

2

Constitutional Foundations

▣ Multiple-Choice Questions

1. _____ is a type of government in which one person with unlimited power rules.
- a. An autocracy
 - b. A republic
 - c. A unified government
 - d. An oligarchy

Answer: a

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Remember the Facts

Difficulty Level: Easy

2. What is the name given to the law that would govern human beings before governments existed?
- a. original law
 - b. common law
 - c. natural law
 - d. universal law

Answer: c

Topic: Constitutional Framework (Structure)

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Skill Level: Remember the Facts

Difficulty Level: Easy

3. Prior to the ratification of the Seventeenth Amendment, how were senators selected?
- a. by direct election
 - b. by the president
 - c. by state governors
 - d. by state legislators

Answer: d

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

4. Which of the following is a drawback of divided government?
- It leads to a significant decrease in governmental performance.
 - It makes it difficult for voters to hold anyone or any party accountable.
 - It makes Congress unable to check the power of the president.
 - It leads to lower trust in government.

Answer: b

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Analyze It

Difficulty Level: Difficult

5. The U.S. Constitution was adopted in response to the weaknesses of the Articles of _____.
- Unity
 - Revolution
 - America
 - Confederation

Answer: d

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Remember the Facts

Difficulty Level: Easy

6. Why did the Framers adopt the separation of powers system?
- to prevent autocracy
 - to promote efficiency
 - to promote democratic rule
 - to ensure flexibility in the governing system

Answer: a

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Analyze It

Difficulty Level: Difficult

7. The Supreme Court's decision in *Marbury v. Madison* hinged on an interpretation of _____.

- a. the Court's original jurisdiction in Article III
- b. the commerce clause in Article I
- c. the necessary and proper clause in Article I
- d. the privileges and immunities clause in Article IV

Answer: a

Topic: Judicial Review and Constitutional Interpretation (Action)

Learning Objective: 2.2 Describe the constitutional foundations of the federal judiciary and judicial review.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

8. In *Brown v. Board of Education*, the Supreme Court decided that segregation by race violated which of the following?
- a. due process clause
 - b. equal protection clause
 - c. full faith and credit clause
 - d. necessary and proper clause

Answer: b

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Remember the Facts

Difficulty Level: Easy

9. Which of the following is one reason people may want to propose amendments to the Constitution?
- a. Americans feel strongly that the equal protection clause is insufficient for prohibiting all forms of discrimination.
 - b. Groups frustrated by Supreme Court decisions hope to make constitutional something previously ruled unconstitutional.
 - c. People get impatient while waiting for their case to get to the Supreme Court, so they try to bypass it.
 - d. Special-interest groups try to get around current amendments by proposing new ones.

Answer: b

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Analyze It

Difficulty Level: Difficult

10. Which of the following generally favored a stronger national government and supported the proposed U.S. Constitution?

- a. Tories
- b. Whigs
- c. Federalists
- d. Constitutionals

Answer: c

Topic: Judicial Review and Constitutional Interpretation (Action)

Learning Objective: 2.2 Describe the constitutional foundations of the federal judiciary and judicial review.

Skill Level: Remember the Facts

Difficulty Level: Easy

11. Since 1789, how many times has the House of Representatives impeached a president?
- a. zero
 - b. two
 - c. five
 - d. ten

Answer: b

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Remember the Facts

Difficulty Level: Easy

12. How many amendments are contained in the Bill of Rights?
- a. 27
 - b. 17
 - c. 10
 - d. 33

Answer: c

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Remember the Facts

Difficulty Level: Easy

13. James Madison sought to prevent the tyranny of the _____ by distributing governmental authority among several branches.
- a. minority
 - b. wealthy
 - c. majority
 - d. king

Answer: c

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.
Skill Level: Understand the Concepts
Difficulty Level: Moderate

14. In *The Federalist* No. 51, James Madison explained how the Constitution both _____ and _____ powers.
- a. centralizes; devolves
 - b. democratizes; grants
 - c. grants; limits
 - d. creates; eliminates

Answer: c

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

15. Which of the following is a method of ratification for a constitutional amendment?
- a. by three-fourths of the state legislatures
 - b. by three-fourths of the state governors
 - c. by three-fourths of voting-age citizens
 - d. by half of the state legislatures

Answer: a

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

16. How did the Federalists react when they were defeated by Thomas Jefferson in 1800?
- a. They proposed an amendment to the Constitution that would weaken Jefferson's role.
 - b. They tried to retain power through the judiciary by packing it with their appointees.
 - c. They were not concerned as they still had control of both houses of Congress.
 - d. They applied to the Supreme Court for a writ of mandamus to prevent Jefferson from being inaugurated.

Answer: b

Topic: Judicial Review and Constitutional Interpretation (Action)

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Skill Level: Understand the Concepts

Difficulty Level: Moderate

17. Which constitutional amendment allowed voting by all qualified citizens aged 18 or older?

- a. Twenty-Sixth
- b. Fifteenth
- c. Twentieth
- d. Nineteenth

Answer: a

Topic: Changing the Letter of the Constitution (Impact)

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Skill Level: Remember the Facts

Difficulty Level: Easy

18. Which of the following philosophers greatly influenced James Madison’s beliefs regarding the nature of liberty?
- a. John Dewey
 - b. John Locke
 - c. Martin Heidegger
 - d. Michel Foucault

Answer: b

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

19. Which of the following is an example of an executive order?
- a. President Obama’s order raising the minimum wage of federal contractors
 - b. President Obama’s proposal to reform health care policy
 - c. President Bush’s order to send troops to Afghanistan
 - d. President Nixon’s order to hold back funding for the Clean Water Act

Answer: a

Topic: Changing the Letter of the Constitution (Impact)

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Skill Level: Understand the Concepts

Difficulty Level: Moderate

20. In *United States v. Eichman*, the Supreme Court struck down a statute that prohibited _____.
- a. student protests
 - b. leafleting on private property
 - c. flag desecration
 - d. school prayer

Answer: c

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.
Skill Level: Remember the Facts
Difficulty Level: Easy

21. Recent debate over the Second Amendment involves which of the following issues?
- the right to bear arms
 - the right to a minimum wage
 - the right to own property
 - the right to travel from state to state

Answer: a

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Easy

22. What was the most important means the Framers used to make sure that elected government officials would observe the constitutional limits on their powers?
- partisanship
 - the Electoral College
 - unified government
 - free and fair elections

Answer: d

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

23. In what year was the Bill of Rights added to the Constitution?
- 1788
 - 1789
 - 1791
 - 1798

Answer: c

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Remember the Facts

Difficulty Level: Easy

24. What occurs when a single party controls both the White House and both houses of Congress?
- unified government
 - checks and balances

- c. divided government
- d. autocracy

Answer: a

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts

Difficulty Level: Easy

25. Which of the following occurs when Congress creates legislation to change the meaning of the Constitution without actually amending it?

- a. congressional elaboration
- b. executive privilege
- c. impoundment
- d. executive order

Answer: a

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

26. On what basis did the Supreme Court uphold the portion of the Patient Protection and Affordable Care Act that requires Americans to purchase health insurance?

- a. Congress's authority to regulate interstate commerce
- b. Congress's taxing authority
- c. the supremacy clause
- d. the equal protection clause

Answer: b

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

27. James Madison stated that the accumulation of all powers—legislative, executive, and judiciary—in the same hands is the definition of which of the following?

- a. democracy
- b. tyranny
- c. centralization
- d. majority

Answer: b

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts
Difficulty Level: Moderate

28. Which of the following carries the full force of law and does not require congressional approval, although it is subject to legal challenge?
- a. constitutional elaboration
 - b. executive order
 - c. impoundment
 - d. executive privilege

Answer: b

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

29. A situation in which one political party holds the presidency and the other controls one or both houses of Congress is known as _____.
- a. divided government
 - b. checks and balances
 - c. autocracy
 - d. separation of powers

Answer: a

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Remember the Facts

Difficulty Level: Easy

30. When government is divided rather than unified, which of the following is true?
- a. Not much important legislation is passed.
 - b. Just as much important legislation is passed.
 - c. Far more important legislation is passed.
 - d. Legislation comes to a standstill.

Answer: b

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Analyze It

Difficulty Level: Difficult

31. Which of the following describes the purported power of the president to keep communications confidential?

- a. constitutional restriction
- b. impoundment
- c. separation of powers
- d. executive privilege

Answer: d

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Remember the Facts

Difficulty Level: Easy

32. Under the Constitution, the president is elected by which of the following?

- a. the Senate
- b. Electoral College
- c. Presidential College
- d. popular vote

Answer: b

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts

Difficulty Level: Easy

33. What is the principle that each branch of the federal government has the means to thwart or influence actions by other branches of government?

- a. checks and balances
- b. balances and powers
- c. checks and freedoms
- d. freedom and power

Answer: a

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts

Difficulty Level: Easy

34. How did the process of proposing the Equal Rights Amendment resemble that of the Nineteenth Amendment?

- a. The same arguments were used against both.
- b. Both amendments passed Congress but failed to be ratified.
- c. The same cluster of southern states opposed ratification of both amendments.
- d. In both cases, women favored the amendments, but men were strongly opposed.

Answer: c

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.
Skill Level: Analyze It
Difficulty Level: Difficult

35. Which of the following is true of judicial review?
- a. The United States is the only country in which it is legal.
 - b. It has been used only twice in U.S. history.
 - c. It has given the president significant power over the judiciary in the United States.
 - d. It originated in the United States and has been adopted by many other countries.

Answer: d

Topic: Judicial Review and Constitutional Interpretation (Action)

Learning Objective: 2.2 Describe the constitutional foundations of the federal judiciary and judicial review.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

36. The legislative branch is in charge of which of the following?
- a. vetoing laws
 - b. pardoning those convicted of federal crimes
 - c. nominating federal judges
 - d. confirming cabinet appointments

Answer: d

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

37. Which of the following is a major reason the U.S. Constitution has endured for more than two hundred years?
- a. it concentrates power in the chief executive
 - b. it ensures an independent judiciary
 - c. there is widespread acceptance among the public
 - d. it gives most power to the states

Answer: c

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Analyze It

Difficulty Level: Difficult

38. Because the Framers believed that people are not angels, they created a Constitution giving the government which type of authority?

- a. legitimate
- b. limited
- c. implied
- d. defined

Answer: b

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Apply What You Know

Difficulty Level: Difficult

39. How have new communication technologies affected the system of checks and balances?
- a. They have added to the powers of the president.
 - b. They have decreased the power of the judiciary.
 - c. They have decreased the power of interest groups.
 - d. They have increased the power of political parties.

Answer: a

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

40. Executive privilege is often invoked in matters related to _____.
- a. national security
 - b. private property rights
 - c. interstate commerce
 - d. federal contracting

Answer: a

Topic: Changing the Letter of the Constitution (Impact)

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Skill Level: Understand the Concepts

Difficulty Level: Moderate

41. When the Democratic and Republican Parties become splintered, the influence of which of the following can be increased?
- a. the Supreme Court
 - b. the president
 - c. third-party candidates
 - d. special-interest groups

Answer: d

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.
Skill Level: Apply What You Know
Difficulty Level: Difficult

42. When does divided government frequently occur?
- a. when special-interest groups achieve more influence in Congress
 - b. when the president's party loses congressional seats in the midterm elections
 - c. when the president's party gains congressional seats in the midterm elections
 - d. when it is time to appoint new Supreme Court justices

Answer: b

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Apply What You Know

Difficulty Level: Difficult

43. Although not explicitly mentioned in the Constitution, the Supreme Court interpreted the Constitution in *Griswold v. Connecticut* (1965) to protect which of the following rights?

- a. right to privacy
- b. right to bear arms
- c. right to free speech
- d. right to make contracts

Answer: a

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

44. If one political party controls at least one chamber of Congress and the other party controls the White House, which of the following is intensified?

- a. autocracy
- b. influence of the Electoral College
- c. partisanship
- d. power of the president

Answer: c

Topic: Constitutional Framework (Structure)

Learning Objective: 2.1 Describe the framework for government expressed in the Constitution.

Skill Level: Apply What You Know

Difficulty Level: Difficult

45. The case of *District of Columbia v. Heller* (2008) revolved around the _____ Amendment.

- a. Second

- b. Fifth
- c. First
- d. Fourteenth

Answer: a

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

46. Which of the following is true of efforts to pass a constitutional amendment to ban flag burning?
- a. These efforts have been repeatedly rejected by the Supreme Court.
 - b. Most Americans do not support efforts to ban flag burning.
 - c. These efforts have never gotten to the ratification stage.
 - d. These efforts have been repeatedly rejected by Congress.

Answer: c

Topic: Changing the Letter of the Constitution (Impact)

Learning Objective: 2.3 Describe the process by which the Constitution can be changed.

Skill Level: Understand the Concepts

Difficulty Level: Moderate

47. What difficulty is posed by the method of proposing constitutional amendments through a constitutional convention?
- a. It allows no input from the states.
 - b. It is unclear whether such a convention would be limited to a specific subject.
 - c. It limits the president's involvement in the amendment process.
 - d. It does not provide a timetable for when the convention must convene.

Answer: b

Topic: Changing the Letter of the Constitution (Impact)

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Skill Level: Analyze It

Difficulty Level: Difficult