

Kanovitz: Manual site for Constitutional Law, 13th Edition

Chapter 01: History, Structure, and Content of the United States Constitution

Multiple Choice

1. The following country's government provided a precedent for the federal-state system devised under the Constitution:
 - a. England
 - b. France
 - c. Greece
 - d. none of the above

ANS: d

2. The following made the case for ratifying the Constitution:
 - a. the Declaration of Independence
 - b. the Federalist Papers
 - c. Common Sense
 - d. The Articles of Confederation

ANS: b

3. Which of the following is *not* a branch of the federal government?
 - a. Presidency
 - b. Governorship
 - c. Judiciary
 - d. Congress

ANS: b

4. Once proposed, an amendment to the Constitution must be ratified by ____ of the states.
 - a. two-thirds
 - b. three-fifths
 - c. four-fifths
 - d. three-fourths

ANS: d

5. Although not specifically listed among the powers granted to the federal government, the Supreme Court ruled that Congress had the power to establish a national bank under the following:
 - a. necessary and proper clause
 - b. the First Amendment
 - c. the due process clause
 - d. the Tenth Amendment

ANS: a

6. All of the following federal laws fall under the interstate commerce clause, except

for:

- a. Brady Handgun Violence Prevention Act
- b. Mann Act
- c. National Motor Vehicle Theft Act
- d. Federal Kidnapping Act

ANS: a

7. The first ten amendments to the Constitution are collectively known as:

- a. the Interstate Commerce Clause
- b. the Bill of Rights
- c. Articles of Confederation
- d. the Necessary and Proper Clause

ANS: b

8. The Fourteenth Amendment to the Constitution was passed in the aftermath of which war?

- a. Revolutionary War
- b. War of 1812
- c. Civil War
- d. Spanish American War

ANS: c

9. The Fourteenth Amendment contains the following guarantee:

- a. the right to trial by jury
- b. the right of the people peaceably to assemble
- c. equal protection under the laws
- d. the right against unreasonable searches and seizures

ANS: c

10. *Lawrence v. Texas*, the Supreme Court decision overturning sodomy laws, has been compared to which other landmark Supreme Court ruling?

- a. *Plessy v. Ferguson*
- b. *United States v. Virginia*
- c. *Marbury v. Madison*
- d. *Brown v. Board of Education*

ANS: d

11. Which of the following would qualify for *strict scrutiny* at this time under the equal protection clause?

- a. gender-based discrimination
- b. racial profiling
- c. discrimination based on sexual orientation
- d. laws regulating handguns

ANS: b

12. Under the Constitution, states are prohibited from doing all of the following, except:
- a. lay duties on exports, without the consent of Congress
 - b. enter into treaties
 - c. pass *ex-post facto* laws
 - d. conduct background checks before allowing citizens to purchase handguns

ANS: d

13. Petitioners file this when requesting review by the Supreme Court:
- a. *writ of certiorari*
 - b. *writ of habeas corpus*
 - c. *due process*
 - d. constitutional challenge

ANS: a

14. Habeas corpus review is a post-conviction constitutional remedy for state prisoners that rectifies the following:
- a. unlawful confinement
 - b. cruel and unusual punishment
 - c. parole violation
 - d. illegal searches and seizures

ANS: a

15. After the Constitution was drafted, it was submitted to the states for ratification. Ratification was opposed by some states because:
- a. the Constitution contained no bill of rights.
 - b. excessive power was concentrated in the President.
 - c. Congress had no power to tax.
 - d. small states were not given fair representation in the Senate of the United States.

ANS: a

16. Under the terms of the proposed Constitution, the new government was to become operative if a certain number of states ratified. This number was:
- a. 9
 - b. 10
 - c. 11
 - d. All 13 states

ANS: a

17. The ratification process was completed and the Constitution went into effect:
- a. 1787
 - b. 1788
 - c. 1791
 - d. 1776

ANS: b

18. The United States Constitution, as originally adopted:
- a. prohibited the federal government from depriving any person of life, liberty, or property without due process of law.
 - b. was divided into nine articles.
 - c. defined the crime of treason and the proof necessary for a conviction.
 - d. failed to provide for a method of amendment.

ANS: c

19. Article I of the United States Constitution:

- a. grants Congress the power to regulate interstate and foreign commerce.
- b. contains the supremacy clause.
- c. protects freedom of speech.
- d. delegates to the President the power to declare war.

ANS: a

20. Article II of the United States Constitution:

- a. establishes the powers of the President.
- b. establishes the powers of the President.
- c. guarantees the right to bear arms.
- d. guarantees that the federal government will not quarter troops in private homes.

ANS: a

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ANS: a

True/ False

24. The Articles of Confederation created a strong federal government.

- a. True
- b. False

ANS: b

25. The government set up under the Constitution is called a federalist system.

- a. True
- b. False

ANS: a

26. The First Amendment addresses the right to bear arms.

- a. True
- b. False

ANS: b

27. The Bill of Rights is a declaration of the rights that citizens have against each other.

- a. True
- b. False

ANS: b

28. Before the Civil War, the American people viewed the states as the watchdogs of liberty.

- a. True
- b. False

ANS: a