

American Criminal Courts: Legal Process and Social Context Chapter 02 Test Bank

1. One requirement of societies is that \_\_\_\_\_ must be maintained.

- \*a. social order
- b. norms
- c. bureaucratization
- d. the common law

2. Systems of control in simple societies that have no codified laws but rely exclusively on tradition, custom, and informal social controls to achieve social order.

- \*a. primitive legal systems
- b. adjudication systems
- c. federalist systems
- d. colonial court systems

3. Weber referred to societies that have no stand-alone government to write and enforce rules as \_\_\_\_\_ because the rules and leaders were respected and followed as a matter of the culture and traditions.

- \*a. traditional authority
- b. informal systems
- c. primitive legal systems
- d. bureaucracies

4. These are societies that use military dominance to gain economic and political control over other societies.

- a. tribes
- \*b. empires
- c. nation-states
- d. bureaucracies

5. These are systems of control in empires and early societies that had some codified laws and local courts but lacked a clear system of writing and enforcing laws.

- a. religion-based court systems
- b. federalist systems
- c. colonial legal systems
- \*d. transitional legal systems

6. This charter limited the English king's power by making him follow written rules and protected the rights and liberties of people under his rule.

- a. Constitution
- \*b. Magna Carta
- c. Shari'a
- d. Peace of Westphalia

7. Systems of \_\_\_\_\_ allowed ancient rulers to centralize and standardize their rule making and rule enforcing.

- a. checks and balances
- b. dual sovereignty
- c. informal social control
- \*d. formal social control

8. This empire produced a legal system that included the Twelve Tables of Rome and the Justinian Code.

- \*a. Roman Empire
- b. Classical Greece
- c. Byzantine Empire
- d. Mali Empire

9. In 1648, this set of treaties prompted Europe's governments to recognize the legitimacy of other governments and honor the boundaries separating sovereign states.

- a. Solon's law
- b. Draconian law
- c. Magna Carta
- \*d. Peace of Westphalia

10. This is a system for reviewing and applying laws.

- \*a. adjudication system
- b. colonial court system
- c. due-process system
- d. federalist system

11. These are strategies that involve having someone violate a law, be convicted in a trial, and then appeal the case on the grounds that the law is unconstitutional.

- a. criminal cases
- \*b. test cases
- c. experimental cases
- d. civil cases

12. What is law that emanates from judicial rulings?

- a. federal law
- b. criminal law
- \*c. common law
- d. civil law

13. This is law based on codes written by governing bodies.

- a. common law
- \*b. civil law
- c. governing law
- d. legislative law

14. This is law that is derived from the Koran.

- a. Koranic law

- b. civil law
- \*c. Shari'a law
- d. Ten Commandments

15. This part of the First Amendment prohibits the government from favoring or endorsing one religion over another.

- a. Equal Protection clause
- \*b. Establishment clause
- c. Extradition clause
- d. Interstate Rendition clause

16. The roots of the U.S. legal system and courts lie within \_\_\_\_\_ law and the ideals of \_\_\_\_\_.

- a. criminal; tribal law
- b. Draco's; the Magna Carta
- \*c. English; the Enlightenment
- d. civil; the age of Empires

17. Prior to independence from Britain, each North American colony had a(n) \_\_\_\_\_ court system.

- \*a. colonial
- b. federal
- c. English
- d. civil

18. During the American Revolutionary War, the 13 former colonies ratified this document to unify them.

- a. the Constitution
- \*b. Articles of Confederation and Perpetual Union
- c. Bill of Rights
- d. Declaration of Independence

19. This is created to describe the structure of a government and delegate authority among its branches.

- \*a. constitution
- b. declaration
- c. amendments
- d. law

20. These courts create the core of the federal judiciary and hear federal criminal trials and appeals.

- a. common law courts
- b. civil courts
- c. state courts
- \*d. federal constitutional courts

21. This is the right of each branch of a government to amend or void acts of another that

fall within its purview.

- \*a. checks and balances
- b. federalism
- c. legal-rational authority
- d. bracketing

22. This part of the Constitution created the federal courts as an independent branch of the government and outlined their jurisdiction and limitations.

- a. Article II
- \*b. Article III
- c. Article I
- d. Article IV

23. This is the constitutional requirement that a court cannot exercise its jurisdictional authority unless one party brings a lawsuit against another party.

- a. checks and balances
- b. interstate rendition clause
- \*c. case or controversy clause
- d. privileges and immunities clause

24. A system of government in which the national government shares power with each of the states is called \_\_\_\_\_.

- a. dual sovereignty
- \*b. federalist system
- c. all of the above
- d. none of the above

25. This article of the Constitution describes in general terms the mutual relationship between the states, sometimes called horizontal federalism.

- a. Article II
- b. Article I
- c. Article III
- \*d. Article IV

26. This requires that states treat their state residents and residents of other states equally.

- a. Case or Controversy clause
- \*b. Privileges and Immunities clause
- c. Interstate Rendition clause
- d. Full Faith and Credit clause

27. This requires that states respect other states' laws.

- a. Full Faith and Credit clause
- b. Privileges and Immunities clause
- \*c. case or controversy clause
- d. interstate rendition clause

28. This requires that a state return a criminal suspect to the state in which the offense occurred if that state makes a request and pays the expenses.

- a. Case or Controversy clause
- b. Privileges and Immunities clause
- c. Full Faith and Credit clause
- \*d. Interstate Rendition clause

29. This constitutional requirement sets forth that contradictions between state and federal law shall be resolved in favor of the federal law.

- a. Privileges and Immunities clause
- b. Case or Controversy clause
- \*c. Supremacy clause
- d. Interstate Rendition clause

30. What are the first 10 amendments to the Constitution called?

- a. Articles of Confederation and Perpetual Union
- b. the First Ten Amendments
- c. the Magna Carta
- \*d. the Bill of Rights

31. All forms of social control entail two elements: rules and enforcement.

- \*a. True
- b. False

32. "Informal social control" means that the controls were weak and that people were free to do whatever they wanted.

- a. True
- \*b. False

33. The age of empires, when most people around the world were controlled by empires, began around 1000 B.C.E. and continued up to the 20th century C.E.

- a. True
- \*b. False

34. The era of nation-states, which produced the United States and other nations, developed along with what is often called the Age of Enlightenment.

- \*a. True
- b. False

35. Common law began in English courts, but is no longer practiced in Britain's former colonies, including the United States and Canada.

- a. True
- \*b. False

36. Civil law courts are sometimes called Napoleonic courts.

- \*a. True
- b. False

37. Religion-based court systems have elements of common-law precedent and civil-law statutes.

- \*a. True
- b. False

38. The Fifth Amendment includes the Establishment clause, which prohibits the government from favoring or endorsing one religion over another.

- a. True
- \*b. False

39. Federal supremacy prevails over state law and courts if a state passes a law that either violates the Constitution or is federal jurisdiction.

- \*a. True
- b. False

40. Due process and procedural justice are two different concepts.

- a. True
- \*b. False