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CHAPTER 2: The Founding and the Constitution

MULTIPLE CHOICE

- 1. In the chain of events leading up to the American Revolution, radical forces grew more politically influential because colonial elites were split by:
 - a. disagreement over slavery.
 - b. British refusal to allow westward expansion.
 - c. the question of whether to remain loyal to the British crown.
 - d. British tax and trade policies.

ANS: D DIF: Difficult TOP: CH02 - The First Founding: Interests and Conflicts MSC: Remembering

- 2. Why did New England merchants seek support from radical factions in the American colonies?
 - a. They argued that if the British approved taxes without colonial representation, it would hurt all colonists.
 - b. British actions had undermined the merchants' alliance with other colonial elite groups, making it less effective.
 - c. British restrictions on colonists' moving westward would, they argued, soon hurt all colonists by slowing development.
 - d. The British government's granting of a monopoly on tea exports to the East India Company ended a formerly profitable business for the merchants.

ANS: D DIF: Moderate TOP: CH02 - The First Founding: Interests and Conflicts MSC: Understanding

- 3. In organizing the Boston Tea Party of 1773, radical colonial interests succeeded in their hope of ______, a hope not shared by newfound allies from the New England merchant class.
 - a. gaining agreement in the colonies on the need to seek independence from Britain
 - b. inciting pirate attacks on East India Company ships, and hurting British commerce
 - c. provoking the British into taking actions that would pave the way for colonial rebellion
 - d. immediately ceasing all taxation without colonial representation

ANS: C DIF: Moderate TOP: CH02 - The First Founding: Interests and Conflicts MSC: Understanding

- 4. The First Continental Congress was created in response to which of the following?
 - a. Immediate calls from colonial merchants for independence from Britain, after the passage of the Tea Act
 - b. The fears of the elite class that radical and populist elements were growing too powerful and destabilizing the colonies
 - c. An agreement with the British, lasting only temporarily, to allow colonists some limited means of controlling their own affairs
 - d. A series of provocations and retaliations between the British government and colonists in the wake of the Tea Act and the Boston Tea Party.

ANS: D DIF: Moderate TOP: CH02 - The First Founding: Interests and Conflicts MSC: Remembering

- 5. The Declaration of Independence was remarkable for its assertion of the idea that governments could not deprive citizens of the right to "life, liberty, and the pursuit of happiness," because this was an era when:
 - a. most elites considered property rights more important than happiness.

c. only the most radical elements within colonial society agreed with this idea. d. nearly all colonial elites, including Declaration writer Thomas Jefferson, owned slaves. ANS: B DIF: Moderate TOP: CH02 - The First Founding: Interests and Conflicts MSC: Understanding 6. The Declaration of Independence was a political as well as a philosophical document in its focus on: a. the need for an expansion of human rights, which slave-owning delegates to the Second Continental Congress used as a strictly political means of gaining support throughout the colonies. b. the need for government to have checks and balances in order to ensure political liberty for citizens. c. grievances, goals, and principles that would unite disparate colonial factions against the British in the rebellion. d. not only forging national unity, but also on winning international support in what promised to be a difficult war against the British. DIF: Difficult TOP: CH02 - The First Founding: Interests and Conflicts ANS: C MSC: Understanding 7. What was the primary concern of the Constitution of the Continental Congress of 1777? a. Protecting life and property b. Limiting the powers of the central government, and leaving power in the hands of states c. Generating new tax revenues to help pay for stopping radical rebellions d. Regulating trade among the colonies as well as imports and exports DIF: Moderate TOP: CH02 - The First Founding: Interests and Conflicts ANS: B MSC: Remembering 8. Under the Articles of Confederation, Congress was given the explicit power to appoint senior army officers, but not a. any way of raising money with which to pay the officers b. the power to build a standing army c. the power to declare war d. the power to regulate trade with Native Americans ANS: B DIF: Difficult TOP: CH02 - The First Founding: Interests and Conflicts MSC: Remembering 9. Besides the United States under the Articles of Confederation, what is another example of a confederate system of government in which the subunits of government retain sovereignty and virtually all government powers? a. The United States under the original Constitution of 1787 b. The United States today, under constitutional amendments passed after the Civil War c. The United Nations and its member states d. The United Kingdom TOP: CH02 - The First Founding: Interests and Conflicts ANS: C DIF: Moderate MSC: Applying 10. In treating states like independent countries, the Articles of Confederation encouraged states to a. start frequent military skirmishes with each other over commercial disputes b. ask the federal government to mediate their commerce-related disputes

b. most monarchs considered themselves to be rulers by divine right.

c. undermine each other in the competition for foreign commerce

d. block others states' attempts to engage in foreign and interstate commerce

ANS: C DIF: Moderate TOP: CH02 - The First Founding: Interests and Conflicts

MSC: Understanding

- 11. During the winter of 1786–1787, John Adams of Massachusetts was sent to negotiate a new treaty with the British to cover disputes left over from the war. The British government responded that it would:
 - a. not negotiate, and demanded immediate payment.
 - b. require that the young country first agree to renegotiate terms of the Treaty of Paris, which ended the Revolutionary War.
 - c. negotiate with each of the 13 states independently.
 - d. require war reparations before signing any new treaty.

ANS: C DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

- 12. One unforeseen consequence of the Revolutionary War was a weakening of the colonies' elite class. Many royalists, hit hard economically, left for Canada. This led to:
 - a. fewer persons in the colonies with the education needed to straighten out the country's troubled government.
 - b. the takeover of some state governments by radical factions, ones that aimed to punish established economic interests.
 - c. a hollowing out of the nation's centers of commerce and power.
 - d. several barely foiled attempts to overthrow the national government, as radical factions gained power in a few key states.

ANS: B DIF: Difficult

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

- 13. Revolutionary War veteran Daniel Shays led a mob in a rebellion against the Massachusetts government, with the goal of:
 - a. opening up western territories for expansion.
 - b. preventing foreclosures on farmers' lands during an economic downturn.
 - c. forcing the government to honor citizens' rights, as outlined in the Declaration of Independence.
 - d. forcing the national government to give pensions to Revolutionary War veterans during a time of economic turmoil.

ANS: B DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

- 14. Why did Shays's rebellion enable collective action among elites of the colonies, ones who wanted to revise the Articles of Confederation?
 - a. It scared the country's remaining royal land and patent holders enough that they knew action had to be quickly taken.
 - b. The rebellion provided politicians who were already convinced of the Articles' inadequacy with the ammunition they needed to convince a broader public of the same.
 - c. The rebellion showed that the national government was now strong enough to quell an uprising, making the creation of a stronger central government a more attainable goal.
 - d. Shays introduced key figures in western Massachusetts to the concept of civil disobedience, which in turn caught on with opponents of the Articles across the country.

ANS: B DIF: Difficult

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

- 15. The political significance of the Great Compromise and the Three-Fifths Compromise was to:
 - a. confirm the immorality of slavery.
 - b. ensure the power of established elites in the face of growing radical forces
 - c. ensure that the United States would continue to expand westward.
 - d. reinforce the unity of the North's mercantile forces and the South's planter forces.

ANS: D DIF: Difficult

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

- 16. In 2018, the five smallest states held roughly 1 percent of the seats in the U.S. House of Representatives and 10 percent of the seats in the U.S. Senate. These differing levels of representation of the five small states were the result of which decision during the Constitutional Convention?
 - a. The Three-Fourths Compromise
 - b. The Virginia Plan
 - c. The Three-Fifths Compromise
 - d. The Great Compromise

ANS: D DIF: Difficult

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

- 17. The agreement reached during the Constitutional Convention to adopt the proposal that gave each state an equal number of senators regardless of population but linked representation in the House of Representatives to population became known as the:
 - a. Boston Plan.
 - b. Virginia Plan.
 - c. Great Compromise.
 - d. Three-Fifths Compromise.

ANS: C DIF: Easy

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

- 18. The proposal to alter the Articles of Confederation by providing for a system of representation in the national legislature based on the population of each state, the proportion of each state's revenue contribution, or both was known as the:
 - a. Virginia Plan.
 - b. New Jersey Plan.
 - c. Maryland Plan.
 - d. Massachusetts Plan.

ANS: A DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

- 19. Had the Constitution's framers voted in favor of the Virginia Plan, which provided for a bicameral legislature with representation based on their populations or the size of their contributions to national tax revenues, or both, where might most of the power have likely flowed?
 - a. To the centers of industry and commerce, large and small, most of them in the north

- b. To large states, such as Virginia, the home of the plan's author, James Madison
- c. To the southern slave states, large and small, given their agricultural export wealth
- d. To small states with higher concentrations of industry and wealthy, elite class citizens

ANS: B DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Understanding

- 20. Which proposal, offered by smaller states during the Constitutional Convention, argued each state should be equally represented regardless of its population?
 - a. The Virginia Plan
 - b. The Massachusetts Plan
 - c. The New Jersey Plan
 - d. The South Carolina Plan

ANS: C DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

- 21. What was the most difficult issue faced by the framers of the Constitution?
 - a. Taxes
 - b. The status of Native American tribes
 - c. Slavery
 - d. Federal and state relations

ANS: C DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

- 22. The issue of counting slaves for purposes of representation was settled by the:
 - a. Great Compromise.
 - b. Virginia Plan.
 - c. Three-Fifths Compromise.
 - d. Fifteenth Amendment, ratified after the Civil War.

ANS: C DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

- 23. Which constitutional provision was intended to ensure popular control over the federal government?
 - a. Allowing each branch of government to participate in the activities of the other branches
 - b. Election of the president and vice president
 - c. Electing senators
 - d. Electing members of the House of Representatives every two years

ANS: D DIF: Difficult TOP: CH02 - The Constitution

MSC: Understanding

- 24. Before a constitutional amendment led to direct election of U.S. senators, they were selected by:
 - a. the House of Representatives.
 - b. state legislatures.
 - c. the Electoral College.
 - d. state governors.

ANS: B DIF: Moderate TOP: CH02 - The Constitution

- 25. The terms of appointments for senators are staggered so that the terms of one-third of the senators expire every:
 - a. third year.
 - b. two years.
 - c. four years.
 - d. six years.

ANS: B DIF: Easy TOP: CH02 - The Constitution

MSC: Remembering

- 26. The upper house of Germany's parliament, the *Bundesrat*, has delegate members selected by their state (or Länder) governments, not elected members. How, in this manner, is the *Bundesrat* similar to the U.S. Senate, as originally envisioned by the Constitution's framers?
 - a. It is much like the original U.S. Senate; prior to direct election under the Seventeenth Amendment, senators were appointed by state legislatures.
 - b. It is not similar, since U.S. senators have always been directly elected by state voters.
 - c. It is only somewhat similar, since states held elections for senators, with formal state legislative certification of selection winners serving an Electoral College—like buffer function, in allowing senators to withstand democratic pressures.
 - d. It is much like the original U.S. Senate; prior to direct election under the Seventeenth Amendment, senators were originally appointed by state governors, in consultation with legislators.

ANS: A DIF: Moderate TOP: CH02 - The Constitution

MSC: Applying

- 27. A legislative assembly, such as Congress, that is divided into two chambers (or houses) is best described as:
 - a. a mixed regime.
 - b. unicameral.
 - c. a mixed legislature.
 - d. bicameral.

ANS: D DIF: Easy TOP: CH02 - The Constitution

MSC: Remembering

28. The Constitution grants the power to ratify treaties to the:

a. Senate. c. House of Representatives.

b. Supreme Court. d. Congress.

ANS: A DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

- 29. Which government institution has the power to create inferior (lower) courts, change the jurisdiction of federal courts, add or subtract federal judges, and even change the size of the Supreme Court?
 - a. Congress
 - b. The Senate
 - c. The House of Representatives
 - d. The executive branch

ANS: A DIF: Moderate TOP: CH02 - The Constitution

- 30. The idea that the federal government can exercise only the powers specifically articulated in the Constitution is known as the doctrine of:
 - a. reserve powers.
 - b. expressed powers.
 - c. separation of powers.
 - d. implied powers.

ANS: B DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

- 31. What was the main tool the framers of the Constitution used to insulate the president from excessively democratic pressures?
 - a. The ability to appoint federal judges for life terms, without congressional approval
 - b. An indirect election through the Electoral College.
 - c. The ability to issue executive orders to effect immediate policy change
 - d. The power to veto sections of legislation approved by Congress

ANS: B DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

- 32. To give federal judges some isolation from political pressure, the Constitution's framers:
 - a. ordered that federal judges be selected through a merit system.
 - b. ruled that judges cannot run for reelection at the end of their terms.
 - c. prohibited Congress from impeaching federal judges.
 - d. granted federal judges lifetime appointments to their offices.

ANS: D DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

- 33. The power of federal judges to interpret the Constitution in cases that involve questions about federal law or the Constitution is referred to as:
 - a. judicial review.
 - b. stare decisis.
 - c. judicial oversight.
 - d. judicial sovereignty

ANS: A DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

- 34. The Constitution's Article VI asserts that the national government's laws, and all treaties between the United States and foreign countries, come before those adopted by any state. This has come to be known as the:
 - a. supremacy clause.
 - b. privilege and immunities clause.
 - c. full faith and credit clause.
 - d. necessary and proper clause.

ANS: A DIF: Moderate TOP: CH02 - The Constitution

- 35. The framers of the Constitution worried that powerful leaders and institutions must be held accountable by other powerful leaders and institutions, which led them to adopt:
 - a. a formal bill of rights, to restrict the power of Congress through the federal judiciary.
 - b. an elaborate system of checks and balances, as well as a division and sharing of powers among the three branches of government.

- c. a system of power sharing between the states and federal government, even with the national government being supreme.
- d. the ideas of French political theorist Montesquieu, who the framers were all familiar with, about the then-untested concept of legislative bicameralism.

ANS: B DIF: Moderate TOP: CH02 - The Constitution

MSC: Understanding

- 36. The presidential veto power over legislation, the power of the Senate to approve presidential appointments, and judicial review over acts of Congress and presidential actions are examples of the American political system's principle of:
 - a. federalism.
 - b. checks and balances.
 - c. separation of powers.
 - d. separated institutions sharing powers.

ANS: B DIF: Moderate TOP: CH02 - The Constitution

MSC: Applying

- 37. In *Federalist 51*, James Madison argued that the people ultimately control the government, but that experience has "taught mankind the necessity of auxiliary precautions." He thought these were needed to:
 - a. stop corruption and incompetence, something Congress could deal with through the impeachment and removal of elected officials.
 - b. deal with problems that could arise with new government.
 - c. act against ambition and power, and the flaws in human nature, that can lead to tyranny.
 - d. deal with problems related to having power vested in a legislative branch.

ANS: C DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

- 38. Compared to the confederation principle of the Articles of Confederation, federalism was a step toward:
 - a. greater centralization of power.
 - b. further decentralization of American government.
 - c. increasing the sovereignty of state governments.
 - d. weakening the power of the national government.

ANS: A DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

- 39. In the system devised by the framers of the Constitution, sovereignty was vested in:
 - a. the federal government only.
 - b. state governments only.
 - c. both the federal and state governments.
 - d. the president.

ANS: C DIF: Difficult TOP: CH02 - The Constitution

- 40. Why might the delegates to the Constitutional Convention have rejected a motion to include a bill of rights in the Constitution?
 - a. The delegates thought rights should be guaranteed to the states, not to individual citizens.
 - b. The delegates thought that the federal government was already limited to its expressed

powers, so a bill of rights was unnecessary.

- c. The delegates were pressed for time and considered setting up a basic governmental framework to be vastly more important.
- d. A bill of rights would have required granting equal rights to women, which the delegates found to be politically unsavory.

ANS: B DIF: Moderate TOP: CH02 - The Constitution

MSC: Understanding

- 41. During the Constitutional Convention, the motion to include a bill of rights was:
 - a. tabled at the insistence of a few of the most powerful delegates.
 - b. approved almost unanimously, on the day before the convention concluded.
 - c. never raised.
 - d. almost unanimously rejected.

ANS: D DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

- 42. For Congress to send an amendment to the Constitution to state legislatures or to ratifying conventions for approval, it must pass in:
 - a. either the House or Senate with a simple majority.
 - b. both the House and Senate with a three-fourths majority.
 - c. either the House or Senate with a two-thirds majority.
 - d. both the House and Senate with a two-thirds majority.

ANS: D DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

- 43. Except for one, all of the amendments that have been added to the Constitution have passed in:
 - a. the House and Senate by a two-thirds vote and then ratified by a majority vote of the legislatures of three-fourths of the states.
 - b. the Senate by a two-thirds vote and then ratified by conventions called for this purpose in two-thirds of the states.
 - c. a national convention called by the House in response to petitions by two-thirds of the states and then ratified by a majority vote of the legislatures of three-fourths of the states.
 - d. a national convention called by Congress in response to petitions by two-thirds of the states and then ratified by conventions called for this purpose in three-fourths of the states.

ANS: A DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

- 44. The First Amendment to the Constitution was specifically concerned with limits on:
 - a. the courts.
 - b. Congress.
 - c. free speech and expression.
 - d. firearms.

ANS: B DIF: Difficult

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

45. The purpose of the ten amendments in the Bill of Rights was basically to give each of the three branches of government:

a. increased flexibility.

- b. guidelines on how to actively expand citizens' liberty.
- c. clearer and more restricted boundaries.
- d. fewer opportunities to come into conflict with each other.

ANS: C DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

- 46. The Eighteenth Amendment, which prohibited the manufacture, sale, and transportation of alcohol, and the Twenty-First Amendment, which repealed that prohibition, were unusual among constitutional amendments in that
 - a. they dealt with social policy issues
 - b. they dealt with taxation
 - c. they imposed limitations on state government power
 - d. they were passed through a national convention

ANS: A DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

47. At some point in a future America, Congress calls for new U.S. Constitutional Convention. Once it begins, delegates start hashing out a new amendment for dealing with immigration, still a crucial, divisive issue. There is only one major sticking point: In agreeing to a path to citizenship for undocumented immigrants now living in the country, southwestern states want concessions. One, delegates from the region assert, is having half of their undocumented, nonvoting immigrant population count as citizens for the purposes of congressional redistricting. In response, states with higher metropolitan area populations, and larger numbers of nonvoting foreign nationals with work visas, want their representation boosted as well. The result of such a compromise would be more congressional representation and greater Electoral College representation for the more Democratic-leaning northeastern and far western states, and Republican-leaning southwestern states.

How would this scenario echo the effects of the Three-Fifths Compromise of the existing U.S. Constitution?

- a. It would not be similar, given that the undocumented immigrants and foreign nationals with work visas would not be held in bondage, despite their lack of voting eligibility.
- b. Only somewhat, since the Three-Fifths Compromise had economic effects, such as keeping the southern states from developing an industrial and commercial economy, that would not be relevant today.
- c. It would be similar in that the Three-Fifths Compromise gave the South more strength in Congress, as well as an Electoral College advantage.
- d. It would be only somewhat similar, since it would not necessarily lead to the domination of Congress and the White House by people of one racial or ethnic group from one region.

ANS: C DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Applying

- 48. On his last full day in office in 2016, President Barack Obama commuted the sentences of 330 federal inmates, most of them drug offenders who he felt were serving overly harsh sentences. His actions were an example:
 - a. the president's right to grant unconditional reprieves and pardons of federally convicted persons.
 - b. how presidents give orders to the executive branch, including federal prisons.
 - c. how presidents sometimes exercise veto power over congressionally written sentencing

rules and guidelines.

d. how presidents may act only when fully free of any democratic or public pressure.

ANS: A DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Applying

- 49. A group known as the Antifederalists, including Richard Henry Lee and Patrick Henry of Virginia and George Clinton of New York, argued in writings against the new Constitution that:
 - a. the document was worth saving, but needed a dramatic overhaul, one that would grant the states more power.
 - b. the framers did an excellent job with most of the Constitution, but erred in giving so much power to the judiciary.
 - c. it was a step toward a monarchy and, as such, a betrayal of the American Revolution.
 - d. it had significant problems, but could be saved with inclusion of a bill of rights.

ANS: C DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

- 50. Different constituencies elect senators and representatives, and they serve terms that are different in length, because the Constitution's framers:
 - a. modeled Congress on the British Parliament, which has the same differences between members of its two houses.
 - b. valued liberty, but feared that democratic participation could lead to a rule of the mob.
 - c. wanted top personnel within the new government to develop varying outlooks on governance, and wanted to allow diverse groups of people to have some influence in public policymaking.
 - d. did not trust legislators, given experiences with the takeover of state governments by radical interests in the postrevolutionary era.

ANS: C DIF: Difficult

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Applying

- 51. Imagine that states could still engage in unrelated commerce with foreign nations, as they could under the Articles of Confederation. Now, suppose an American president—going against the free tradeoriented, national economic policies of recent American history—placed steep tariffs on imports. What if a group of free trade-friendly states then sought an independent trade agreement with the affected countries? Why might this prove to be as much of a problem today as it was under the Articles?
 - a. Allowing states to negotiate trade agreements with foreign countries would bring with it the possibility that one state could try to undermine others in the competition for trade.
 - b. A poorly designed trade agreement could send the entire country into a recession, and not just affect the states that developed it.
 - c. A poorly designed agreement, and confusion over states' ability to handle oversight of its implementation, could easily send the country into war with a neighbor or foreign ally.
 - d. There would be no problem. If the states that sought the trade agreement cooperated with each other, they could overcome any damage done by presidential actions.

ANS: A DIF: Difficult

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Applying

- 52. The Constitution's framers decided to have senators appointed for six-year terms because:
 - a. they would not have to worry about reelection campaigns for several years, freeing them

to take a long-term view of policymaking.

- b. the Senate was asked to handle important deliberative duties, such as conformation of presidential appointments and treaty approval, that required more time and knowledge to handle
- c. the framers saw senators as more important than presidents or representatives, who were to serve shorter terms.
- d. this would insulate the lawmakers from what they called "excessive democracy."

ANS: D DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Understanding

- 53. All American states have their own constitutions, ones that establish their institutional frameworks, much like the national Constitution. They are considered subordinate to the latter document, however, under:
 - a. the supremacy clause.
 - b. a series of early Supreme Court rulings.
 - c. the comity clause.
 - d. the principle of judicial review.

ANS: A DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

- 54. Although the national Constitution seems to limit federal power by its suggestion that any powers not explicitly given to the national government were denied it, the framers nonetheless gave the national government a broad grant of power through:
 - a. the principle of judicial review, which gave the judicial branch the final word in interpretation over the Constitution.
 - b. the necessary and proper clause, which asserted that Congress could pass any law it deemed needed to carry out its enumerated powers.
 - c. the reserved powers clause, which gave the federal government all powers not explicitly given to states.
 - d. giving the president enough powers to ensure that "energy in the executive" could overcome problems created by the separation of powers.

ANS: B DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

- 55. Congress can overturn a presidential veto only through:
 - a. a two-thirds vote in the Senate.
 - b. a two-thirds vote in both houses of Congress.
 - c. a three-fourths vote in the House of Representatives.
 - d. a three-fourths vote in both houses of Congress.

ANS: B DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

- 56. The decision of the Constitution's framers to allow federal judges, all unelected, to serve lifetime appointments demonstrated their concern with:
 - a. reflecting the ideas of French political theorist Montesquieu about balances of power.
 - b. giving the court enough independence to practice judicial review, as explicitly given the courts in the Constitution.

- c. making sure that justice would be free from all political influence and bolstered as judges grew wiser and more experienced over time.
- d. the excesses of democracy, as well as concern for guarding against political interference from other branches.

ANS: D DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Understanding

- 57. A right to privacy, while recognized over time by federal judges, is not explicitly mentioned in the Constitution. It can be said that such a right is protected under the Constitution, all the same, because:
 - a. the Supreme Court, which has the final say in interpreting the document, has said it is.
 - b. Congress decided that it was necessary and proper to give Americans privacy protections under federal law.
 - c. the Ninth Amendment asserts that a failure to mention a right does not mean it is not possessed by the people.
 - d. more democracy in America brought about a greater judicial concern with individual liberty, despite the fact that judges are appointed, and serve lifetime appointments.

ANS: C DIF: Difficult

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Understanding

- 58. Why, despite the fact that the framers valued liberty above democracy, and even sought to protect liberty from a presumed tyranny of the mob, did the country quickly begin democratizing after the Constitution was ratified?
 - a. Because the Antifederalists sought and won the passage of a bill of rights
 - b. By guaranteeing citizens liberty, the framers virtually assured that they would seek more avenues of participation.
 - c. The courts' assumption of the power of judicial review eased fears of tyranny of the mob.
 - d. The framers allowed for the need for change through amendments, ones that quickly expanded democracy in the young republic.

ANS: B DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Understanding

- 59. Since 2010, a conservative organization based in Florida has been pushing, and won support from legislatures in more than half the states, for a national convention of the states in order to pass a balanced budget amendment, and possibly others. This would be unusual in American history, if successful, because:
 - a. it would likely lead to the creation of an entirely new constitution.
 - b. the one time a national convention was held, no proposed amendments won passage.
 - c. no amendment has ever been passed through a national convention.
 - d. Americans have come to see amendments as requiring democratic approval in the states.

ANS: C DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Applying

- 60. The Constitution's framers designed this institution to be the closest, and most democratically responsive, to the people:
 - a. the Senate.
 - b. the House of Representatives
 - c. the presidency.

d. Congress.

ANS: B DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

- 61. Why, a few years before the Constitutional Convention was held, had delegates from five states called on Congress to, at a later time, send commissioners to Philadelphia to make adjustments to the Articles of Confederation?
 - a. The country's elites had been shocked into action by Shays's Rebellion, in which an angry mob of farmers almost took over Massachusetts's state government offices.
 - b. Recent experience had shown that the national government was now strong enough to make the creation of a stronger central government an attainable goal.
 - c. The new nation's weak international position and domestic problems, linked to a weak central government, and radicals gaining control in some states as elites declined.
 - d. The Articles of Confederation, although working fairly well, had been hastily put together after the Revolution, and just needed updating.

ANS: C DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

- 62. Three of the Constitution's framers—James Madison, Alexander Hamilton, and John Jay—wrote, under the pseudonym "Publius," a series of essays in favor of the new document in order to:
 - a. provide a practical guide to the new Constitution for the country's voters.
 - b. warn the public about some of the excesses of the new document, something they could not do under their real names.
 - c. let the leaders of foreign countries know that the young republic was getting its house in order, and was open for safe investment.
 - d. defend the Constitution's principles and help dispel the fears that the new government would be tyrannical.

ANS: D DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

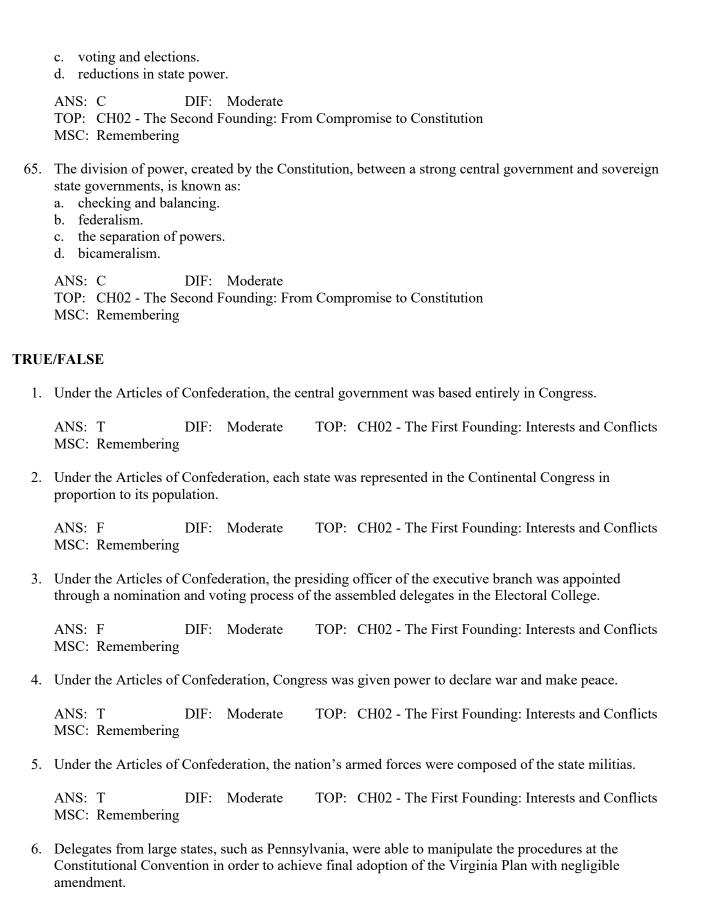
- 63. Since the Bill of Rights' ratification, thousands of amendments to the Constitution have been proposed, but only 15 have been added. Why have so few made it past the finish line?
 - a. The overwhelming majority of proposals dealt with social policy issues, while those ultimately accepted dealt with the structure or composition of government.
 - b. Not only is the amendment process challenging, but established procedures and institutions are hard to change once people have a vested interest in defending the status quo.
 - c. The Constitution's framers included just enough vague wording in the document to leave it open to almost any interpretation over time.
 - d. Consensus against changing the Constitution has been built among the nation's elites and leadership over time.

ANS: B DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

- 64. The bulk of the 15 amendments that have won ratification since the Bill of Rights have dealt with:
 - a. defining eligibility for voting in national elections, something left out of the original Constitution.
 - b. further restrictions on or definition of the boundaries of federal government power.



ANS: F DIF: Easy TOP: CH02 - The Second Founding: From Compromise to Constitution

7.	The Three-Fifths Compromise gave the South an advantage in the Electoral College.
	ANS: T DIF: Moderate TOP: CH02 - The Second Founding: From Compromise to Constitution MSC: Remembering
8.	Under the Constitution as originally ratified, U.S. senators were to be appointed by state legislatures.
	ANS: T DIF: Moderate TOP: CH02 - The Constitution MSC: Remembering
9.	Staggered terms of service in the Senate were intended to make that body even more politically responsive to popular opinion.
	ANS: F DIF: Moderate TOP: CH02 - The Constitution MSC: Remembering
10.	The Constitution implies that any power not explicitly granted to the federal government is not granted at all.
	ANS: T DIF: Moderate TOP: CH02 - The Constitution MSC: Remembering
11.	In the absence of an amendment, any power not specifically enumerated in the Constitution is conceived to be reserved to the national government.
	ANS: F DIF: Moderate TOP: CH02 - The Constitution MSC: Remembering
12.	The Constitution grants the president the unconditional power to accept ambassadors from other countries.
	ANS: T DIF: Moderate TOP: CH02 - The Constitution MSC: Remembering
13.	The Constitution grants the Supreme Court the unconditional right to grant reprieves and pardons.
	ANS: F DIF: Moderate TOP: CH02 - The Constitution MSC: Remembering
14.	Federal judges are given lifetime appointments.
	ANS: T DIF: Easy TOP: CH02 - The Constitution MSC: Remembering
15.	The Constitution makes no direct mention of judicial review.
	ANS: T DIF: Moderate TOP: CH02 - The Constitution MSC: Remembering
16.	The Constitution does not explicitly mention the principle of the separation of powers.
	ANS: T DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

17. Each branch of the government of the United States is responsible to a different constituency.

ANS: T DIF: Moderate TOP: CH02 - The Constitution

MSC: Remembering

18. George Washington thought the U.S. Constitution would probably last no more than 20 years.

ANS: T DIF: Easy

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

19. Revolutionary War veteran Daniel Shays, frustrated by a postwar economic downturn that harmed the colonial elite class, led a mob in a rebellion against the national government, as constituted under the Articles of Confederation.

ANS: F DIF: Easy

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

20. In the years after the Revolutionary War, radical populist forces gained power in some states and Congress, after some colonial elites lost power or moved to Canada.

ANS: F DIF: Easy

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

21. In the years immediately following the Revolutionary War, Congress slowly took command of the country, as the power of states (or former colonies) diminished.

ANS: F DIF: Easy

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

22. Two of the three American presidents selected for the office between 2000 and 2016 won majorities in the Electoral College without winning the popular vote.

ANS: T DIF: Easy

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

23. The two major compromises that led to a successful conclusion of the Constitutional Convention of 1789 were developed, in part, to restore an alliance of southern planters and northern merchants after rifts developed over sectional interests, including slavery.

ANS: T DIF: Easy

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Understanding

24. Some of the framers wanted an executive council, as opposed to a single chief executive of the sort they eventually settled upon, to avoid the evils that many associated with a monarch.

ANS: T DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

25. Presidential vetoes are not absolute, and may be overturned with a majority vote in both houses of Congress.

ANS: T DIF: Moderate

TOP: CH02 - Changing the Framework: Constitutional Amendment

MSC: Remembering

26. The Antifederalists, a group of elites in the postrevolutionary era who opposed the new Constitution, argued in favor of a bill of rights.

ANS: T DIF: Moderate

TOP: CH02 - The Second Founding: From Compromise to Constitution

MSC: Remembering

ESSAY

1. List and describe the various sectors of colonial society, and explain the role of each during the events leading up to the American Revolution and writing of the Constitution.

ANS:

These were the sectors of colonial society:

- (1) New England merchants
- (2) Southern planters
- (3) Royalists—persons directly or indirectly supported by the Crown or otherwise intensely loyal
- (4) Shopkeepers, artisans, and laborers
- (5) Small farmers

Before 1765, New England merchants, southern planters, and royalists supported the British government. Beginning with the Stamp Act of 1765, the imposition of taxes drove New England merchants and southern planters out of the pro-Crown coalition and into the anti-Crown coalition.

The harsh British response to the 1773 Boston Tea Party promoted the development of this anti-Crown coalition. After the outbreak of Revolutionary War hostilities, royalists either left the colonies, converted to pro-independence, or dropped out of politics. After the war was officially over, the New England merchants and southern planters became nervous about the excesses of state-level democracy and the weakness of the central government. They supported the development and adoption of the new U.S. Constitution.

MSC: Analyzing

2. Why did the framers feel a need to replace the Articles of Confederation?

ANS:

The Articles of Confederation established a weak central government with no executive branch or independent judiciary. The Continental Congress lacked the ability to actually enforce its mandates. As a result, the Continental Congress could not enforce the treaties it made with other countries or defend American merchant trade. State governments were often dominated by radical elements that interfered with the economic status quo, including diluting the value of currency to aid debtors.

Shays's Rebellion in Massachusetts in 1787 highlighted the fragility of internal security in the new country. The state of Massachusetts struggled to put down the revolt by desperate farmers, and the central government had little power to aid the state authorities or induce other states to assist.

MSC: Analyzing

3. Why did the framers believe that a new Constitution was necessary?

ANS:

The Articles of Confederation established a weak central government with no executive branch or independent judiciary. The Continental Congress lacked the ability to actually enforce its mandates. As a result, the Continental Congress could not enforce the treaties it made with other countries or defend American merchant trade. State governments were often dominated by radical elements that interfered with the economic status quo, including diluting the value of currency to aid debtors. Shays's Rebellion in Massachusetts in 1787 highlighted the fragility of internal security in the new country. The state of Massachusetts struggled to put down the revolt by desperate farmers, and the central government had little power to aid the state authorities or induce other states to assist.

MSC: Evaluating

4. In what ways did the Constitution represent an improvement over the Articles of Confederation?

ANS:

The Constitution delegated real power to the national government. Thus, the federal government was much better able to provide collective goods to states and citizens, such as the following:

- (1) Military security against potential invasions or internal revolt
- (2) Defense of U.S. merchant ships at sea
- (3) Effective and coordinated diplomacy with other countries
- (4) A national postal service
- (5) Better-coordinated domestic trade (e.g., with uniform rules and weights and measures)

This new national government included independent executive and judicial branches. This provided a new source of quick action (the president) and oversight over the legislative branch. More broadly, the new government effectively paired a larger grant of power to government with multiple checks to prevent tyrannical use of this power. As a result, citizens were more secure from the abuses of government, since they had previously been subject to potential abuse by state governments acting with little national oversight.

MSC: Evaluating

5. Why did the framers fear excessive democracy? Through what means were the framers able to limit democracy's influence on the structure of government?

ANS:

The text mentions that the framers feared excessive democracy at the state level and wanted to rein it in. This includes states' policies like diluting the value of currency, seizing property, canceling or delaying debts, and refusing to pay off government debts. Such policies demonstrated the potential for democratic tyranny.

More broadly, the framers were familiar with democracies and republics throughout history and assumed that humans are ambitious and prone to abuse power if they can. They worried, for example, that the new, independent president included in the Constitution might become a popular demagogue and tyrant.

Limits the Founders placed on democracy include the following:

- (1) Direct limits on the use of power in the Constitution, especially Article I, Section 9, and the Bill of Rights
- (2) Checks and balances
 - a. Bicameralism
 - b. Separation of powers, with three branches able to block and influence each other
 - c. Federalism, with independent state governments able to block federal actions
- (3) Regular elections for politicians serving fixed terms

6. How did the Founders ultimately balance the need for an effective national government with the need to protect the rights of states and individuals?

ANS:

The Constitution delegated real power to the national government. Thus, the federal government was much better able to provide collective goods to states and citizens, such as the following:

- (1) Military security against potential invasions or internal revolt
- (2) Defense of U.S. merchant ships at sea
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- (2) Checks and balances
 - a. Bicameralism
 - b. Separation of powers, with three branches able to block and influence each other
 - c. Federalism, with independent state governments able to block federal actions
- (3) Regular elections for politicians serving fixed terms

MSC: Analyzing

7. What compromises were made during the Constitutional Convention and why?

ANS:

The text highlights two compromises: the Great Compromise (Connecticut Compromise) between large and small states and the Three-Fifths Compromise between slave and nonslave states. The Great Compromise established a bicameral legislature, with one chamber based on representation and the other allowing states to have equal representation. The Three-Fifths Compromise settled the question of whether slaves would count toward congressional representation. The final agreement was that three-fifths of the population of slaves in a state would count toward its congressional representation. In addition to these central compromises, student essays may mention any of several other provisions as the result of a compromise based on other course materials or his/her own prior knowledge of the Constitution.

MSC: Analyzing

8. What strategies are built into the Constitution to prevent the abuse of power?

The new national government included independent executive and judicial branches. This provided a new source of quick action (the president) and oversight over the legislative branch. More broadly, the new government effectively paired a larger grant of power to government with multiple checks to prevent tyrannical use of this power. These include

- (1) Direct limits on the use of power in the Constitution, especially Article I, Section 9, and the Bill of Rights
- (2) Checks and balances
 - a. Bicameralism
 - b. Separation of powers, with three branches able to block and influence each other
 - c. Federalism, with independent state governments able to block federal actions
- (3) Regular elections for politicians serving fixed terms

MSC: Analyzing

9. Explain the process for amending the Constitution and use specific examples to discuss the types of amendments that have actually been ratified.

ANS:

There are four pathways to amending the Constitution:

- (1) Proposal by a two-thirds vote of both chambers of Congress and approval by three-fourths of state legislatures (used for all amendments except the Twenty-First)
- (2) Proposal by a two-thirds vote of both chambers of Congress and approval by conventions in three-fourths of states (used once, to pass the Twenty-First Amendment repealing Prohibition)
- (3) Proposal by a Constitutional Convention called by two-thirds of state legislatures and approval by three-fourths of state legislatures (never used)
- (4) Proposal by a Constitutional Convention called by two-thirds of state legislatures and approval by conventions in three-fourths of states (never used)

Each pathway requires multiple supermajority thresholds. In practice, each constitutional amendment has required both federal and state support and the support of both major political parties. (The text for Chapter 2 does not mention political parties on this point.) This makes gaining approval difficult for most structural changes. For most policy and legal issues, advocates are more likely to pursue their goals using the ordinary lawmaking process or to seek favorable Supreme Court interpretations of existing constitutional provisions rather than to add new provisions to the Constitution.

MSC: Analyzing

10. Compare and contrast the powers of Congress under the Articles of Confederation and the Constitution. Was Congress more or less powerful under the Articles of Confederation?

ANS

Congress was much less powerful under the Articles of Confederation.

Structurally, Congress was the only real "branch" under the Articles of Confederation, with no independent executive or judicial branch as in the Constitution.

Nominally, under the Articles of Confederation, Congress had the power to declare war and make peace, to make treaties and alliances, to coin or borrow money, and to regulate trade with Native Americans. It did not have the power to regulate commerce between states, levy taxes, or to form a national army.

In practice, however, Congress had little real power to execute its own laws or compel states to conform to its mandates under the Articles of Confederation.

11. Institutions shape politics. Why did the institutions designed by the Articles of Confederation lead to pressures to draft a new Constitution?

ANS:

The Articles of Confederation established a weak central government with no executive branch or independent judiciary. The Continental Congress lacked the ability to actually enforce its mandates. As a result, the Continental Congress could not enforce the treaties it made with other countries or defend American merchant trade. State governments were often dominated by radical elements that interfered with the economic status quo, including diluting the value of currency to aid debtors. Shays's Rebellion in Massachusetts in 1787 highlighted the fragility of internal security in the new country. The state of Massachusetts struggled to put down the revolt by desperate farmers, and the central government had little power to aid the state authorities or induce other states to assist.

MSC: Analyzing

12. The framers developed four constitutional principles that prevent the threat of excessive democracy: bicameralism, checks and balances, staggered terms of office, and indirect election. What are these principles, and how do they prevent the federal government from directly reflecting the will of the people?

ANS:

Bicameralism is a division of legislature into two chambers. The framers adopted the structure of the U.S. Congress, with two independently elected bodies, as the result of the Connecticut (or Great) Compromise.

Checks and balances are the mechanisms through which each branch of government is able to participate in and influence the activities of the other branches. Students may provide specific examples, such as the executive veto.

Staggered terms refers to the fact that the Senate, House of Representatives, and president serve terms of different lengths and thus do not have synchronized electoral terms. Additionally, the Senate is elected on a staggered cycle, so one-third of its members are chosen each election cycle. This approach helps to diversify the electoral incentives of elected officials—they have differing time horizons and were elected under different circumstances.

Indirect elections for senators were part of the original Constitution. Senators were selected by state legislatures in an attempt to limit popular influence on senators and to ensure that the Senate was composed of more elite members. This changed with the Seventeenth Amendment to the Constitution. The president is also elected indirectly. Each state chooses an allotted number of presidential electors, who vote to choose the president. In practice, however, these electors are elected by popular vote and have nearly zero discretion.

MSC: Analyzing

13. How did the cleavages between small states and large states, and between slave states and nonslave states, shape the institutional design of the Constitution?

ANS:

The text highlights two compromises: the Great Compromise (Connecticut Compromise) between large and small states and the Three-Fifths Compromise between slave and nonslave states. The Great Compromise established a bicameral legislature, with one chamber based on representation and the other allowing states to have equal representation. The Three-Fifths Compromise settled the question of whether slaves would count toward congressional representation. The final agreement was that three-fifths of the population of slaves in a state would count toward its congressional representation.

14. The U.S. Constitution has been amended 27 times, and just 15 times since 1791. What institutional factors help explain the (arguably) low number of amendments to the U.S. Constitution?

ANS:

The process for amending the Constitution is complex and difficult to satisfy. There are four pathways to amending the Constitution:

- (1) Proposal by a two-thirds vote of both chambers of Congress and approval by three-fourths of state legislatures (used for all amendments except the Twenty-First)
- (2) Proposal by a two-thirds vote of both chambers of Congress and approval by conventions in three-fourths of states (used once, to pass the Twenty-First Amendment repealing Prohibition)
- (3) Proposal by a Constitutional Convention called by two-thirds of state legislatures and approval by three-fourths of state legislatures (never used)
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Each pathway requires multiple supermajority thresholds. In practice, each constitutional amendment has required both federal and state support and the support of both major political parties. (The text for Chapter 2 does not mention political parties on this point.) This makes gaining approval difficult for most structural changes. For most policy and legal issues, advocates are more likely to pursue their goals using the ordinary lawmaking process or to seek favorable Supreme Court interpretations of existing constitutional provisions rather than to add new provisions to the Constitution.

MSC: Analyzing

15. It is accepted among historians and political scientists that sectional and economic differences, especially ones involving slavery, shaped debate among delegates to the Constitutional Constitution. Madison, in his convention notes, suggested that it even shaped his idea of the indirect selection of the president through the Electoral College, rather than direct election, despite the fact that he thought that latter would clearly be the best means of selecting the executive. More people could vote in the nonslave states of the North, he noted, something that he thought would lead the southern states to reject a direct election.

Given that slavery was outlawed by the Thirteenth Amendment, would it be useful to reconsider the Electoral College and other aspects of the Constitution, or even its basic framework, in light of how sectional differences shaped its ratification?

ANS:

The Three-Fifths Compromise gave southern states with large slave populations more of a say in the selection of presidents through the Electoral College, and in Congress via increased House representation.

Although some delegates considered slavery morally wrong, it was economic and political interests, not moral principle, that caused the framers to support or oppose the Three-Fifths Compromise.

Even so, the issue of slavery, one that nearly destroyed the Union during the Civil War, shaped much of the debate at the Constitution, not just debate over the Three-Fifths Compromise.

The Great Compromise restored an alliance of northern merchants and southern, slave-holding planters, both of which feared that a new governmental framework would reduce their own local or regional influence. At the time, however, the slave states included some of both the biggest and the smallest states in terms of population.

The Electoral College has also had the effect of helping presidents withstand excessively democratic pressures by filling the office through indirect rather than direct election.