

The Constitution and American Government

Part I: True/False (1 point each; 8 points total)

Put a T in the blank if the statement is True; put an F in the blank if it is False.

- _____ 1.) The President must sign an amendment to be added to the Constitution.
- _____ 2.) The federal government has the power regulate commerce between states.
- _____ 3.) At the Constitutional Convention, delegates from the Southern states wanted slaves counted as whole persons in the national census
- _____ 4.) The President has the power to declare war
- _____ 5.) A police officer in Colorado can compel to give your name
- _____ 6.) The legislative branch is responsible for passing a budget for the country
- _____ 7.) The Constitution guarantees the right to life, liberty, and pursuit of happiness
- _____ 8.) Once an amendment is passed it's protected from further changes

Part II: Multiple Choice (1 point each; 7 points total)

Circle the correct answer.

1. What is the best response to a police officer who stops you on the street?
 - a. I know my rights and don't have to tell you anything
 - b. Can I have your name and badge number officer?
 - c. Are you detaining me or am I free to go?
 - d. I won't say anything without a lawyer

2. What is the most substantive link between the 1992 riots in Los Angeles and the events in Ferguson?
 - a. They both involve large numbers of people of color fighting white police officers
 - b. Both police departments were aggressive in stopping property destruction
 - c. The 1992 riots led to the passing of a law authorizing the Justice Department to force changes to local police departments
 - d. The Attorney General helped restore order in both places

3. Which of the following beliefs would Federalists agree with?
 - a. People are naturally virtuous and resist tyranny
 - b. Elected officials should faithfully represent the views of those they represent
 - c. Protecting private property is a core function of government
 - d. Equality is the cornerstone of democracy

4. Which of the following is NOT a step in gaining legal recognition of a “right”?
 - a. A group must sue in the court of law asserting their rights have been violated
 - b. Groups must establish a connection between the claimed right and the Constitution, amendments, or previous rulings by the court?
 - c. Two-thirds of both houses of Congress must approve of the right.
 - d. The government must be willing to enforce the protection of the right, if necessary by force

5. Which of the following powers are shared by the federal and state governments?
 - a. Signing of treaties with other countries
 - b. Levy taxes
 - c. Establish and regulate corporations
 - d. Write marriage laws

6. Which of the following people supported the anti-Federalist position?
 - a. Thomas Jefferson
 - b. James Madison
 - c. Alexander Hamilton
 - d. George Washington

7. Which is NOT related to the idea of a “republican” form of government?
 - a. The struggle between liberty and power is at the core of political life
 - b. People are virtuous and will sacrifice for the greater good
 - c. Virtue depends on have a small nation close to the people
 - d. Corporations should have the same rights as people

Part III: Checks and Balances (1 point per blank; 15 points total)

For each scenario, tell which **branch of government** has the power to perform this action on the left side. On the right side, indicate which branch has the power to “check” the other, and what specifically they can do. If they can do more than one thing as a “check,” pick the strongest.

Scenario 1: Sign a peace treaty with Afghanistan	Which branch has the authority to check this power?
What branch has the power to perform this action?	What can they specifically do?

Scenario 2: Find a law unconstitutional	Which branch has the authority to check this power? What can they specifically do?
What branch has the power to perform this action?	

Scenario 3: Veto legislation	Which branch has the authority to check this power? What can they specifically do?
What branch has the power to perform this action?	

Scenario 4: Sign a bill into law	Which branch has the authority to check this power? What can they specifically do?
What branch has the power to perform this action?	

Scenario 5: Choose a Supreme Court nominee	Which branch has the authority to check this power? What can they specifically do?
What branch has the power to perform this action?	

Part IV: Reading Analysis (20 points)

Read the attached article and then explain what how it is connected to the Constitution. Think about the relationship to the values underlying the Constitution (see below), the history of the Constitution, the big issues we've spoken about, and specific articles and amendments.

Constitutional values:

Liberty
Equality
Justice
Progress
Diversity
Balance
Community

Pursuit of Happiness
Security
Hope
Realism
Economic Efficiency
Opportunity
Survival

Transparency
Stability
Power
Compassion
Protection of
property/wealth

Write your answer below:

M. Renner

Part V: Short Answer (10 points each)

Choose **three** of the **four** questions below to answer in at least one well-developed paragraph. Only answers supported with specific details and examples will earn full marks. If you answer all four questions, I will choose your three best questions to count and the fourth will be extra credit.

1. When federal judges decide whether a law is constitutional, with what types of cases should they

A) Use a strict reading of the Constitution, meaning the only things that are constitutional are those things specifically mentioned in the document?

B) Take a looser reading of Constitution, applying the intent of the Founders to modern conditions and issues?

Explain your reasoning, mention specific articles and/or amendments for both (A) and (B) and give an example for each part of your answer. If one of your answers for (A) or (B) is “never,” justify your reasoning by giving and defeating a counterargument.

M. Renner

2. Below is a list of the issues the class identified as important for the next 100 years. Choose one of these issues. What level of government (federal, state, or local) is most appropriate for taking action on this issue? Why? What should be the role of the other levels of government in addressing this issue?

Issues -- overpopulation, famine, clean water, depleted energy sources, pollution, global peace, climate change, lack of natural resources

Issue: _____ Level of government: _____

3. Explain why a "popular democrat" (as compared to an "elite" democrat) might favor states' rights? Why might that same person favor the strong exercise of federal power? Make sure to give a specific example in each case.

M. Renner

4. Place an “X” along the line between the Federalist and Anti-Federalist positions for what you personally believe. Given your beliefs on these seven questions, explain one change you think should be made to the articles or amendments. This change can be strengthening something already expressed in the document. Make sure to explain the connection between the change you want to make and where you put the “Xs” on the lines. Full credit answers will draw upon history to support their reasoning. Use the back if necessary to complete your answer.

Federalists

Anti-Federalists

Ordinary people are selfish and elites have most virtue _____

Ordinary people have moderate ambitions; elites crave power

Large republics function better _____

Small republics function better

Elected officials should make their own decisions _____

Elected officials should always mirror the views those they represent

House of Representatives poses greatest danger to democracy _____

President and Senate pose the greatest danger to democracy

Purpose of government is to protect individual rights and property _____

Purpose of government is to protect community rights and political participation

Income inequality is to be expected and just _____

Income inequality is a threat to democracy.

Stability is found in respect for the Constitution and rule of law _____

Feared political decay and corruption; stability is found in the ability of groups to protest