

Test Bank to accompany
Constitutional Law, Third Edition (Hall/Feldmeier)

Chapter 1 Constitutionalism and Rule of Law

1.1 Multiple-Choice Questions

1) Which of the following Chief Justices of the Supreme Court was responsible for writing the majority opinion in *Marbury v. Madison*, wherein the power of judicial review was announced?

- A) Jay
- B) Marshall
- C) Warren
- D) Rehnquist

Answer: B

Page Ref: 28

Objective: Define judicial review, discuss its political and legal history, explain how it is an important element of the U.S. rule of law, and contrast it with at least two other models from around the world.

Level: Basic

2) Under the leadership of which of the following Chief Justices did the Supreme Court render many decisions advancing civil liberties, especially in the criminal context?

- A) Jay
- B) Marshall
- C) Warren
- D) Rehnquist

Answer: C

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Objective: Identify the major eras of the Supreme Court in the context of its approach to federalism.

Level: Basic

3) What was William Marbury seeking from the Supreme Court in *Marbury v. Madison*?

- A) Writ of Certiorari
- B) Writ of Mandamus
- C) Temporary Restraining Order
- D) Money Damages

Answer: B

Page Ref: 28

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Level: Basic

4) During what era of the Court did the justices dramatically expand the liberty protections afforded to individuals under the Fourth Amendment?

- A) Taney Court
- B) Warren Court
- C) New Deal Era
- D) Rehnquist Court

Answer: B

Page Ref: 46

Objective: Identify the major eras of the Supreme Court in the context of its approach to federalism.

Level: Basic

5) In which era did the U.S. Supreme Court begin to expand the powers of the federal government?

- A) Marshall Court
- B) Taney Court
- C) Pre-New Deal Era
- D) Rehnquist Court

Answer: A

Page Ref: 33

Objective: Identify the major eras of the Supreme Court in the context of its approach to federalism.

Level: Basic

6) Who is the current Chief Justice of the Supreme Court?

- A) William Rehnquist
- B) Sandra Day O'Connor
- C) John Roberts
- D) Antonin Scalia

Answer: C

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Objective: Identify the major eras of the Supreme Court in the context of its approach to federalism.

Level: Basic

7) In which case did the U.S. Supreme Court assert the power of judicial review over the decisions of the states' high courts?

- A) Marbury v. Madison
- B) United States v. Nixon
- C) Martin v. Hunter's Lessee
- D) Dred Scot v. Sandford

Answer: C

Page Ref: 36

Objective: Define judicial review, discuss its political and legal history, explain how it is an important element of the U.S. rule of law, and contrast it with at least two other models from around the world.

Level: Basic

8) What document governed the United States prior to the ratification of the U.S. Constitution?

- A) Articles of Confederation
- B) U.S. Code
- C) Declaration of Independence
- D) Contract with America

Answer: A

Page Ref: 52

Objective: Identify and discuss the important historical events and political philosophies that led to, and shaped, the U.S. Constitution.

Level: Basic

9) During the early years of the Constitution, which group championed a stronger centralized government?

- A) Federalists
- B) Anti-Federalists
- C) Tea Party
- D) Confederates

Answer: A

Page Ref: 26

Objective: Identify and discuss the important historical events and political philosophies that led to, and shaped, the U.S. Constitution.

Level: Basic

10) Each of the following contributed to the need for drafting a new Constitution in 1787 EXCEPT:

- A) Shays Rebellion.
- B) Fear of foreign invasion.
- C) State competition over taxes.
- D) U.S. government too strong.

Answer: D

Page Ref: 26

Objective: Identify and discuss the important historical events and political philosophies that led to, and shaped, the U.S. Constitution.

Level: Basic

11) A legislative act that inflicts capital punishment upon named persons without a judicial trial is called a(n):

- A) Ex post facto law.
- B) Bill of Attainder.
- C) Act of Sedition.
- D) Habeas Corpus.

Answer: B

Page Ref: 15

Objective: Define judicial review, discuss its political and legal history, explain how it is an important element of the U.S. rule of law, and contrast it with at least two other models from around the world.

Level: Basic

12) A law that makes someone criminally liable for an act that was not criminal at the time it was committed is called a(n):

- A) Ex post facto law.
- B) Bill of Attainder.
- C) Act of Sedition.
- D) Habeas Corpus.

Answer: A

Page Ref: 15

Objective: Define judicial review, discuss its political and legal history, explain how it is an important element of the U.S. rule of law, and contrast it with at least two other models from around the world.

Level: Basic

13) A writ whose purpose is to obtain immediate relief from illegal imprisonment by having the "body" (that is, the prisoner) delivered from custody and brought before that court is called:

- A) Ex post facto law.
- B) Bill of Attainder.
- C) Act of Sedition.
- D) Habeas Corpus.

Answer: D

Page Ref: 15

Objective: Define judicial review, discuss its political and legal history, explain how it is an important element of the U.S. rule of law, and contrast it with at least two other models from around the world.

Level: Basic

14) Today, a series of eighty-five articles that were published under the pseudonym Publius in magazines and newspapers urging the ratification of the new Constitution are known as the:

- A) Federalist Papers.
- B) Communist Manifesto.
- C) Articles of Confederation.
- D) Declaration of Statehood.

Answer: A

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Objective: Identify and discuss the important historical events and political philosophies that led to, and shaped, the U.S. Constitution.

Level: Basic

15) A term referring to the concept that there exists, independent of manmade law, a law laid down (depending upon one's beliefs) by God or by nature, which human society must observe in order to be happy and at peace is referred to as:

- A) Divine Province.
- B) Natural Law.
- C) Manifest Destiny.
- D) Aaron's Law.

Answer: B

Page Ref: 24

Objective: Explain rule of law, including its elements and how it relates to constitutionalism.

Level: Basic

16) In U.S. v. Nixon, the Supreme Court considered what item of evidence?

- A) Iran Contra Affair
- B) Watergate tapes
- C) William Marbury's commission
- D) Vietnam information

Answer: B

Page Ref: 34

Objective: Explain rule of law, including its elements and how it relates to constitutionalism.

Level: Basic

17) The landmark ruling in Brown v. Board of Education occurred during which judicial era?

- A) Taney Court
- B) Rehnquist Court
- C) New Deal Era
- D) Warren Court

Answer: D

Page Ref: 46

Objective: Explain rule of law, including its elements and how it relates to constitutionalism.