC: understanding

26. A business in North Carolina has a legal dispute with a business in New York, yet each party is behaving legally according to their own states’ laws. How does the Constitution anticipate conflicts like this?
- a. by ensuring that both states have the autonomy to change their own laws
 - b. by ensuring that both states have equal representation in Congress, where the two states’ Congressional delegations can resolve conflicts of law
 - c. by creating a strong executive who could override states’ laws
 - d. by creating an independent federal judiciary to resolve disputes between state laws
 - e. by creating an independent federal judiciary with circuit courts that can hear local disputes

ANS: D PTS: 1 DIF: easy REF: An Independent Judiciary
MSC: understanding

27. Two neighbors have a dispute about the placement of their mailboxes. Which federal institution is designed to handle such a conflict?
- a. Congress, because it handles issues of interstate commerce
 - b. the Supreme Court, because citizens have the right to have their cases heard in the highest court
 - c. the Supreme Court, because it is designed to settle disputes about interstate commerce
 - d. none, because conflicts between citizens of the same state should be handled by state governors
 - e. none, because states have maintained their own court systems for disputes between state residents

ANS: E PTS: 1 DIF: moderate REF: An Independent Judiciary
MSC: applying

28. Which constitutional provision declares the federal constitution to be the “supreme law of the land?”
- a. supremacy clause
 - b. free exercise clause
 - c. elastic clause
 - d. sanity clause
 - e. due process clause

ANS: A PTS: 1 DIF: easy REF: Federalism
MSC: remembering

29. Which provision of the U.S. Constitution is most clearly related to resolving collective-action problems among the states?
- a. supremacy clause
 - b. free exercise clause
 - c. elastic clause
 - d. sanity clause
 - e. due process clause

ANS: A PTS: 1 DIF: difficult REF: Federalism
MSC: understanding

30. What does the supremacy clause declare?
- a. The Supreme Court's interpretation of the Constitution is final.
 - b. The president has supreme authority over the United States military.
 - c. The chief justice may override a presidential veto.
 - d. The U.S. Constitution is the supreme law of the land.
 - e. The Senate is superior to the House of Representatives.

ANS: D PTS: 1 DIF: moderate REF: Federalism
MSC: understanding

31. What proportion of votes cast in each house of Congress is necessary to send a proposed amendment to the U.S. Constitution to the states for possible ratification?
- a. simple majority
 - b. three-fifths
 - c. two-thirds
 - d. three-quarters
 - e. unanimous consent

ANS: C PTS: 1 DIF: easy REF: Amendment Provisions
MSC: remembering

32. What proportion of states must approve an amendment to the U.S. Constitution proposed by Congress for that amendment to be ratified?
- a. simple majority
 - b. three-fifths
 - c. two-thirds
 - d. three-quarters
 - e. unanimous consent

ANS: D PTS: 1 DIF: easy REF: Amendment Provisions
MSC: remembering

33. Patrick Henry ultimately opposed ratification of the Constitution because he believed it assigned too much power to the national government at the expense of state authority. Patrick Henry is, therefore, best considered a/an _____.
- a. Hessian
 - b. Tory
 - c. Federalist
 - d. Antifederalist

e. Whig

ANS: D PTS: 1 DIF: moderate REF: Antifederalists
MSC: understanding

34. Benjamin Franklin supported the Constitution because he believed it provided an effective remedy for the problems facing the United States under the Articles of Confederation. Benjamin Franklin is, therefore, best considered a/an _____.
- a. Hessian
 - b. Tory
 - c. Federalist
 - d. Antifederalist
 - e. Whig

ANS: C PTS: 1 DIF: moderate REF: Federalists
MSC: understanding

35. *The Federalist Papers* argue _____.
- a. for a declaration of independence from Great Britain
 - b. for ratification of the U.S. Constitution
 - c. against a declaration of independence from Great Britain
 - d. against ratification of the U.S. Constitution
 - e. against the New Jersey Plan

ANS: B PTS: 1 DIF: easy REF: Federalists
MSC: remembering

36. The “Letters from the Federal Farmer to the Republicans” argue _____.
- a. for a declaration of independence from Great Britain
 - b. for ratification of the U.S. Constitution
 - c. against a declaration of independence from Great Britain
 - d. against ratification of the U.S. Constitution
 - e. against the New Jersey Plan

ANS: D PTS: 1 DIF: moderate REF: Antifederalists
MSC: remembering

37. Why did the Federalists argue that a strong national government was essential?
- a. They felt that power lodged in one branch of government was too easily controlled by one faction.
 - b. They thought that governments are designed to constrain ambitious behavior and lead to better collective outcomes.
 - c. They believed citizens would become primarily loyal to the national government.
 - d. They believed that internal competition between states would overstimulate the economy, leading to inflation.
 - e. They felt that institutions of government are put in place to ensure maximum liberty for state governments.

ANS: B PTS: 1 DIF: difficult
REF: Federalists versus Antifederalists MSC: understanding

38. Why was the Bill of Rights an important part of the Constitutional ratification process?
- a. Large states, including Virginia and New York, refused to ratify the Constitution until the

Bill of Rights was added to it.

- b. It addressed the concerns of Federalists, who believed that the Bill of Rights would help enumerate the powers of government.
- c. It addressed the concerns of Federalists, who believed that a strong central government also needed to be flexible.
- d. It addressed the concerns of Antifederalists, who were concerned that the Constitution did not protect states' rights against the intrusion of the federal government
- e. It addressed the concerns of Antifederalists, who were concerned that the Constitution did not protect individual rights against the intrusion of the federal government.

ANS: E PTS: 1 DIF: moderate REF: The Bill of Rights
MSC: remembering

39. Sonal is eating dinner with her family when the police enter and begin to search her home. The police do not have a warrant and will not tell Sonal what they are looking for. In this instance, Sonal is primarily protected by _____.
- a. the Bill of Rights, which protects a right to free assembly
 - b. the Bill of Rights, which protects private property unless the government can obtain a warrant
 - c. the Bill of Rights, which requires that government officials disclose their intentions prior to a search
 - d. Miranda Rights, which the Supreme Court has derived from the Bill of Rights
 - e. the Supreme Court, which can determine whether or not this search was legal

ANS: B PTS: 1 DIF: moderate REF: The Bill of Rights
MSC: applying

40. Which of the following are NOT included in the Bill of Rights?
- a. right to vote
 - b. right to free speech
 - c. freedom of assembly
 - d. right to bear arms
 - e. right to counsel for criminal defendants

ANS: A PTS: 1 DIF: difficult REF: The Bill of Rights
MSC: remembering

41. Which is an enumerated power listed in Article I, Section 8, of the U.S. Constitution that empowers Congress to regulate "Commerce with foreign Nations, and among the several states, and with the Indian Tribes?"
- a. federalism
 - b. supremacy clause
 - c. commerce clause
 - d. referral clause
 - e. elastic clause

ANS: C PTS: 1 DIF: easy
REF: National Power versus States' Rights MSC: remembering

42. Are written constitutions the best guarantor of equal rights?
- a. Yes, all countries write equal rights into their constitutions.
 - b. Yes, all countries abide by their written constitutions.
 - c. Yes, most countries mimic the United States' rights-based legal structures.

- d. No, some countries do not abide by rights protections written into their constitutions.
- e. No, most countries derive rights protections from international treaties instead of national constitutions.

ANS: D PTS: 1 DIF: moderate

REF: In Comparison: National Constitutions

MSC: understanding

43. When the United States was founded, slavery was legally protected and many groups did not vote. Why have changes been possible?
- a. The Constitution was written with broad rights protections.
 - b. These rights were always guaranteed and over time society adjusted so that they could be implemented.
 - c. The Constitution is a living document designed to evolve in response to changing circumstances.
 - d. The Supreme Court has attached amendments to the original constitution to increase groups' rights.
 - e. Social changes have led to de facto group inclusion even without constitutional changes.

ANS: E PTS: 1 DIF: easy

REF: The "Living Constitution"

MSC: applying

44. When deciding what policy areas Congress is allowed to act on, twentieth-century Courts have primarily used _____ as a guide, because they interpret it to mean _____.
- a. the elastic clause; that Congress has the power to make laws to provide for the general welfare of the United States
 - b. the supremacy clause; that the federal government has broad authority to act in spite of state policies
 - c. the commerce clause; that the federal government has the right to regulate most business and commercial activity in the United States
 - d. the Tenth Amendment; that the federal government cannot act in policy areas that are reserved for the states
 - e. *stare decisis*; that they must defer to previous jurisprudence to ensure continuity in the application of the law

ANS: C PTS: 1 DIF: difficult

REF: National Power versus States' Rights

MSC: remembering

45. The federal Food and Drug Administration may enact national bans on medications that it believes to be dangerous to U.S. citizens, even though this is not an enumerated power in the Constitution. The most likely source of this federal power comes from judicial interpretations of _____.
- a. the commerce clause, which grants the federal government the right to regulate commercial activity within the United States
 - b. the general welfare clause, which allows the government to override state interests when citizens are in danger
 - c. incorporation, which applies all federal protections to individual citizens regardless of the state in which they live
 - d. the supremacy clause, which gives the federal bureaucracy supremacy over state agencies
 - e. the elastic clause, which gives the federal government the powers needed to protect the common defense and welfare of U.S. citizens

ANS: A PTS: 1 DIF: difficult

REF: National Power versus States' Rights

MSC: applying

46. The Supreme Court's interpretation of the Constitution has been _____.
a. stable over time, because the Constitution is fairly clear
b. stable over time, because judicial actors have an interest in maintaining institutional legitimacy
c. stable since the 1930s, because the Supreme Court has only increased federal powers since then
d. subject to change over time, depending on how individual courts interpret key constitutional clauses
e. subject to change over time, as social and political climates change

ANS: D PTS: 1 DIF: moderate
REF: National Power versus States' Rights MSC: understanding

47. Which of the following has most encouraged popular participation in government?
a. the creation of the Electoral College
b. the extension of presidential and senatorial terms
c. the expansion of suffrage
d. the rise of public opinion
e. direct election of Senators

ANS: C PTS: 1 DIF: moderate
REF: Direct Election of the President and Senators MSC: understanding

48. Would political scientists be likely to applaud the constitutional framers' choice of a presidential system?
a. yes, because presidential systems are more likely to sustain democracy
b. yes, because presidential systems have higher levels of education achievement and better economic growth
c. yes, because presidents, unlike prime ministers, cannot be recalled by their own parties, leading to more presidential autonomy
d. no, because presidential systems are less likely to sustain democracy
e. no, because presidents, unlike prime ministers, cannot be recalled by their own parties, leading to less presidential responsiveness

ANS: D PTS: 1 DIF: difficult
REF: Consequences of the Constitution MSC: understanding

ESSAY

1. What was Shays's Rebellion? Explain how Shays's Rebellion illustrates a collective-action problem among the states under the Articles of Confederation. What remedies to the collective-action problem at work during Shays's Rebellion are incorporated into the United States Constitution?

ANS:

Answers will vary.

PTS: 1

2. What are the “separation of powers” and “checks and balances”? How are these sets of institutional arrangements related? How are they distinct? How are the separation of powers and checks and balances put into effect in the United States Constitution?

ANS:

Answers will vary.

PTS: 1

3. What major disagreements faced the delegates to the Constitutional Convention in Philadelphia? How did the delegates choose to compromise in order to resolve these important differences? What major features of the Constitution reflect these compromises?

ANS:

Answers will vary.

PTS: 1

4. What was the primary issue in the debates between the Federalists and the Antifederalists over the United States Constitution? What was the Federalist perspective? What was the Antifederalist perspective? What major set of concessions were the Antifederalists able to extract from the Federalists during and after the ratification debates?

ANS:

Answers will vary.

PTS: 1

5. How did the Constitution deal with the issue of slavery? How were slaves treated in the apportionment of representation in the House of Representatives and taxes? What powers did Congress have to regulate or eliminate slavery or the slave trade?

ANS:

Answers will vary.

PTS: 1