

CONSTITUTION

settle disputes regarding interpretations of the Constitution and nullify state and federal laws that conflict with it. Changing political practices also change the Constitution. Many Americans would be surprised to know that the Constitution mentions nothing of political parties, much less a two-party system. The electoral college system as outlined in the Constitution does not include any provisions that require an elector to vote for the winner of the popular vote in a particular state, yet this is now a firm tradition and even the law in most states. Technology has affected the role of the media in politics, the ability of the civil service to provide services, and the power of the military in ways the Framers could never have imagined. The president now commands a position in the world that has significantly increased presidential powers far beyond the powers described in the Constitution.

The flexibility of the Constitution has served the nation well for over two hundred years. Ongoing issues—for example, the line-item veto that would allow the president to veto only part of a bill—continue to be debated and might well become part of the Constitution in the future. Though the United States is a young country in relation to much of the world, it has the oldest functioning constitution. By way of comparison, France had seven constitutions within a generation of its own revolution. Despite the enormous changes and the diversity and size of the nation, it continues to operate effectively and legitimately.

Multiple-Choice Questions

1. All of the following were weaknesses of the Articles of Confederation EXCEPT
 - (A) the national government could not resolve state boundary disputes
 - (B) currency was not accepted outside of local areas
 - (C) the military could not put down even small rebellions
 - (D) the national government had too much power
 - (E) there was no national judicial system

2. What was the result of the Great Compromise?
 - (A) States were represented in the upper house, and individuals were represented in the lower house.
 - (B) Individuals were represented in the upper house, and states were represented in the lower house.
 - (C) Individuals were given proportional representation in both the House of Representatives and the Senate.
 - (D) All members of Congress were selected by direct election.
 - (E) Slaves were not counted in the census.

3. Under the original Constitution, which branch or branches of government were selected directly by the citizens?

- I. the president and vice president
- II. the Supreme Court
- III. the Senate
- IV. the House of Representatives

- (A) I and II
- (B) I, III, and IV
- (C) III and IV
- (D) III only
- (E) IV only

4. What is the main result of judicial review?

- (A) The Supreme Court is protected from interference by the executive.
- (B) The Supreme Court has the power to revise state laws.
- (C) The Constitution is safeguarded from popular passions.
- (D) The Supreme Court has the power to advise Congress in drafting bills.
- (E) The Supreme Court provides supervision of the lower courts.

5. All of the following are part of the amendment process EXCEPT

- (A) a proposal accepted by a two-thirds vote of Congress
- (B) a proposal accepted at a national convention called by Congress as requested by two-thirds of the states
- (C) a national referendum (by popular vote) with two-thirds voter approval
- (D) ratification by three-fourths of state legislatures
- (E) ratification by three-fourths of states in special conventions

6. How does the Constitution provide an executive check on the judicial branch?

- (A) by allowing the president to remove Supreme Court justices from office
- (B) by permitting bureaucrats to ignore a decision of the Supreme Court
- (C) by allowing the president to propose a bill to Congress to overturn a decision by the Supreme Court
- (D) by nominating federal judges, subject to Senate confirmation
- (E) by appointing federal judges

7. How did the Antifederalists differ from the Federalists?

- (A) The Antifederalists wanted a stronger central government.
- (B) The Federalists wanted to protect state sovereignty.
- (C) The Antifederalists had a more positive view of human nature.
- (D) The Antifederalists believed that a strong central government would be too distant from the people.
- (E) The Antifederalists were opposed to representative democracy.

8. Which of the following guarantees of individual liberties is found in the original Constitution?
- (A) freedom of speech, press, and assembly
 - (B) no official state religion
 - (C) a prohibition against double jeopardy
 - (D) no unreasonable searches and seizures
 - (E) no religious tests to hold office
9. Which of the following is NOT a criticism of separation of powers?
- (A) It creates gridlock in policy-making.
 - (B) It makes it difficult for the government to act decisively in times of crisis.
 - (C) It results in prompt, but hasty, decision-making.
 - (D) It makes it difficult to stimulate economic growth.
 - (E) It damages our position of international leadership.
10. What would be the impact of the line-item veto on the separation of powers?
- (A) It would weaken the presidency and strengthen Congress.
 - (B) It would strengthen the presidency in relation to Congress.
 - (C) It would prevent the Supreme Court from using judicial review.
 - (D) It would strengthen the power of the states.
 - (E) It is not clear how the line-item veto would affect the separation of powers.
11. All of the following were arguments by the Federalists in support of the Constitution EXCEPT
- (A) representative democracy would be preferable to direct democracy
 - (B) a large republic would be preferable to a small republic
 - (C) the new Constitution would eliminate factions
 - (D) a diversity of interests would be represented in the new government
 - (E) the majority interests would be less able to persecute minority interests
12. Which states received the most benefit from the Great Compromise?
- I. northern states
 - II. small states
 - III. slaveholding states
 - IV. new states
- (A) I and II
 - (B) I, II, and IV
 - (C) III
 - (D) III and IV
 - (E) II, III, and IV

13. How did the Antifederalists differ from the Federalists?
- (A) The Antifederalists wanted a stronger central government.
 - (B) The Federalists wanted to protect state sovereignty.
 - (C) The Antifederalists believed factions could be eliminated.
 - (D) The Antifederalists believed that a strong central government would destroy liberty.
 - (E) The Antifederalists were opposed to representative democracy.
14. Which of the following best describes judicial review?
- (A) The Supreme Court may amend the Constitution.
 - (B) The Supreme Court may nullify state laws if they provide more rights than are contained in the federal Bill of Rights.
 - (C) The Supreme Court may remove state government officials who violate the Constitution.
 - (D) The Supreme Court may recommend impeachment proceedings against the president.
 - (E) The Supreme Court may nullify government acts that conflict with the Constitution.
15. What was the impact of the three-fifths compromise?
- (A) It gave southern states more representation in the Senate.
 - (B) It gave northern states more representation in the Senate.
 - (C) It gave southern states more representation in the House of Representatives.
 - (D) It gave northern states more representation in the House of Representatives.
 - (E) It gave southern states fewer votes in the electoral college.

Free-Response Questions

1. It has been said, "The Constitution reflects a basic distrust of direct popular government."
 - a. Identify and explain one feature of the Constitution that reflects a distrust of popular government.
 - b. Identify and explain another feature of the Constitution that reflects a distrust of popular government.
2. While the Federalists supported ratification of the Constitution, the Antifederalists were opposed to ratification.
 - a. Identify and explain TWO arguments made by the Federalists in support of the Constitution.
 - b. Explain how the Antifederalists countered each of the arguments you discussed in part (a).

Answers

MULTIPLE-CHOICE QUESTIONS

1. (D) Most of the power under the Articles of Confederation was given to the states (*American Government*, 11th ed., pages 21-22 / 12th ed., pages 23-24).
2. (A) Under the Great Compromise, the House of Representatives is proportional and elected directly, and there are two senators per state. Senators were originally chosen by state legislators; they are now chosen by direct election (*American Government*, 11th ed., pages 26-27 / 12th ed., pages 28-29).
3. (E) Under the original Constitution, only members of the House of Representatives were elected directly. Senators were not elected directly until ratification of the Seventeenth Amendment in 1913. The president is chosen through the electoral college, and the Supreme Court is appointed (*American Government*, 11th ed., pages 27-28 / 12th ed., pages 29-30).
4. (C) Because Supreme Court justices are not popularly elected and are appointed for life, they can exercise independence and, through judicial review, protect the Constitution from the passions of the majority (*American Government*, 11th ed., page 28 / 12th ed., page 30).
5. (C) A proposed amendment must receive a two-thirds vote in Congress or in a specially held national convention. It must then be approved by a three-fourths vote in state legislatures or through special state ratifying conventions (*American Government*, 11th ed., page 28 / 12th ed., page 30).
6. (D) The president nominates federal judges. Judges must be confirmed by the Senate (*American Government*, 11th ed., page 29 / 12th ed., page).
7. (D) The Antifederalists argued that a strong national government would be too distant from the people and would take away powers that belong to the states (*American Government*, 11th ed., page 31 / 12th ed., page 31).
8. (E) Under the original Constitution, there may be no religious qualification or test to hold office. The rest of the protections are contained in the Bill of Rights (*American Government*, 11th ed., pages 34-35 / 12th ed., pages 36-37).
9. (C) Separation of powers results in slow and deliberate decision-making. This can make it difficult to act quickly regarding foreign affairs, crises, and the economy (*American Government*, 11th ed., page 40 / 12th ed., page 42).

10 (B) The line-item veto would strengthen the president by allowing him to veto a part of a bill. The president does not have line-item veto power (*American Government*, 11th ed., pages 43–45 / 12th ed., pages 45–47).

11. (C) The Founders argued in favor of representative democracy and large republics. While they did not believe the Constitution would eliminate factions, they believed that it was structured to control the “mischiefs of faction” (*American Government*, 11th ed., pages 32–33 / 12th ed., pages 34–35).

12 (A) The Great Compromise favored smaller states, which were mostly northern, by giving each state two senators (*American Government*, 11th ed., pages 26–27 / 12th ed., pages 28–29).

13. (D) The Antifederalists argued that a strong national government would take away powers that belong to the states and destroy liberty (*American Government*, 11th ed., pages 31–32 / 12th ed., pages 32–34).

14 (E) Judicial review is the Supreme Court’s power to interpret the Constitution and nullify state and federal laws that conflict with it (*American Government*, 11th ed., page 28 / 12th ed., page 30).

15 (C) Under this compromise, slaves counted as three-fifths of a person when the census was taken. This determined the number of representatives each state had in the House of Representatives, increasing representation for southern states (*American Government*, 11th ed., pages 36–37 / 12th ed., pages 37–39).

FREE-RESPONSE QUESTIONS

1. (a) The electoral college is a feature of the Constitution that reflects a distrust of direct popular government, because the majority does not directly elect the president. Instead, votes are cast through member of the electoral college. This was a check on the passions of the majority.
 (b) Voting requirements were left to the states, which imposed property requirements. These requirements reflect a distrust of popular government, because citizens could vote directly only for members of the House of Representatives—the lower house, which has a two-year term of office. In addition, property requirements prevented many citizens from voting at all (*American Government*, 11th ed., pages 27–29 / 12th ed., pages 29–31).
2. (a) The Federalists argued that large republics were more capable of protecting against factions. In a large republic, factions would compete with other factions, which would make it more difficult for one self-interested group to gain control of the government. The Federalists also argued that separation of powers, and checks and balances would prevent tyranny by