

## Chapter 2 – Constitutional Foundations

---

### Reading Comprehension Quiz

#### Multiple-Choice Questions

1. Law that is higher than human law is dubbed \_\_\_\_\_ law.
  - A. statutory
  - B. universal
  - C. natural
  - D. supreme
  - E. constitutional

*Answer: C*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

2. Which article of the Constitution establishes a bicameral Congress?
  - A. Article I
  - B. Article II
  - C. Article III
  - D. Article IV
  - E. Article V

*Answer: A*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

3. The first ten amendments to the Constitution were enacted during the \_\_\_\_\_ session of Congress and are known as the Bill of Rights.
  - A. 1768
  - B. 1791
  - C. 1798
  - D. 1812
  - E. 1991

*Answer: B*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

4. The Constitution divided power between the state and national governments. This division of power is called \_\_\_\_\_.
  - A. constitutionalism
  - B. separation of powers
  - C. federalism
  - D. unitarianism
  - E. bipartisanship

*Answer: C*

*Learning Objective: 2.2*  
*Page Reference: 45*  
*Skill: Understanding*

5. The distribution of constitutional authority among the three branches of the national government is known as
- A. bicameralism.
  - B. federalism.
  - C. divided government.
  - D. autocracy.
  - E. separation of powers.

*Answer: E*  
*Learning Objective: 2.2*  
*Page Reference: 46*  
*Skill: Understanding*

6. According to James Madison in *The Federalist*, No. 47 “. . . the accumulation of all powers, legislative, executive, and judiciary, in the same hands . . . may justly be pronounced the very definition of \_\_\_\_\_.”
- A. tyranny
  - B. monarchy
  - C. democracy
  - D. federalism
  - E. check and balances

*Answer: A*  
*Learning Objective: 2.2*  
*Page Reference: 46*  
*Skill: Understanding*

7. *Marbury v. Madison* (1803) is a landmark Supreme Court case because it
- A. established national supremacy.
  - B. set the precedent for judicial review.
  - C. defined the scope of state powers.
  - D. affirmed the “necessary and proper” clause.
  - E. outlawed segregation.

*Answer: B*  
*Learning Objective: 2.3*  
*Page Reference: 53*  
*Skill: Application*

8. Which of the following statements regarding judicial review is correct?
- A. It was first asserted in the case of *Gibbons v. Ogden*.
  - B. It is defined in legislation passed in 1789.
  - C. It is not mentioned in the Constitution.
  - D. The United States is the only country in the world that uses it.
  - E. It was first established in the United States under the Articles of Confederation.

*Answer: C*  
*Learning Objective: 2.3*  
*Page Reference: 52*  
*Skill: Understanding*

9. A court order directing an official to perform an official duty is called a(n)
- A. writ of *certiorari*.
  - B. executive order.
  - C. writ of *mandamus*.
  - D. impoundment.
  - E. judicial review.

*Answer: C*

*Learning Objective: 2.3*

*Page Reference: 53*

*Skill: Understanding*

10. A directive issued by a president or governor that has the force of law is known as
- A. impoundment.
  - B. an executive order.
  - C. a legislative veto.
  - D. impeachment.
  - E. divided government.

*Answer: B*

*Learning Objective: 2.4*

*Page Reference: 56*

*Skill: Understanding*

11. Which of the following is NOT a presidential practice that has helped build the power and influence of the office?
- A. Executive order
  - B. Executive privilege
  - C. Impoundment
  - D. Impeachment
  - E. None of the above

*Answer: D*

*Learning Objective: 2.4*

*Page Reference: 56*

*Skill: Application*

12. A formal accusation by the lower house of a legislature against a public official, the first step in removal from office, is called
- A. executive ordering.
  - B. impoundment.
  - C. impeachment.
  - D. congressional control.
  - E. judicial prerogative.

*Answer: C*

*Learning Objective: 2.4*

*Page Reference: 55*

*Skill: Understanding*

13. The vast majority of amendments to the Constitution have been ratified
- A. within one week of proposal.
  - B. a minimum of five years after proposal.
  - C. by state ratifying conventions.

- D. over presidential vetoes.
- E. within two years of proposal.

*Answer: E*

*Learning Objective: 2.5*

*Page Reference: 60*

*Skill: Analysis*

14. The idea that the Constitution is a changing and evolving document that should be interpreted in light of the needs of the time is known as
- A. the originalist approach.
  - B. the revisionist approach.
  - C. the activist approach.
  - D. the Marshall approach.
  - E. the adaptive approach.

*Answer: E*

*Learning Objective: 2.5*

*Page Reference: 57*

*Skill: Understanding*

15. How many states must ratify an amendment to the Constitution?
- A. One-half
  - B. Two-thirds
  - C. Three-fourths
  - D. All the states
  - E. All the states and the District of Columbia

*Answer: C*

*Learning Objective: 2.5*

*Page Reference: 58*

*Skill: Understanding*

### **True/ False Questions**

1. The United States has the longest written constitution in the world.

*Answer: FALSE*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

2. Article 1 of the Constitution established the structure, process and powers of the Executive branch.

*Answer: FALSE*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

3. The House of Representatives must approve presidential appointments and treaties.

*Answer: FALSE*

*Learning Objective: 2.2*

*Page Reference: 47*

*Skill: Understanding*

4. In addition to each branch of government having some authority over the other branches, each branch

of government is also politically independent of the other branches.

*Answer: TRUE*

*Learning Objective: 2.2*

*Page Reference: 47*

*Skill: Understanding*

5. Divided government is defined as governance that is divided between parties, especially when one holds the presidency and the other controls one or both houses of Congress.

*Answer: TRUE*

*Learning Objective: 2.2*

*Page Reference: 48–49*

*Skill: Understanding*

6. The important contribution that the framers of the Constitution made to the principle of separation of powers was to divide powers but also overlap them so that no institution could take decisive action on its own.

*Answer: TRUE*

*Learning Objective: 2.2*

*Page Reference: 47*

*Skill: Analysis*

7. Federalists supported a strong role for the federal courts and the idea of judicial review.

*Answer: TRUE*

*Learning Objective: 2.3*

*Page Reference: 52*

*Skill: Analysis*

8. Judicial review is known as a formal way to amend the Constitution.

*Answer: FALSE*

*Learning Objective: 2.3*

*Page Reference: 51*

*Skill: Understanding*

9. The Constitution was purposely made difficult to amend.

*Answer: TRUE*

*Learning Objective: 2.5*

*Page Reference: 62*

*Skill: Understanding*

10. The framers knew that future experiences would call for changes in the text of the Constitution and that eventually it would need to be formally amended.

*Answer: TRUE*

*Learning Objective: 2.5*

*Page Reference: 57*

*Skill: Understanding*

## **Chapter Examination**

### **Multiple Choice Questions**

1. In *District of Columbia v. Heller* (2008), the Supreme Court ruled that
  - A. constitutional amendments had to be ratified within seven years of being proposed.
  - B. individual citizens, apart from any association with a state militia, had a constitutional right to own a gun.
  - C. the supremacy clause gave the Court the right to declare acts of Congress unconstitutional.
  - D. natural law could be imposed by the executive branch.
  - E. the system of checks and balances placed undue burdens on the president's ability to conduct foreign policy.

*Answer: B*

*Learning Objective: Opening Vignette*

*Page Reference: 43*

*Skill: Understanding*

2. What article of the Constitution establishes the executive power and the president?
  - A. Article I
  - B. Article II
  - C. Article III
  - D. Article IV
  - E. Article V

*Answer: B*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

3. Which of the following is an explanation of natural law?
  - A. Law that defines right from wrong
  - B. Law that is found only in constitutions
  - C. Law that is enacted by a legislature
  - D. Law that is proposed by the executive
  - E. Law that is overturned by the judiciary

*Answer: A*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

4. The statement “. . . you must first enable the government to control the governed; and in the next place oblige it control itself” was written by
  - A. George Washington.
  - B. John Adams.
  - C. Thomas Jefferson.
  - D. Henry Thoreau.
  - E. James Madison.

*Answer: E*

*Learning Objective: 2.1*

*Page Reference: 45*

*Skill: Understanding*

5. The idea that government must be able to control itself is expressed by James Madison in *The Federalist*
  - A. No. 51

- B. No. 10.
- C. No. 18.
- D. No. 72.
- E. No. 3.

*Answer: A*

*Learning Objective: 2.1*

*Page Reference: 45*

*Skill: Understanding*

6. Compared to many other national constitutions, the United States constitution is more
- A. recent.
  - B. complicated.
  - C. specific.
  - D. flexible.
  - E. verbose.

*Answer: D*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Analysis*

7. Which country has the world's oldest written constitution?
- A. France
  - B. Germany
  - C. England
  - D. The United States
  - E. Mexico

*Answer: D*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

8. Article \_\_\_\_ of the Constitution creates the Supreme Court.
- A. I
  - B. II
  - C. III
  - D. IV
  - E. V

*Answer: C*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

9. A law that defines right from wrong, which is higher than human law is called
- A. divine law.
  - B. natural law.
  - C. superior law.
  - D. Constitutional law.
  - E. ordained law.

*Answer: B*

*Learning Objective: 2.1*

*Page Reference: 44*

*Skill: Understanding*

10. In *The Federalist*, No. 47, Madison states that which of the following “may justly be pronounced the very definition of tyranny?”
- A. The accumulation of all powers—legislative, executive, and judiciary—in the same hands
  - B. The accumulation of all legislative powers in the same hands
  - C. The accumulation of all executive powers in the same hands
  - D. The accumulation of all judicial powers in the same hands
  - E. The accumulation of all bureaucratic powers in the same hands

*Answer: A*

*Learning Objective: 2.2*

*Page Reference: 46*

*Skill: Understanding*

11. Madison called the accumulation of all powers—legislative, executive, and judiciary—in the same hands
- A. checks and balances.
  - B. separation of powers.
  - C. tyranny.
  - D. a strong government.
  - E. federalism.

*Answer: C*

*Learning Objective: 2.2*

*Page Reference: 46*

*Skill: Understanding*

12. \_\_\_\_\_ is a constitutional grant of powers that enables each of the three branches of government to check some acts of the others and therefore ensure that no branch can dominate.
- A. Separation of powers
  - B. Federalism
  - C. Checks and balances
  - D. Divided government
  - E. Tyranny

*Answer: C*

*Learning Objective: 2.2*

*Page Reference: 47*

*Skill: Understanding*

13. Which of the following is a way in which the president can check other branches?
- A. Vetoing acts of Congress
  - B. Removing federal judges
  - C. Cutting salaries for members of Congress
  - D. Calling special elections
  - E. Declaring war

*Answer: A*

*Learning Objective: 2.2*



*Page Reference: 47*  
*Skill: Application*

14. Which of the following is a way in which the Supreme Court can check other branches?
- A. Removing the president from office
  - B. Declaring acts of Congress unconstitutional
  - C. Refusing to fund programs established by Congress
  - D. Calling for a special session of Congress
  - E. Changing the inauguration date of presidents

*Answer: B*

*Learning Objective: 2.2*

*Page Reference: 48*

*Skill: Application*

15. Divided government refers to
- A. control of the Senate and House of Representatives by different political parties.
  - B. control of the national government and state governments by different political parties.
  - C. the separation of authority in the national government between the three branches.
  - D. division of governmental authority between the national and state governments.
  - E. control of the presidency and at least one chamber of Congress by different political parties.

*Answer: E*

*Learning Objective: 2.2*

*Page Reference: 48–49*

*Skill: Understanding*

16. Divided government
- A. typically increases the role of partisanship in government.
  - B. cannot occur in the United States due to our system of separation of powers.
  - C. is a formal part of checks and balances outlined in the Constitution.
  - D. is the division of governmental authority between the national and state governments.
  - E. None of these

*Answer: A*

*Learning Objective: 2.2*

*Page Reference: 49*

*Skill: Analysis*

17. Which of the following is NOT a way in which the United States (or at least some states) has moved toward more direct democracy?
- A. Referenda
  - B. Initiative
  - C. Popular election of the president
  - D. Direct primaries
  - E. Recall elections

*Answer: C*

*Learning Objective: 2.2*

*Page Reference: 49*

*Skill: Application*

18. The legislative branch can
- A. pardon persons convicted of federal crimes.
  - B. override presidential vetoes.

- C. pass *ex post facto* laws.
- D. nominate individuals to serve as federal justices.
- E. go public.

*Answer: B*

*Learning Objective: 2.2*

*Page Reference: 47–48*

*Skill: Application*

19. The Founding Fathers created a system that
- A. encouraged participatory democracy.
  - B. favored the popular majority.
  - C. rewarded hard work.
  - D. restricted decision making by popular majority.
  - E. emphasized prompt, decisive government action.

*Answer: D*

*Learning Objective: 2.2*

*Page Reference: 49*

*Skill: Analysis*

20. The original checks and balances system has been modified by
- A. the demise of political parties.
  - B. the abolition of all regulatory agencies.
  - C. the direct election of senators.
  - D. giving representatives a four-year term.
  - E. severe restrictions on use of the impeachment power.

*Answer: C*

*Learning Objective: 2.2*

*Page Reference: 49*

*Skill: Application*

21. The term separation of powers refers to the
- A. individual powers of a president are separated among his cabinet secretaries.
  - B. separation of the Congress into the House and the Senate.
  - C. allocation of power among the three branches of government.
  - D. belief that the federal government should be subservient to the state governments.
  - E. separation of powers between the federal government and the state governments.

*Answer: C*

*Learning Objective: 2.2*

*Page Reference: 46*

*Skill: Understanding*

22. During the Revolutionary period, legislatures
- A. were curbed by the checks and balances system.
  - B. became the dominant branch of government.
  - C. suffered from a steady decrease in power.
  - D. governed firmly and wisely.
  - E. were dissolved to protect the identity of the officeholders.

*Answer: B*

*Learning Objective: 2.2*

*Page Reference: 46–47*

*Skill: Understanding*

23. When one party controls the legislative branch and another party the executive branch, this is known as
- A. bicameralism.
  - B. divided government.
  - C. executive action.
  - D. an executive agreement.
  - E. a split ticket.

*Answer: B*

*Learning Objective: 2.2*

*Page Reference: 48*

*Skill: Understanding*

24. The power of the executive branch has been expanded by
- A. the power to declare war.
  - B. new technologies.
  - C. direct primaries.
  - D. the power to appropriate funds for programs.
  - E. the frequent use of the presidential pardon.

*Answer: B*

*Learning Objective: 2.2*

*Page Reference: 49–51*

*Skill: Analysis*

25. The allocation of certain powers to the national government and other powers to states is called
- A. bicameralism.
  - B. divided government.
  - C. statism.
  - D. federalism.
  - E. separation of powers.

*Answer: D*

*Learning Objective: 2.2*

*Page Reference: 45*

*Skill: Understanding*

26. The system of checks and balances used in the United States government is based on the idea that
- A. a strong government is always better than a weak one.
  - B. human beings are basically good.
  - C. the executive branch should be supreme, but not all powerful.
  - D. power must be used to offset power.
  - E. All of the above

*Answer D*

*Learning Objective: 2.2*

*Page Reference: 47*

*Skill: Analysis*

27. In *The Federalist*, No. 51, Madison discussed the need for “auxiliary precautions” against popular tyranny, which include
- A. separation of powers.
  - B. states’ rights.
  - C. the Bill of Rights.

- D. unfunded mandates.
- E. free elections.

*Answer: A*

*Learning Objective: 2.2*

*Page Reference: 46*

*Skill: Understanding*

28. In creating a national government with a system of checks and balances, the framers of the Constitution sought to
- A. eliminate any role for the judicial branch.
  - B. limit the ability of any branch of the national government from becoming too powerful.
  - C. ensure that governmental accountability to the public was impossible to achieve.
  - D. make sure that the president was the nation's true leader who would get the final say about everything.
  - E. guarantee the supremacy of the states over the national government.

*Answer: B*

*Learning Objective: 2.2*

*Page Reference: 47*

*Skill: Analysis*

29. James Madison looked to which of the following political philosophers for his justification of the principle of separation of powers?

- A. Plato
- B. Aristotle
- C. Locke
- D. Montesquieu
- E. Locke and Montesquieu

*Answer: E*

*Learning Objective: 2.2*

*Page Reference: 46*

*Skill: Understanding*

30. Which of the following statements regarding judicial review is correct?
- A. The framers purposely did not include it in the Constitution because they believed the judiciary should never have this authority
  - B. The framers of the Constitution likely assumed that Congress would abolish the judiciary quickly and therefore did not feel judicial review was necessary
  - C. The framers clearly intended that the Supreme Court would not have the power to declare state legislation unconstitutional
  - D. The framers never considered the possibility that the judiciary would do anything other than preside over criminal trials making judicial review irrelevant
  - E. The framers probably did not include it in the Constitution because they believed justices could infer they had the power, from certain general provisions and the necessity of interpreting and applying a written constitution

*Answer: E*

*Learning Objective: 2.3*

*Page Reference: 52*

*Skill: Analysis*

31. The Kentucky and Virginia Resolutions
- A. suggested that judicial review was unconstitutional.
  - B. argued against the ratification of the Constitution.

- C. established the practice of judicial review.
- D. were resolutions passed by state legislatures urging members of Congress to propose a constitutional amendment formally outlining judicial review.
- E. None of the above

*Answer: E*

*Learning Objective: 2.3*

*Page Reference: 52*

*Skill: Understanding*

32. The Supreme Court's power of judicial review was established in the case of

- A. *Roe v. Wade.*
- B. *McCulloch v. Maryland.*
- C. *Marbury v. Madison.*
- D. *Brown v. Board of Education.*
- E. *District of Columbia v. Heller.*

*Answer: C*

*Learning Objective: 2.3*

*Page Reference: 53*

*Skill: Understanding*

33. The power to strike down a law or a government regulation that judges believe conflicts with the Constitution is known as

- A. an executive order.
- B. a *writ of certiorari.*
- C. impoundment.
- D. judicial review.
- E. a writ of mandamus

*Answer: D*

*Learning Objective: 2.3*

*Page Reference: 51*

*Skill: Understanding*

34. The Judiciary Act of 1789

- A. formally created the power of judicial review.
- B. gave the Supreme Court the authority to issue writs of mandamus.
- C. increased the number of justices on the Supreme Court to 23.
- D. gave the president the power to remove justices from the Supreme Court.
- E. was vetoed by President Andrew Jackson.

*Answer: B*

*Learning Objective: 2.3*

*Page Reference: 53*

*Skill: Understanding*

35. The political system is kept up-to-date through changes in the informal, unwritten Constitution mainly through

- A. basic statutes and historical practices of Congress.
- B. presidential actions.
- C. Supreme Court decisions.
- D. congressional elaboration.
- E. All of the above

*Answer: E*

*Learning Objective: 2.4*  
*Page Reference: 55*  
*Skill: Understanding*

36. \_\_\_\_\_ is the power to keep executive communications confidential, especially if they relate to national security.
- A. Presidential secrecy
  - B. Impoundment
  - C. Executive privilege
  - D. Presidential prerogative
  - E. Executive order

*Answer: C*  
*Learning Objective: 2.4*  
*Page Reference: 56*  
*Skill: Understanding*

37. Presidential refusal to allow an agency to spend funds that Congress authorized and appropriated is called
- A. executive stubbornness.
  - B. treason.
  - C. line-item veto.
  - D. executive privilege.
  - E. impoundment.

*Answer: E*  
*Learning Objective: 2.4*  
*Page Reference: 56*  
*Skill: Understanding*

38. Which of the following is a practice that illustrates the growth of presidential power beyond powers explicitly listed in the Constitution?
- A. Vetoes of legislation passed by Congress
  - B. The use of executive orders
  - C. The signing of treaties with foreign countries
  - D. Declaring war
  - E. Appointing justices to federal courts

*Answer: B*  
*Learning Objective: 2.4*  
*Page Reference: 56*  
*Skill: Application*

39. Which of the following has served to concentrate more power in the executive branch?
- A. Poverty
  - B. Global warming
  - C. Impeachment
  - D. Foreign and economic crises
  - E. The Internet

*Answer: D*  
*Learning Objective: 2.4*  
*Page Reference: 56*  
*Skill: Analysis*

40. The Constitution of the United States has been altered without formal amendment by all BUT which of the following methods?
- A. Congressional elaboration
  - B. Presidential practice
  - C. Custom and usage
  - D. Opposition by states
  - E. Supreme Court decisions

*Answer: D*

*Learning Objective: 2.4*

*Page Reference: 54–56*

*Skill: Application*

41. The originalist approach to constitutional interpretation
- A. argues that the Constitution should be understood according to the framers' intent.
  - B. was first espoused by Charles Beard in *The Antifederalist*.
  - C. has been ruled unconstitutional by the Supreme Court.
  - D. sees the Constitution as a changing and evolving document that provides a basic framework for government.
  - E. believes that George Washington was the original author of the Declaration of Independence.

*Answer: A*

*Learning Objective: 2.5*

*Page Reference: 57*

*Skill: Understanding*

42. The adaptive approach to constitutional interpretation
- A. would likely enhance the authority of the president.
  - B. forces constitutional change to occur only through constitutional amendments.
  - C. has been ruled unconstitutional by the Supreme Court.
  - D. makes the judiciary a more powerful actor in American politics.
  - E. All of the above

*Answer: D*

*Learning Objective: 2.5*

*Page Reference: 57*

*Skill: Analysis*

43. \_\_\_\_\_ amendments to the Constitution have been ratified.

- A. Ten
- B. One hundred
- C. Twenty-seven
- D. Thirty-eight
- E. Three

*Answer: C*

*Learning Objective: 2.5*

*Page Reference: 58*

*Skill: Understanding*

44. The only method used thus far to propose amendments to the Constitution is
- A. a two-thirds vote of both houses of Congress.
  - B. state conventions.
  - C. state legislatures.

- D. popular mandate.
- E. introduction by the president.

*Answer: A*

*Learning Objective: 2.5*

*Page Reference: 58*

*Skill: Understanding*

45. Amendments to the U.S. Constitution

- A. may be proposed by a simple majority vote in both chambers of Congress.
- B. may be ratified by approval of two-thirds of state legislatures.
- C. may be proposed at a convention called by Congress at the request of the legislatures in two-thirds of the states.
- D. must be approved by the president.
- E. All of the above

*Answer: C*

*Learning Objective: 2.5*

*Page Reference: 58*

*Skill: Understanding*

46. Which article of the Constitution allows Congress to call a Constitutional Convention?

- A. Article I
- B. Article II
- C. Article IV
- D. Article V
- E. Article X

*Answer: D*

*Learning Objective: 2.5*

*Page Reference: 58*

*Skill: Understanding*

47. Figure 2–3 shows that the \_\_\_\_\_ Amendment took the longest to ratify.

- A. First
- B. Twenty-seventh
- C. Fifth
- D. Fifteenth
- E. Seventeenth

*Answer: B*

*Learning Objective: 2.5*

*Page Reference: 61*

*Skill: Analysis*

48. The Equal Rights Amendment would have barred discrimination on the basis of

- A. race.
- B. ethnicity.
- C. age.
- D. sex.
- E. height.

*Answer: D*

*Learning Objective: 2.5*

*Page Reference: 60*

*Skill: Understanding*



49. Which of the following is correct about the Equal Rights Amendment?
- A. It was never approved by Congress
  - B. It was never ratified by any state
  - C. It is the Twenty-Sixth Amendment
  - D. It was widely opposed by feminist groups including the National Organization for Women
  - E. It has still not been ratified

*Answer: E*

*Learning Objective: 2.5*

*Page Reference: 60–61*

*Skill: Understanding*

50. With one exception, ratification of constitutional amendments has been by action of
- A. the president.
  - B. the Supreme Court.
  - C. state conventions.
  - D. national conventions.
  - E. state legislatures.

*Answer: E*

*Learning Objective: 2.5*

*Page Reference: 59*

*Skill: Application*

51. According to the Supreme Court, after an amendment is proposed, it must be ratified
- A. in one year.
  - B. in three years.
  - C. in seven years.
  - D. in a reasonable time.
  - E. None of the above

*Answer: D*

*Learning Objective: 2.5*

*Page Reference: 60*

*Skill: Understanding*

52. Currently, flag burning
- A. is illegal under state law in most states.
  - B. is illegal based on a law passed by Congress.
  - C. is legal based on a Supreme Court ruling.
  - D. is legal based on a law passed by Congress.
  - E. is legal under state law in most states.

*Answer: C*

*Learning Objective: 2.5*

*Page Reference: 58*

*Skill: Application*

53. Recently, California used the initiative process to adopt a constitutional amendment banning
- A. flag burning.
  - B. abortion.
  - C. prayer in public schools.
  - D. same-sex marriage.
  - E. religious displays in public buildings.

*Answer: D*  
*Learning Objective: 2.5*  
*Page Reference: 60*  
*Skill: Understanding*

### **True/False Questions**

1. The United States has the world's oldest written constitution.  
*Answer: TRUE*  
*Learning Objective: 2.1*  
*Page Reference: 44*  
*Skill: Understanding*
  
2. The U.S. Constitution is a highly detailed document with specificity on a wide range of topics.  
*Answer: FALSE*  
*Learning Objective: 2.1*  
*Page Reference: 44*  
*Skill: Understanding*
  
3. Article I of the Constitution establishes a bicameral Congress.  
*Answer: TRUE*  
*Learning Objective: 2.1*  
*Page Reference: 44*  
*Skill: Understanding*
  
4. The framers of the Constitution wanted to establish a government strong enough to enforce national interests but not so strong as to destroy individual liberty.  
*Answer: TRUE*  
*Learning Objective: 2.1*  
*Page Reference: 44*  
*Skill: Analysis*
  
5. Great Britain does NOT have a written constitution.  
*Answer: TRUE*  
*Learning Objective: 2.1*  
*Page Reference: 44*  
*Skill: Understanding*
  
6. Natural law is law that defines right from wrong and is viewed as being higher than human law.  
*Answer: TRUE*  
*Learning Objective: 2.2*  
*Page Reference: 44*  
*Skill: Understanding*
  
7. The Senate and House of Representatives have an absolute veto over one another.  
*Answer: TRUE*  
*Learning Objective: 2.2*  
*Page Reference: 47*  
*Skill: Understanding*

8. The separation of authority in the national government among the three branches is called divided government.

*Answer: FALSE*

*Learning Objective: 2.2*

*Page Reference: 45*

*Skill: Understanding*

9. Since the founding of the United States the right to vote has been significantly expanded.

*Answer: TRUE*

*Learning Objective: 2.2*

*Page Reference: 49*

*Skill: Understanding*

10. Since the ratification of the Seventeenth Amendment in 1913 U.S. Senators are elected directly by the people.

*Answer: TRUE*

*Learning Objective: 2.2*

*Page Reference: 49*

*Skill: Understanding*

11. Two of the most important restraints that Congress can exercise over the president are its powers to make the laws and appropriate money.

*Answer: TRUE*

*Learning Objective: 2.2*

*Page Reference: 47*

*Skill: Application*

12. According to the text, the most important means the framers of the Constitution devised to make public officials observe the constitutional limits on their powers was free and fair elections.

*Answer: TRUE*

*Learning Objective: 2.2*

*Page Reference: 45*

*Skill: Analysis*

13. Articles I, II, and III of the Constitution divide the power of the federal government into three branches of government: the Senate, the House of Representatives, and the Presidency.

*Answer: FALSE*

*Learning Objective: 2.2*

*Page Reference: 46*

*Skill: Understanding*

14. The Court's authority of judicial review is explicitly outlined in the Constitution.

*Answer: FALSE*

*Learning Objective: 2.3*

*Page Reference: 52*

*Skill: Understanding*

15. Judicial review refers to the power to strike down a law or a government regulation that judges believe conflicts with the Constitution.

*Answer: TRUE*

*Learning Objective: 2.3*

*Page Reference: 51*  
*Skill: Understanding*

16. The United States is the only country in the world that uses judicial review.

*Answer: FALSE*  
*Learning Objective: 2.3*  
*Page Reference: 52*  
*Skill: Understanding*

17. A writ of certiorari is a court order directing an official to perform an official duty.

*Answer: FALSE*  
*Learning Objective: 2.3*  
*Page Reference: 53*  
*Skill: Understanding*

18. The court's authority of judicial review was originally established in the *Marbury v. Madison* (1803) case.

*Answer: TRUE*  
*Learning Objective: 2.3*  
*Page Reference: 53*  
*Skill: Understanding*

19. The Chief Justice of the Supreme Court at the time of the *Marbury v. Madison* (1803) case was Thomas Jefferson.

*Answer: FALSE*  
*Learning Objective: 2.3*  
*Page Reference: 53*  
*Skill: Understanding*

20. Jeffersonians questioned whether the Supreme Court had the final authority to review state legislation.

*Answer: TRUE*  
*Learning Objective: 2.3*  
*Page Reference: 52–53*  
*Skill: Analysis*

21. Citizens in the United States have become more concerned with government assuming too much control in recent years.

*Answer: TRUE*  
*Learning Objective: 2.3*  
*Page Reference: 54*  
*Skill: Understanding*

22. Executive privilege refers to presidential refusal to allow an agency to spend funds that Congress authorized and appropriated.

*Answer: FALSE*  
*Learning Objective: 2.4*  
*Page Reference: 56*  
*Skill: Understanding*

23. Article II of the Constitution provides for impeachment and removal of the president and other civil

officers for “Misdemeanors or Malfeasance.”

*Answer: FALSE*

*Learning Objective: 2.4*

*Page Reference: 55*

*Skill: Understanding*

24. Twenty-seven amendments to the Constitution have been ratified.

*Answer: TRUE*

*Learning Objective: 2.5*

*Page Reference: 58*

*Skill: Understanding*

25. Constitutional amendments may be proposed at a convention called by Congress at the request of the legislatures in two-thirds of the states.

*Answer: TRUE*

*Learning Objective: 2.5*

*Page Reference: 58*

*Skill: Understanding*

26. The Equal Rights Amendment would have provided that “equality of rights under the law shall not be denied or abridged by the United States or any state on account of sex.”

*Answer: TRUE*

*Learning Objective: 2.5*

*Page Reference: 60*

*Skill: Understanding*

27. Many state constitutions are easier to amend, and have undergone more changes, than the U.S. Constitution.

*Answer: TRUE*

*Learning Objective: 2.5*

*Page Reference: 60*

*Skill: Analysis*

### **Short Answer Questions**

1. Compare the length and specificity of the U.S. Constitution to constitutions of other countries.

*Learning Objective: 2.1 and 2.2*

*Skill: Analysis*

2. Define checks and balances and give three examples of checks in the U.S. Constitution.

*Learning Objective: 2.2*

*Skill: Understanding and Application*

3. Define separation of powers and explain how it works in the United States.

*Learning Objective: 2.2*

*Skill: Analysis*

4. Define divided government and explain its significance for the role of partisanship in the government.

*Learning Objective: 2.2*

*Skill: Analysis*

5. Define judicial review and explain how it is a judicial check on the other branches.  
*Learning Objective: 2.3*  
*Skill: Understanding and Application*
6. What was the subject of the *Marbury v. Madison* (1803) case and what was the case's most significant effect?  
*Learning Objective: 2.3*  
*Skill: Understanding and Analysis*
7. Define executive orders and explain their relationship to the growth of presidential power.  
*Learning Objective: 2.4*  
*Skill: Analysis*
8. Identify potential problems with both the originalist and adaptive approaches to constitutional interpretation.  
*Learning Objective: 2.4*  
*Skill: Evaluation*
9. Identify one way in which constitutional amendments can be ratified and note an example of the method used.  
*Learning Objective: 2.5*  
*Skill: Application*
10. Identify the ways in which the electorate has been expanded through constitutional amendments.  
*Learning Objective: 2.5*  
*Skill: Application*
11. Identify how constitutional amendments have expanded voting rights.  
*Learning Objective: 2.5*  
*Skill: Analysis*
12. Explain what it means that constitutional amendments must be ratified in "a reasonable time." What has this meant in practice for specific amendments?  
*Learning Objective: 2.5*  
*Skill: Analysis*
13. What are the challenges that might arise if Congress called for a constitutional convention, as provided for in Article V of the Constitution?  
*Learning Objective: 2.5*  
*Skill: Evaluation*
14. Identify two ways in which constitutional amendments have increased the authority of the national government.  
*Learning Objective: 2.5*  
*Skill: Analysis*
15. Define the Equal Rights Amendment and discuss why it was or wasn't ratified.  
*Learning Objective: 2.5*  
*Skill: Understanding and Analysis*

## **Essay Questions**

1. Explain how debate over the Second Amendment right to bear arms highlights what the authors of your text call “both a genius and a flaw in the Constitution.”  
*Learning Objective: 2.1*  
*Skill: Evaluation*
2. James Madison claimed that for democracy to work “you must first enable the government to control the governed; and in the next place oblige it control itself.” Do you agree with this statement? In what ways does it apply to the government in the United States?  
*Learning Objective: 2.1 and 2.2*  
*Skill: Evaluation*
3. Explain two ways in which the constitution limits governmental authority.  
*Learning Objective: 2.2*  
*Skill: Analysis*
4. Madison advocated “auxiliary precautions” against popular tyranny in the constitutional system. List these precautions, and evaluate how well they are working, how they are undermined, and whether you think they are necessary.  
*Learning Objective: 2.2*  
*Skill: Evaluation*
5. List and evaluate three ways in which changes in technology have altered the nature of American constitutional democracy.  
*Learning Objective: 2.2*  
*Skill: Evaluation*
6. Explain how developments in political parties and interest groups and in presidential power have altered the nature of checks and balances in American democracy.  
*Learning Objective: 2.2*  
*Skill: Evaluation*
7. Evaluate the effect of *Marbury v. Madison* (1803) on the role of the judiciary in a separation of powers system.  
*Learning Objective: 2.3*  
*Skill: Evaluation*
8. What aspects of our political system would be different had the Supreme Court decided in favor of Marbury in the *Marbury v. Madison* (1803) case?  
*Learning Objective: 2.3*  
*Skill: Evaluation*
9. Identify ways in which the power of the president has expanded beyond those listed in the Constitution.  
*Learning Objective: 2.4*  
*Skill: Analysis*
10. Evaluate the dangers of both the originalist and adaptive approaches to the Constitution in the context of the *District of Columbia v. Heller* (2008) Supreme Court ruling.  
*Learning Objective: 2.4*

*Skill: Evaluation*

11. Describe the process for amending the Constitution. List the difficulties encountered at each step, and evaluate their advantages and disadvantages.

*Learning Objective: 2.5*

*Skill: Understanding and Evaluation*