

CHAPTER 2: The Constitution

MULTIPLE CHOICE

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

ANS: D DIF: Moderate REF: CH02 - 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 _____.
- collective action problem
 - political institution
 - unstable coalition
 - prisoner's dilemma
 - path dependent outcome

ANS: A DIF: Moderate REF: CH02 - The Articles of Confederation
MSC: Understanding

3. The rule of law ensures that _____.
- all citizens of a country are subject to the same legal codes and treated equally regardless of the positions they hold
 - all visitors to a country are subject to the same legal codes and treated equally regardless of the offices they hold in their home countries
 - all government officials are equally subject to laws when not acting in an official capacity
 - government officials do not make arbitrary decisions when acting in an official capacity
 - legal codes prohibit citizens from making arbitrary laws

ANS: A DIF: Moderate REF: CH02 - 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 _____.
- international coordination problems
 - natural liberty
 - civil liberty
 - the rule of law
 - statutory protections

ANS: D DIF: Easy REF: CH02 - What Do Constitutions Accomplish?
MSC: Applying

5. The United States needs to pass a law determining whether to enter into a trade agreement with France. The _____ determine(s) who gets to make that decision, because _____.
- Constitution; it specifies the institutional rules that determine who is in the judiciary
 - legislature; it oversees international relations
 - Constitution; it specifies the institutional rules that determine which body has power over making trade law
 - executive; he or she has power over international treaties

e. courts; they revise statutory law

ANS: C DIF: Difficult REF: CH02 - What Do Constitutions Accomplish?
MSC: Applying

6. Which type of document organizes the formal institutions of government and lays out how government may legitimately use its powers?

- a. statutes
- b. regulations
- c. decrees
- d. constitutions
- e. executive orders

ANS: D DIF: Easy REF: CH02 - 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 DIF: Easy REF: CH02 - The Revolution
MSC: Remembering

8. _____ law is the collection of fundamental rules and procedures for creating _____ laws and regulations.

- a. Constitutional; statutory
- b. Statutory; commercial
- c. Tort; constitutional
- d. Statutory; tort
- e. Commercial; statutory

ANS: A DIF: Easy REF: CH02 - What Do Constitutions Accomplish?
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 DIF: Easy REF: CH02 - Origins of the American Political System
MSC: Remembering

10. The Declaration of Independence is widely regarded around the world primarily because it _____.

- a. claims that individuals are able and willing to popularly elect public officials to govern
- b. was written by Thomas Jefferson and John Adams
- c. cites John Locke, a famous English philosopher
- d. claims that individuals have natural rights that permit them the privilege to self-govern
- e. deems King George III a tyrant and horrendous leader

ANS: D DIF: Easy REF: CH02 - Origins of the American Political System
MSC: Understanding

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

ANS: E DIF: Easy REF: CH02 - The Articles of Confederation
MSC: Remembering

12. Compared to the Constitution, federalism under the Articles of Confederation assigned _____.
- a. greater authority to local governments at the expense of states
 - b. equal authority to states and local governments
 - c. greater authority to states at the expense of the national government
 - d. equal authority to the national government and the states
 - e. greater authority to international organizations at the expense of the United States government

ANS: C DIF: Moderate REF: CH02 - The Articles of Confederation
MSC: Understanding

13. In what way were colonial charters important models for U.S. governmental structures?
- a. Proprietary charters allowed entities like the Virginia Company to experiment with different forms of government.
 - b. Royal colonies' reliance on a strong executive was a model for the U.S. presidency.
 - c. The popular election of charter council members created democratic institutions.
 - d. They typically had bicameral legislatures and an executive.
 - e. The crown's methods of granting colonial charters were the model for granting statehood.

ANS: D DIF: Moderate REF: CH02 - Colonial Charters
MSC: Applying

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

ANS: E DIF: Moderate
REF: CH02 - Liberty versus Strong National Government MSC: Applying

15. Which Constitutional Convention proposal resolved the conflict between supporters of greater national power and advocates of greater state sovereignty?
- a. Virginia Plan
 - b. New Jersey Plan
 - c. Connecticut Compromise
 - d. Three-fifths Compromise
 - e. Kentucky and Virginia Resolutions

ANS: C DIF: Easy REF: CH02 - Virginia Plan
MSC: Remembering

16. Which three cleavages presented the most difficult challenges at the Constitutional Convention?
- a. slavery, unicameral versus bicameral legislatures, and popular representation
 - b. representation of big and small states, popular representation, and states' rights
 - c. slavery, the nature of federation, and representation of big and small states

- d. representation of big and small states, the strength of the executive, and the nature of federation
- e. slavery, popular versus financial representation of states, and the strength of the executive

ANS: C DIF: Easy REF: CH02 - Difficult Compromises
MSC: Remembering

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

ANS: A DIF: Easy REF: CH02 - The Constitution
MSC: Analyzing

18. 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 DIF: Easy REF: CH02 - Slavery
MSC: Remembering

19. 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 DIF: Easy REF: CH02 - Major Features
MSC: Remembering

20. Which institution created by the U.S. Constitution is most clearly related to resolving the coordination problems presented by selecting someone to serve as president?
- a. Senate
 - b. House of Representatives
 - c. Supreme Court
 - d. electoral college
 - e. federalism

ANS: D DIF: Moderate REF: CH02 - A President as Executive
MSC: Understanding

21. 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 DIF: Easy REF: CH02 - A President as Executive
MSC: Remembering

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

c. three

ANS: B DIF: Easy REF: CH02 - Bicameralism
MSC: Remembering

23. Which constitutional provision states that Congress may create whatever laws are “necessary and proper” in order to execute other enumerated powers?

- a. the necessary clause
- b. the free exercise clause
- c. the elastic clause
- d. the sanity clause
- e. the supremacy clause

ANS: C DIF: Easy REF: CH02 - Bicameralism
MSC: Remembering

24. What does the elastic clause accomplish?

- a. It gives Congress the ability to make laws that are necessary and proper to carry out its enumerated powers.
- b. It gives the president the ability to propose laws that he or she deems necessary and proper to carrying out his or her powers.
- c. It gives the Supreme Court the right to review laws it deems unjust.
- d. It enumerates Congress’s powers to avoid confusion with the powers of the other branches.
- e. It lists the governmental powers of each branch of the government.

ANS: A DIF: Easy REF: CH02 - A Bicameral Legislature
MSC: Remembering

25. In the 2010 case *U.S. v. Comstock*, the Supreme Court ruled that a congressional law allowing the continued detention of sexual offenders who posed a threat after serving their prison terms was constitutional. The Court said the creation of this law was within the rights of Congress, even though the Constitution does not explicitly mention sexual offences. This is an example of the Court acknowledging the _____.

- a. expressed powers of Congress
- b. elastic clause
- c. separation of powers
- d. supremacy clause
- e. reserved powers

ANS: B DIF: Moderate REF: CH02 - A Bicameral Legislature
MSC: Applying

26. 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 DIF: Easy REF: CH02 - Checks and Balances
MSC: Applying

27. 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 DIF: Easy REF: CH02 - Separation of Powers

MSC: Remembering

28. 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 DIF: Moderate REF: CH02 - Checks and Balances

MSC: Understanding

29. A business in North Carolina has a legal dispute with a business in New York, yet each party is behaving legally according to its own state's 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 DIF: Easy REF: CH02 - An Independent Judiciary

MSC: Understanding

30. 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 DIF: Moderate REF: CH02 - An Independent Judiciary

MSC: Applying

31. Why is an independent judiciary critical for a healthy democracy?
- a. A strong Supreme Court ensures that conflicts between states will not escalate.
 - b. It ensures a neutral and unbiased body will settle constitutional conflicts.
 - c. Courts settle disputes over the meaning of contracts and laws.
 - d. It is not necessary because state courts handle most grievances.
 - e. A strong judiciary deters conflicts from arising.

ANS: B DIF: Moderate REF: CH02 - An Independent Judiciary

MSC: Applying

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

ANS: A DIF: Easy REF: CH02 - Federalism

MSC: Remembering

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

ANS: A DIF: Difficult REF: CH02 - Federalism

MSC: Understanding

34. 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 other branches of government.
 - c. The U.S. Constitution supersedes state and local laws.
 - d. The chief justice may override a presidential veto.
 - e. The House of Representatives is superior to the Senate.

ANS: C DIF: Moderate REF: CH02 - Federalism

MSC: Understanding

35. In 2012, the U.S. Supreme Court ruled that a highly restrictive Arizona immigration bill was unconstitutional because it conflicted with federal law. The Court's ruling relied on which section of the Constitution in its justification?
- a. reserved powers
 - b. checks and balances
 - c. separation of powers
 - d. supremacy clause
 - e. expressed powers

ANS: D DIF: Moderate
REF: CH02 - Federalism with National Authority over the States

MSC: Applying

36. 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 DIF: Easy REF: CH02 - Amendment Provisions

MSC: Remembering

37. 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 DIF: Easy REF: CH02 - Amendment Provisions

MSC: Remembering

38. 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. Antifederalist
 - d. Whig

c. Federalist

ANS: D DIF: Moderate REF: CH02 - Antifederalists
MSC: Understanding

39. 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 DIF: Moderate REF: CH02 - Federalists
MSC: Understanding

40. *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 DIF: Easy REF: CH02 - Federalists
MSC: Remembering

41. 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 DIF: Moderate REF: CH02 - Antifederalists
MSC: Remembering

42. 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 DIF: Difficult REF: CH02 - Federalists versus Antifederalists
MSC: Understanding

43. 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 delegated too much power to state governments.
- 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 DIF: Moderate REF: CH02 - The Bill of Rights
MSC: Remembering

44. 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 private property unless the government can obtain a warrant
 - b. the Bill of Rights, which protects a right to privacy
 - 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 this search was legal

ANS: A DIF: Moderate REF: CH02 - The Bill of Rights
MSC: Applying

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

ANS: A DIF: Difficult REF: CH02 - The Bill of Rights
MSC: Remembering

46. The national government _____.
- a. would be stronger without the Bill of Rights
 - b. would be weaker without the Bill of Rights
 - c. is designed to solve the states' collective dilemmas
 - d. is designed to solve the states' collective dilemmas and would be stronger without the Bill of Rights
 - e. is designed to solve the states' collective dilemmas and would be weaker without the Bill of Rights

ANS: D DIF: Moderate REF: CH02 - The Bill of Rights
MSC: Applying

47. Which is the 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. the supremacy clause
 - c. the commerce clause
 - d. the referral clause
 - e. the elastic clause

ANS: C DIF: Easy REF: CH02 - National Power versus States' Rights
MSC: Remembering

48. Are written constitutions the best guarantor of equal rights?
- Yes, all countries write equal rights into their constitutions.
 - Yes, all countries abide by their written constitutions.
 - Yes, most countries mimic the United States' rights-based legal structures.
 - No, some countries do not abide by rights protections written into their constitutions.
 - No, most countries derive rights protections from international treaties instead of national constitutions.

ANS: D DIF: Moderate REF: CH02 - In Comparison: National Constitutions
MSC: Understanding

49. When the United States was founded, slavery was legally protected and many groups did not vote. Why have changes been possible?
- The Constitution was written with broad rights protections.
 - These rights were always guaranteed, and over time society adjusted so that they could be implemented.
 - The Constitution is a living document designed to evolve in response to changing circumstances.
 - The Supreme Court has attached amendments to the original constitution to increase groups' rights.
 - Social changes have led to de facto group inclusion.

ANS: E DIF: Easy REF: CH02 - The "Living Constitution"
MSC: Applying

50. Compared to Congress's war powers, the president's powers are _____.
- limited and summarized briefly in Article II
 - expansive and outlined in Article II
 - explicitly delineated throughout the Constitution
 - far more expansive
 - equal

ANS: A DIF: Easy REF: CH02 - The "Living Constitution"
MSC: Remembering

51. 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 that _____.
- the elastic clause; Congress has the power to make laws to provide for the general welfare of the United States
 - the supremacy clause; the federal government has broad authority to act in spite of state policies
 - the commerce clause; the federal government has the right to regulate most business and commercial activity in the United States
 - the Tenth Amendment; the federal government cannot act in policy areas that are reserved for the states
 - stare decisis*; they must defer to previous jurisprudence to ensure continuity in the application of the law

ANS: C DIF: Difficult REF: CH02 - National Power versus States' Rights
MSC: Remembering

52. 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 _____.
- 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 DIF: Difficult REF: CH02 - National Power versus States' Rights
 MSC: Applying

53. 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 DIF: Moderate REF: CH02 - National Power versus States' Rights
 MSC: Understanding

54. 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 DIF: Moderate
 REF: CH02 - Direct Election of the President and Senators MSC: Understanding

55. 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 DIF: Difficult REF: CH02 - 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 U.S. Constitution?

ANS:

A thorough answer may include the following:

- Shays's Rebellion was an uprising led by Daniel Shays in favor of the poor farmers of Massachusetts who led a fight to close courts to prevent debt collection.
- The uprising highlighted the holes in the Articles of Confederation, specifically the lack of effective security; without an executive to enforce the laws passed by the young Congress, the states were susceptible to internal and external threats.
- Additionally, Congress could not raise revenue by passing direct tax laws, but instead had to request money from the states, so Congress had no ability to fund protection from threats.
- Remedies inspired by Shay's Rebellion included a stronger national government equipped to respond to crises, streamlining variation in state policies, and implementation of stronger direct tax policy that limited free riding among the states.

MSC: Understanding

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 U.S. Constitution?

ANS:

A thorough answer may include the following:

- "Separation of powers" refers to the arrangement of the powers of the branches of national government. In general, it means that the executive and legislative branches are independently chosen, and thus the powers they hold are distinct.
- Branches are considered "co-equal" and have different functions to perform; this design specifically avoids the "single-sovereign" design of the British government.
- "Checks and balances" refers to the ways in which the branches share power.
- This arrangement ensures no branch can act independently—that it can only conduct its expressed duties with the approval of the other branches.
- For example, the judicial branch runs courts and interprets the law, but the president appoints judges with Senate approval; the Supreme Court can declare acts of Congress or the president unconstitutional.

MSC: Understanding

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:

A thorough answer may include the following:

- Three major issues include the strength of national government, representation in the legislature, and slavery.

- Strength of national government: some wanted stronger central government, while others favored more power resting with the states; debate continued beyond the Convention
- Representation: “Connecticut Compromise” pulled together components of the Virginia Plan and New Jersey Plan; called for a bicameral legislature with upper house comprised of equal representation from each state and lower house with representation based on state population
- Slavery: critical matter—adoption of the Constitution hinged on making a compromise on this issue; four articles in the Constitution addressed the issue and implicitly endorsed slavery; Article I, Section 2: Three-fifths Compromise; Article I, Section 9: Congress could not prohibit importing of slaves until 1807; Article V: no amendment could change Article 1, Section 9; Article IV, Section 3: fugitive slaves were to be returned

MSC: Analyzing

4. What was the primary issue in the debates between the Federalists and the Antifederalists over the U.S. 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:

A thorough answer may include the following:

- Primary issue: adoption of the Constitution as written
- Federalists: nationalists, supported strong national/federal government; essential for protecting states from foreign threats, preventing war between states; strong national government with separation of powers essential to avoid factions; and important powers were reserved to states
- Antifederalists: Constitution disregarded sovereignty of the states, particularly against elastic clause and supremacy clause; system favored British government; Constitution did not have a list of individual rights to be protected against government intrusion
- Major concessions: inclusion of the Bill of Rights, which list the limits of government intrusion (e.g., freedom of speech, freedom of assembly, freedom of religious practice; and the right to bear arms)

MSC: Understanding

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:

A thorough answer may include the following:

- Four articles in the Constitution addressed and implicitly endorsed slavery: Article I, Section 2: Three-fifths Compromise; Article I, Section 9: Congress could not prohibit importing of slaves until 1807; Article V: no amendment could change Article 1, Section 9; and Article IV, Section 3: fugitive slaves were to be returned.

- Congress's power was limited until 1807 as stated by the Constitution; importantly, Congress acted in 1808 to ban importation of slaves; adopted the Thirteenth Amendment, which superseded Article IV, Section 3; and later passed other amendments after the Civil War that overrode much of the implicit constitutional support of slavery.

MSC: Understanding