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SKU: 9780190928513-TEST-BANK

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CHAPTER 2 THE CONSTITUTION: RIGHTS AND RACE INTERTWINED

What Students Should Learn from This Chapter

- Review the history of the formation of the Articles of Confederation and the U.S. Constitution.
- Develop an understanding of the failings of the Articles of Confederation, as well as the means by which the U.S. Constitution addressed those failings.
- Review the structure of the U.S. Constitution and the government it created.
- Understand the reasoning behind the conflicts that led to compromises within the U.S. Constitution.

Outline

I. A Revolution for Independence
   a. The Road to Revolution
   b. Declaring Independence

II. First Attempt at National Government: The Articles of Confederation
   a. A Limited National Government
   b. Weaknesses of the Articles of Confederation
   - Our Voices: Prince Hall (1748–1807)

III. Second Attempt at National Government: The Constitution
   a. The Convention Delegates
   b. Forming a New Government
   - Measuring Equality: Whom Did the Framers Represent?
   c. The Great Compromise
   d. Debate over Ratification
   - Evaluating Equality: The Effect of the Three-Fifths Compromise on the Political Power of the South
   e. The Bill of Rights

IV. National Government under the Constitution
   a. National Supremacy
   b. The Legislative Branch
   c. The Executive Branch
   d. The Judicial Branch
   e. Liberalized Amendment Rules

V. Planning for Potential Pitfalls
   a. Separating Powers
   b. Varying Terms of Office
   c. Selecting National Government Officials
   d. Qualifying for National Office
   e. Instituting Checks and Balances

Suggested Lecture Topics and Class Activities

1. *The Federalist Papers* and *Anti-Federalist Papers*; have students read selected Federalist and Anti-Federalist papers prior to class to engage in small-group discussions.

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2. The Three-Fifths Compromise and its consequences; examine how it came about and how it altered the balance of power in the United States.
3. Provide an overview of the British legislative events leading up to the American Revolution and how these events (in conjunction with the theoretical traditions) influenced the formation of the Articles of Confederation.
4. Examine the differences between the Articles of Confederation and the U.S. Constitution. Have students discuss whether there were other provisions that should have been included in the Constitution based on the failings of the Articles of Confederation.
5. Examine the attempts by the Iraqi government to build a stable and lasting democratic government since the U.S.-based removal of Saddam Hussein. Compare and contrast how this relates to the use of the failed Articles of Confederation and the development of the U.S. Constitution.
6. Have students individually write a 3-minute reflection on what the positive and negative aspects of compromise. Then have students break into groups of 4 to discuss their answers in the context of the Great Compromise and the Three-Fifths Compromise. Students should then report back to the full class to discuss their conclusions. Encourage the students to consider whether there were other compromises that might have been made that could have led to greater levels of equality for the populace.

Discussion Questions

1. Why did the colonists feel justified in protesting against and fighting against the British crown?
2. Why did the drafters of the Articles of Confederation choose to construct the government with so little central power? Should they have foreseen an issue with a particularly weak central government?
3. We often say hindsight is 20/20. What, if any, problems do you find in the construction of the Constitution? Would it have been feasible to create a government without incorporating the tradition of exclusion?
4. How does race factor into the development of the U.S. Constitution?
5. Are there any core values (such as liberty, equality, property ownership) that were more highly valued than others under the system of government formed by the Constitution? Of life, liberty, and property, which was most highly valued by the Founders based on the U.S. Constitution? Provide evidence for your claims.
6. Consider the degree to which and the contexts in which freedom of speech protects hate speech. Examine this topic in the context of the chapter's opening vignette regarding Roseanne Barr's racist tweets and the cancellation of her television show.

Video Resources

America: The Story of Us: "Revolution" (2010), History Channel
Blacks and the Constitution, Detroit Black Journal
Constitutional Conversations: Women During the American Revolution, James Madison Memorial Fellowship Foundation
Liberty: The American Revolution: Are We to Be a Nation?, PBS series

Website Resources

The Declaration of Independence, http://www.archives.gov/exhibits/charters/declaration_transcript.html/
The Articles of Confederation, http://loc.gov/rr/program/bib/ourdocs/articles.html
The U.S. Constitution, http://www.archives.gov/exhibits/charters/constitution.html/
The Federalist Papers, http://loc.gov/rr/program/bib/ourdocs/federalist.html#American
The Anti-Federalist Papers, http://www.constitution.org/afp.htm/
Africans in America: Revolution (1750-1805), https://www.pbs.org/wgbh/aia/part2/index.html

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Test Questions

Multiple-Choice Questions

Question type: conceptual
Page number: 29
1. Which central issues fueled the American Revolution?
*a. Colonial autonomy and monarchical rule.
b. Monarchical autonomy and autocratic freedom.
c. British freedom and colonial rule.
d. Colonial government and autocratic freedom.

Question type: factual
Page number: 29
2. In 1764, Parliament passed the _____, which constituted a significant tariff on the import of foreign goods and raw materials, thus introducing additional financial strain on some colonists.
a. Declaratory Act.
b. Quartering Act.
*c. Sugar Act.
d. Stamp Act.

Question type: factual
Page number: 29
3. Which Parliamentary act was the first to impose a direct tax on the colonists?
a. Declaratory Act.
b. Quartering Act.
c. Sugar Act.
*d. Stamp Act.

Question type: factual
Page number: 29
4. In addition to boycotting goods made in Britain and arguing that Parliament could not levy taxes, the Stamp Act Congress of 1765:
*a. Denounced taxation without representation.
b. Demanded revolution.
c. Refused to engage in commerce between colonies.
d. All of the above.

Question type: factual
Page number: 30
5. After repealing the Stamp Act in 1766, Parliament passed the Declaratory Act, which
*a. Stated that Parliament had supremacy over the colonies.
b. Stated that the King had supremacy over the colonies.
c. Stated that the Church of England had supremacy over the colonies.
d. All of the above.

Question type: factual
Page number: 30
6. To protest the Tea Act in 1773, colonists disguised as _____ boarded ships in Boston Harbor and threw tea chests overboard.
a. Runaway slaves.

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*b. American Indians.
c. British royals.
d. Women.

Question type: factual
Page number: 30
7. Parliament responded to the protest of the Boston Tea Party by revoking the Massachusetts colonial charter, closing Boston Harbor, and:
a. Renaming the colony.
*b. Legalizing the housing of British troops in unoccupied buildings.
c. Forcing all Massachusetts land owners to relinquish title to their land.
d. All of the above.

Question type: factual
Page number: 31
8. In what year did the First Continental Congress meet in Philadelphia?
a. 1758.
b. 1769.
*c. 1774.
d. 1776.

Question type: conceptual
Page number: 31
9. What justification did the First Continental Congress provide for declaring the illegitimacy of the Coercive Acts?
a. The colonies only owed allegiance to Parliament, not to the King.
b. The colonies owed allegiance to the King and to Parliament.
*c. The colonies only owed allegiance to the King, not to Parliament.
d. The colonies owed allegiance to no one.

Question type: factual
Page number: 31
10. Which of the following is true?
a. The American Revolution began before the Declaration of Independence.
b. The American Revolution began in Massachusetts.
*c. Both of the above.
d. Neither of the above.

Question type: conceptual
Page number: 31–32
11. The colonists believed they were being treated unfairly by Britain because of
a. Taxation without representation.
b. Removal of power from the colonial governments.
c. Lack of colonial governing power.
*d. All of the above.

Question type: conceptual
Page number: 34
12. The new government's language of equality and inclusion extended to:
a. Women.
b. American Indians.

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c. African slaves.
*d. None of the above.

Question type: applied
Page number: 34
13. Given that those who were not men, were not White, and did not own property were not intended to enjoy full inclusion in the new government system, which of the following founding values was the least genuinely put into practice?
a. Freedom.
*b. Equality.
c. Opportunity.
d. Independence.

Question type: factual
Page number: 34-35
14. At the time of the founding of the new nation, Britain had what form of government?
a. Direct democracy.
*b. Unitary form of government.
c. State-based form of government.
d. Central form of government.

Question type: factual
Page number: 34-35
15. A _____ is defined as a system in which states and other governmental units are completely controlled by and under the authority of a central government
a. Direct democracy.
*b. Unitary form of government.
c. State-based form of government.
d. Central form of government.

Question type: conceptual
Page number: 35
16. What is a confederation?
a. A system in which states and other governmental units are completely controlled by and under the authority of a central government.
*b. A system in which states and other governmental units organize a weak central government while maintaining ultimate power for themselves.
c. A system in which there is only a central government.
d. A system in which states and other governmental units relinquish all political power, and no economic power, to the central government.

Question type: factual
Page number: 35
17. Which of the following is not retained by the states in a confederation?
a. Power.
b. Independence.
*c. Loyalty.
d. Sovereignty.

Question type: factual
Page number: 35

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18. After the Declaration of Independence, who chaired the committee to create a plan for the structure of the new government?
a. James Madison.
b. Patrick Henry.
c. George Washington.
*d. John Dickinson.

Question type: factual
Page number: 35
19. The first U.S. government was based on
a. The U.S. Constitution.
*b. The Articles of Confederation.
c. The Second Continental Congress.
d. The Bill of Rights.

Question type: factual
Page number: 35
20. The last state to adopt the Articles of Confederation was
*a. Maryland.
b. Virginia.
c. South Carolina.
d. Massachusetts.

Question type: applied
Page number: 35
21. The creation of a weak central government under the Articles of Confederation was a logical step for the new nation given that
a. The colonists knew nothing of political philosophy.
b. The colonists did not think government was useful.
c. The colonists had rebelled against overbearing religious dogma.
*d. The colonists had rebelled against the absolutism of the British government.

Question type: factual
Page number: 35
22. The Articles of Confederation established a _____, in which the legislative body consisted of only one house.
a. Government with three branches.
b. Government run solely through Congress.
c. Bicameral form of government.
*d. Unicameral form of government.

Question type: factual
Page number: 35–36
23. Under the Articles of Confederation, Congress did not have which of the following?
a. Power to declare war
*b. Power to enact taxes.
c. Power to coin money.
d. Power to make treaties.

Question type: factual
Page number: 36

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24. Which of the following helped to expose the weaknesses of the Articles of Confederation?
a. Bacon's Rebellion.
b. Revere's Rebellion.
*c. Shays' Rebellion.
d. None of the above.

Question type: factual
Page number: 36
25. When did Congress call a convention to revise the Articles of Confederation?
a. April 1786.
*b. February 1787.
c. December 1787.
d. June 1788.

Question type: conceptual
Page number: 36
26. The Articles of Confederation failed because of
a. A lack of will among the states to maintain alliances.
b. The inability of the government to make decisions.
c. The inability of the government to declare war and make peace.
*d. The inability of the government to exert any real power in the running of the nation.

Question type: factual
Page number: 36
27. How many Framers of the Constitution were there?
a. 13.
b. 27.
c. 44.
*d. 55.

Question type: conceptual
Page number: 36
28. In constructing a new Constitution, the Framers attempted to balance
*a. The authority of the central government and the authority of the states.
b. The authority of monarch and the authority of the legislature.
c. The authority of the rich and the authority of the poor.
d. The authority of government and the authority of religion.

Question type: conceptual
Page number: 38
29. The delegates of the Constitutional Convention created a new governmental system with state powers, national government powers, and
a. Parliamentary powers.
b. Individual powers.
*c. Concurrent powers for the states and national government.
d. Concurrent powers for religious and governmental authorities.

Question type: factual
Page number: 39
30. The Framers of the Constitution represented the majority population of the new nation on what dimension?

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a. Wealth.
*b. Race.
c. Education.
d. Social position.

Question type: factual
Page number: 38
31. Which of the following was not one of the procedural decisions that were quickly made at the Constitutional Convention?
*a. Encouraging input from members outside of the Convention.
b. Holding secret sessions.
c. George Washington was chosen to preside over the sessions.
d. None of the above.

Question type: conceptual
Page number: 40
32. A bicameral legislature consists of:
a. No chambers
b. 1 chamber
*c. 2 chambers
d. 3 chambers

Question type: factual
Page number: 40
33. Which of the following plans proposed a system of government with a strong central government with three branches and a legislature with proportional representation?
*a. Virginia Plan.
b. Rhode Island Plan.
c. New Jersey Plan.
d. Massachusetts Plan.

Question type: factual
Page number: 41
34. Which of the following plans proposed a system of government that maintained a confederation with a unicameral legislature with equal representation for each state?
a. Virginia Plan.
b. Rhode Island Plan.
*c. New Jersey Plan.
d. Massachusetts Plan.

Question type: factual
Page number: 41
35. Who put forth the plan known as the Connecticut (or Great) Compromise?
a. James Madison.
b. John Dickinson.
c. Thomas Jefferson.
*d. Roger Sherman.

Question type: factual
Page number: 41
36. Roger Sherman was responsible for coming up with which of the following?

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a. Articles of Confederation
b. U.S. Constitution
*c. Great Compromise
d. The Bill of Rights

Question type: factual
Page number: 41
37. The Great Compromise included provisions for a bicameral legislature, equal representation in the Senate, and:
a. Two heads of the executive branch.
b. A powerful judiciary.
c. Equal representation in the House.
*d. Proportional representation in the House.

Question type: conceptual
Page number: 41
38. The key factor that led to success during the Constitutional Convention was
a. The insistence on choosing one state's established plans.
*b. The ability to compromise.
c. The deep, theoretical agreement among the Founders.
d. The ability to consult with members of state legislators who were not at the Convention.

Question type: applied
Page number: 42
39. If slaveholding states considered slaves property, not people, why did they want slaves counted as free persons within the Census?
a. They wanted to count blacks in slaveholding states in the same way blacks were counted in nonslaveholding states for the sake of equality.
b. These states were confused about the outcome of counting slaves as full persons.
*c. This would provide these states with greater representation in the House of Representatives.
d. They did not want to appear unfair in how they developed the Constitution.

Question type: factual
Page number: 42
40. Who did not want slaves to be counted in the Census?
*a. Delegates from nonslaveholding states.
b. Delegates from small states.
c. Delegates from large states.
d. Delegates from slaveholding states.

Question type: factual
Page number: 42
41. Which compromise resolved the issue of how to count slaves for representational purposes?
a. Two-Thirds Compromise.
*b. Three-Fifths Compromise.
c. New Jersey Compromise.
d. Virginia Compromise.

Question type: factual
Page number: 42
42. Which of the following was a direct effect of the Three-Fifths Compromise?

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*a. Slaveholding states had significantly more representation in the House than they would have if slaves were not counted.
b. Small states had significantly more representation in the House than they would have if slaves were not counted.
c. All non-White individuals in the United States were counted as three-fifths of a person for representation purposes.
d. None of the above.

Question type: factual
Page number: 43
43. Which group was in favor of the ratification of the Constitution?
a. Constitutionalists.
b. Anti-Constitutionalists.
*c. Federalists.
d. Anti-Federalists.

Question type: factual
Page number: 43
44. For the Constitution to become the new national government after the Continental Congress passed it, _____ of the states had to ratify it.
a. All.
b. One-half.
c. Two-thirds.
*d. Three-fourths.

Question type: factual
Page number: 43
45. Which of the following was not an Anti-Federalist?
*a. James Madison.
b. Patrick Henry.
c. Sam Adams.
d. George Mason.

Question type: conceptual
Page number: 43
46. Why were the Anti-Federalists opposed to the Constitution?
a. It lacked a bill of rights.
b. They feared a consolidated government.
c. They opposed unlimited taxing power.
*d. All of the above.

Question type: factual
Page number: 43
47. Which was the first state to ratify the Constitution?
a. Virginia.
b. Massachusetts.
*c. Delaware.
d. Rhode Island.

Question type: factual
Page number: 43

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48. When did the new government officially take office?
a. June 1787.
*b. January 1789.
c. April 1792.
d. April 1793.

Question type: factual
Page number: 45
49. Of the 12 amendments the first Congress sent to the states based on the state-ratifying conventions, how many were ratified?
a. 5.
b. 7.
*c. 10.
d. 12.

Question type: factual
Page number: 45
50. The first 10 amendments of the Constitution are known as the
a. Law of the land.
*b. Bill of Rights.
c. The Articles of Confederation.
d. *The Anti-Federalist Papers*.

Question type: factual
Page number: 45
51. Which group particularly pushed for the Bill of Rights?
*a. Anti-Federalists.
b. Federalists.
c. Liberals.
d. Republicans.

Question type: conceptual
Page number: 46
52. Which of the following areas fundamentally separate the Articles of Confederation from the Constitution?
a. National supremacy.
b. Executive branch.
c. Judicial branch.
*d. All of the above.

Question type: conceptual
Page number: 47
53. What is the main point of the supremacy clause?
*a. It establishes that the Constitution and the laws of the United States are the law of the land and supreme to all laws passed by the state and local governments.
b. It establishes that the Articles of Confederation and the laws of the United States are the law of the land and supreme to all laws passed by the state and local governments.
c. It establishes that the laws of the state and local governments are the law of the land and supreme to all laws passed by the national governments.
d. It establishes that the national, state, and local governments have equal amounts of power.

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Question type: factual
Page number: 47
54. The Constitution grants _____ enumerated powers to the legislative branch?
a. 7.
*b. 17.
c. 27.
d. 37.

Question type: conceptual
Page number: 47
55. What are enumerated powers?
a. Powers of the federal government that are inferred from the powers expressly stated in the Constitution.
*b. Powers of the federal government specifically stated in the Constitution.
c. Powers of the state governments that are inferred from the powers expressly stated in the Constitution.
d. Powers of the state governments specifically stated in the Constitution.

Question type: conceptual
Page number: 48
56. What are implied powers?
*a. Powers of the federal government that are inferred from the powers expressly stated in the Constitution.
b. Powers of the federal government specifically stated in the Constitution.
c. Powers of the state governments that are inferred from the powers expressly stated in the Constitution.
d. Powers of the state governments specifically stated in the Constitution.

Question type: applied
Page number: 48
57. The ability of Congress to exercise implied powers comes from which part of the Constitution?
a. Article III, Section 4
*b. Article I, Section 8
c. Article II, Section 2
d. Article IV, Section 1

Question type: conceptual
Page number: 48
58. Which of the following is not one of the enumerated powers for the regulation of commerce enjoyed by the legislative branch?
a. Regulation of interstate and foreign commerce.
b. Power to establish bankruptcy laws.
*c. Power to raise and support armies.
d. Power to coin money.

Question type: applied
Page number: 47
59. The existence of the U.S. Army is an example of Congress's
*a. Enumerated powers.
b. Implied powers.
c. Stated powers.
d. Legislative powers.

Question type: applied

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Page number: 48
60. The existence of the Internal Revenue Service is an example of Congress's
a. Enumerated powers.
*b. Implied powers.
c. Stated powers.
d. Legislative powers.

Question type: applied
Page number: 48
61. What was the Framers' solution to the Articles of Confederation problem of enforcing Congress's laws and decisions?
a. Creation of the legislative branch.
*b. Creation of the executive branch.
c. Creation of the judicial branch.
d. None of the above.

Question type: conceptual
Page number: 48
62. Which clause gives Congress the authority to make essential and appropriate laws to carry out its enumerated responsibilities?
*a. Necessary and proper clause.
b. Supremacy clause.
c. Due process clause.
d. Equal protection clause.

Question type: factual
Page number: 48
63. The necessary and proper clause is also known as the
*a. Elastic clause.
b. Subtle clause.
c. Supremacy clause.
d. Adaptability clause.

Question type: factual
Page number: 48
64. Which Supreme Court ruling resulted in a broad interpretation of the necessary and proper clause?
*a. *McCulloch v. Maryland* (1819).
b. *Barron v. Baltimore* (1833).
c. *Dred Scott v. Sandford* (1857).
d. *Hurtado v. California* (1884).

Question type: conceptual
Page number: 48
65. Why did the Framers believe the U.S. Constitution needed an executive branch?
a. They thought it would be useful to have an authority figure that was more like a monarch.
b. They realized it was important for the necessary and proper clause.
*c. They recognized that there was no means by which to execute the laws made by the federal government under the Articles of Confederation.
d. They wanted to try a new governmental approach.

Question type: factual

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Page number: 49
66. The decision to have a president was a compromise between which two plans?
a. Massachusetts and Connecticut.
*b. Virginia and New Jersey.
c. South Carolina and Massachusetts.
d. Virginia and Maryland.

Question type: conceptual
Page number: 49
67. Why did the Framers need to include a judicial branch in the U.S. Constitution?
a. State courts could not understand federal laws.
b. State courts were not being informed of new federal laws.
c. Courts were enforcing laws equally across all states.
*d. Courts were enforcing laws to differing degrees and in different ways across the states.

Question type: factual
Page number: 49
68. Which of the following is not accurate?
a. The U.S. Supreme Court has final authority over all lower courts.
*b. The U.S. Supreme Court is the only part of the federal judiciary.
c. Congress may create lower-level national courts.
d. All of the above.

Question type: factual
Page number: 49
69. To amend the Constitution, how many of the states must ratify the proposed amendment?
a. All.
b. One-half.
c. Two-thirds.
*d. Three-fourths.

Question type: factual
Page number: 49
70. Under the Constitution, the amendment ratification process
*a. Is difficult and allows a small minority of states to veto any changes.
b. Allows one state to veto any changes.
c. Is easy in that it does not take a majority of states to veto any changes.
d. Allows two states to veto any changes.

Question type: factual
Page number: 49
71. Since the Bill of Rights was ratified, Congress has amended the Constitution _____ times?
a. 13.
*b. 17.
c. 23.
d. 27.

Question type: factual
Page number: 49
72. Which amendment provided a mechanism for presidential elections?
*a. Twelfth.

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b. Thirteenth.
c. Fourteenth.
d. Fifteenth.

Question type: factual
Page number: 49
73. Which amendment abolished slavery?
a. Twelfth.
*b. Thirteenth.
c. Fourteenth.
d. Fifteenth.

Question type: factual
Page number: 49
74. Which amendment granted voting rights to women?
a. Fifteenth.
b. Seventeenth.
*c. Nineteenth.
d. Twenty-sixth.

Question type: factual
Page number: 49
75. Which amendment lowered the voting age to 18?
a. Fifteenth.
b. Seventeenth.
c. Nineteenth.
*d. Twenty-sixth.

Question type: applied
Page number: 49
76. Many of the amendments have worked to break down the direct political effects of which theoretical tradition?
a. Classical liberalism.
b. Classical republicanism.
*c. Inegalitarianism.
d. Democracy.

Question type: conceptual
Page number: 51
77. Which of the following was an attempt by the Framers to ensure a balance of power within the various levels of government?
a. Separation of powers.
b. Varying office terms.
c. Electoral College.
*d. All of the above.

Question type: conceptual
Page number: 51
78. The manner in which the Constitution divides power among the three branches of government—the legislature, the executive, and the judiciary—refers to
a. The Eighth Amendment.

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*b. Separation of powers.
c. The Electoral College.
d. The Sixteenth Amendment.

Question type: factual
Page number: 49
79. How many proposals for amendments to the Constitution have there been since the founding?
a. Around 100.
b. Around 1,000.
*c. Around 10,000.
d. Around 100,000.

Question type: factual
Page number: 51-52
80. There are _____ electors in the Electoral College.
a. 435.
b. 438.
c. 535.
*d. 538.

Question type: conceptual
Page number: 51
81. The number of electors in the Electoral College corresponds to:
a. Total number of seats in the House of Representatives
b. Total number of seats in the Senate
c. Total number of seats in the House of Representatives and the Senate
*d. Total number of seats in the House of Representatives and the Senate plus 3 for D.C.

Question type: factual
Page number: 52
82. Who is the most recent president to win the presidency by way of winning the Electoral College, but losing the popular vote?
a. Rutherford B. Hayes.
b. Benjamin Harrison.
c. George W. Bush.
*d. Donald J. Trump.

Question type: factual
Page number: 52
83. Who most recently won the popular vote but lost the bid for the presidency due to having less than a majority of the Electoral College votes?
a. Al Gore
b. George Bush
*c. Hillary Clinton
d. Donald Trump

Question type: factual
Page number: 52
84. Individuals may run to become a U.S. Representative at the age of _____.
a. 21.
*b. 25.

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c. 30.
d. 35.

Question type: factual
Page number: 52
85. Which of the following is **not** a necessary qualification for becoming president?
a. Natural-born citizenship.
b. 35 years of age or older.
c. At least 14 years of residency in the United States.
*d. None of the above.

Question type: factual
Page number: 52
86. According to the U.S. Constitution, how old must a person be in order to be a Justice on the Supreme Court?
a. 35
b. 40
c. 45
*d. There is no age requirement.

Question type: factual
Page number: 52
87. According to the U.S. Constitution, how long must a person be have been a U.S. citizen in order to serve as a Justice on the Supreme Court?
*a. There is no citizenship requirement.
b. 7 years
c. 9 years
d. 13 years

Question type: conceptual
Page number: 53
88. In terms of checks and balances, which branch of government cannot check the power of another?
a. The judiciary cannot check the legislature.
b. The legislature cannot check the executive.
c. The executive cannot check the judiciary.
*d. None of the above.

Question type: applied
Page number: 51-52
89. How did the constitutional Framers arrange the new institutions to insulate the president from the pressures of the democratic influence of the masses?
a. By creating direct election through the Electoral College.
*b. By creating indirect election through the Electoral College.
c. By giving the president the power to declare war.
d. By giving the president the power to oversee executive departments and agencies.

Question type: conceptual
Page number: 51
90. Which of the following was an attempt by the Framers to prevent anyone from gaining unlimited power by way of holding office indefinitely?

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a. Separation of powers.
*b. Varying office terms.
c. Electoral College.
d. All of the above.

Question type: factual
Page number: 52
91. Which two states distribute Electoral College votes proportionally, rather than "winner take all"?
a. California and Texas
b. New York and Rhode Island
*c. Nebraska and Maine
d. Virginia and Colorado

Question type: conceptual
Page number: 52
92. Supreme Court Justices are nominated by the _____ and confirmed by the _____.
*a. the President; the Senate
b. the Chief Justice; the President
c. the House of Representatives; the Senate
d. the Senate; the Chief Justice

Question type: conceptual
Page number: 52
93. Which of following provide a check on the power of the Supreme Court?
a. the President
b. the Congress
*c. A and B
d. None of the above

Question type: conceptual
Page number: 51
94. Which of the following was an attempt by the Framers to prevent any one branch of government from gaining too much power?
*a. Separation of powers.
b. Varying office terms.
c. Electoral College.
d. All of the above.

Question type: conceptual
Page number: 51
95. Which of the following was an attempt by the Framers to prevent the election of a President that was elected by charismatically winning the popular vote on a platform that worked against values or institutions set forth in the Constitution?
a. Separation of powers.
b. Varying office terms.
*c. Electoral College.
d. All of the above.

Question type: factual
Page number: 53
96. What is the process necessary for a Supreme Court decision to be overridden by Congress?

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a. Congress can vacate the Supreme Court and have the President nominate new Justices.
*b. Congress can pass new legislation or propose constitutional amendments.
c. Congress does not have to override a Supreme Court decision; it can just ignore it.
d. Congress cannot override a Supreme Court decision.

Question type: factual
Page number: 31
97. Where did the First Continental Congress meet?
*a. Philadelphia.
b. Washington, D.C.
c. Boston
d. Richmond.

Question type: factual
Page number: 36
98. In order to make alterations to the Articles of Confederation, _____ of the states had to ratify the changes.
*a. All.
b. One-half.
c. Two-thirds.
d. Three-fourths.

Question type: factual
Page number: 45
99. When was the Bill of Rights ratified?
a. 1776.
b. 1785.
*c. 1791.
d. 1804.

Short-Answer Questions

1. Name five of the events that led up to the American Revolution.
- Sugar Act, Stamp Act, Quartering Act, Declaratory Act, Townshend Revenue Acts, Boston Massacre, Tea Act, Coercive (Intolerable) Acts, Prohibitory Act.

2. Which piece of British legislation imposed the first direct tax on the colonists? What did this legislation tax? How did the colonists react to this?
- Stamp Act of 1765: Imposed a tax on everything printed or written on paper, including newspapers, pamphlets, ship documents, playing cards, etc.
- There were city riots and some colonists formed the Stamp Act Congress.

3. Who was the first person to die in the American Revolution? During what event was he killed? Despite John Adams's defeat of the British soldiers in this event, on what grounds did he defend their actions?
- Crispus Attucks, a runaway slave from Massachusetts, was the first person to die in the Boston Massacre.
- John Adams defended the British soldiers based on Attucks's race, saying that he was a terrifying-looking Mulatto.

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4. Which act of Partliament led to the Boston Tea Party? Why did the colonists choose this action?
- The Tea Act of 1773
- The Boston Tea Party was in response to the Tea Act, which was a means for bailing out the East India Company. It gave the East India Company exclusive rights for selling tea in the colonies.
- Upset by the significant restrictions on commerce, some colonists disguised themselves as American Indians and destroyed hundreds of chests of tea by throwing them off of ships in the Boston harbor.
-

5. What was the main argument concerning authority over the colonies that came out of the First Continental Congress? How did King George III react to the First Continental Congress?
- Argument: Parliament had no authority over the colonies because the colonies owed allegiance only to the King.
- King George III considered the colonies in rebellion.

6. The American Revolution officially began with which battles? When did this occur in relation to the meeting of the Second Continental Congress?
- Battles of Lexington and Concord.
- This started prior to the Second Continental Congress.

7. When did the Second Continental Congress meet? Who did they name as the chief of the Continental Forces?
- May 1775.
- George Washington was named as the chief of the Continental Forces and was charged with raising an army to engage in combat with the British.

8. Name three of the individuals assigned to the committee to draft the Declaration of Independence. Who is widely recognized as the main author of the Declaration of Independence?
- Thomas Jefferson, Benjamin Franklin, John Adams, Robert Livingston, and Roger Sherman.
- Thomas Jefferson was the main author of the document.

9. What were the two main components of the Declaration of Independence? What clause of the original draft did both northerners and southerners object to (which was eventually omitted)?
- (1) A list of King George III's abuses of power over the colonies; (2) liberal and republican justifications for independence.

10. Inequitable treatment is understood as a main reason for the colonies' path to independence. Provide three issues that demonstrate the treatment colonists objected to.
- Colonies were taxed, to pay for British debt, without representation in Parliament.
- Removal of power from the colonial governments.
- Lack of colonial rights to govern themselves.

11. Despite the colonists' objections to inequitable treatment, which groups did the Framers of the new government intend to exclude from equal treatment?
- White women, free Blacks, enslaved Blacks, and American Indians.
- No political participation for White males who did not own property.

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12. What is a confederation? Why was it important to the founders to create this type of system?
- Confederation: A system in which states or other types of government units organize a weak central government with limited scope and powers while reserving ultimate power for themselves.
- A confederation was essential to the founders because they wanted their individual colonies (states) to retain power, sovereignty, and independence. If they did not like what the central government chose, they would be able to largely ignore any mandates.

13. When did the Second Continental Congress adopt the Articles of Confederation? When was it ratified and why did it take so long?
- Adopted: November 17, 1777.
- Ratified: 1781.
- Maryland was the last state to ratify the Articles. Under this system, all states had to agree to the ratification for it to be ratified.

14. Outline the main organization for the Articles of Confederation.
- Unicameral form of government.
- Weak central government with limited powers.
- Congress could enact legislation but could not enforce it.
- Each state had one vote in Congress.
- All states had to agree to ratify any changes.

15. What is a unicameral form of government? Does it explain the main failing of the Articles of Confederation? If so, how? If not, what was the main problem of the government?
- Unicameral form of government: A government system that consists of only one legislative body.
- Unicameral form of government was not the major failing; instead, the Articles of Confederation failed because of the lack of power of the central government.

16. Identify the major rebellion that exposed the weaknesses of the Articles of Confederation? Explain how this showed that they nation needed institutional change in order to survive.
- Shay's Rebellion
- Congress under the Articles of Confederation did not have enough power. It authorized the raising of troops to support Massachusetts in putting down Shay's rebellion, but did not have the power to raise the revenue that was necessary to support the troops, thus rendering the authority to raise troops basically irrelevant.

17. When and where did the Framers of the Constitution meet to address the problems of the Articles of Confederation? What main solution did they decide on?
- Philadelphia, summer of 1787.
- Solution: Form a new government with concurrent powers, instead of a unitary form of government or a confederation.

18. Define concurrent powers? Provide an example of a concurrent power in the U.S. system. How did concurrent powers influence the development of the nation under the Constitution?
- Concurrent powers: Powers shared by the national government and state governments.
- Examples: powers to tax and borrow money.
- The Framers developed a system in which both the national and the state governments would retain a high level of power and sovereignty.

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19. What was the Great Compromise?
- Also known as the Connecticut Compromise.
- Brought together the Virginia Plan and the New Jersey Plan.
- Bicameral legislature: Called for membership in the House of Representatives to be based on population, with states having equal representation in the Senate.

20. What was the Three-Fifths Compromise? Why was it necessary?
- The compromise reached at the Constitutional Convention over how state populations were to be counted; each slave was to be counted as three-fifths of a person for representational purposes.
- Given that membership in the House of Representatives was to be based on population, slaveowning states wanted to increase their representation by having slaves counted as full persons. Nonslavingowning states did not want slaves to be counted for representation purposes. This was the compromise to which the states agreed.

21. What proportion of the states needed to agree to ratification for the Constitution to become the document to govern the new nation? What were the groups called that supported and opposed the ratification of the Constitution?
- Three-fourths of the states had to agree to ratification.
- Supporters: Federalists; opposition: Anti-Federalists.

22. What were some of the arguments of the Anti-Federalists? Why were they concerned about the Constitution?
- Preference for a weaker central government and unicameral national legislature.
- Desired a bill of rights to protect civil liberties.
- Anti-Federalists were worried the strong central government would lead to anarchy, absolutism, and oppression of individuals.

23. What is the supremacy clause?
- Stipulates that the Constitution and national laws are "supreme." As such, when state laws are in conflict with national laws, the latter always take precedence.

24. Identify the three branches of government under the Constitution. What is the purpose/function of each of these branches? Which branch of government existed under the Articles of Confederation?
- Constitution: Legislative: create/enact laws; Executive: execute/enforce laws; Judicial: enforce/interpret laws.
- Articles: only legislative branch.

25. What is the purpose of the Electoral College? Which theoretical foundation does it most closely adhere to?
- The Electoral College is a collection of individuals nominated by political parties to support the party's candidate in the official presidential election. The Electoral College's purpose is to elect the president based on the votes of the people.
- Theoretical foundation: classical republicanism.

26. Provide five examples of checks and balances within the federal government.
- Congress: Can impeach president, override presidential veto, reject presidential appointments, refuse to pass laws or fund presidential requests, change the size of the judiciary, propose constitutional amendments if laws are ruled unconstitutional, impeach and remove federal judges.
- President: Can veto acts of Congress, interprets Congress's laws, nominates all federal judges, refuse to enforce a court's decisions.

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- Judiciary: Declare executive actions unconstitutional, preside over impeachment of president, declare laws unconstitutional.

27. Define "separation of powers" and "checks and balances". Why are these concepts important in the U.S. political system?

- Separation of powers: the manner in which the Constitution divides power among the three branches of government.
- Checks and balances: a system whereby each branch of the government holds some of the powers of each of the other branches, and can use that power to reign in the actions of each of the other branches.
- Importance: No one branch can become too powerful in comparison to the others.
- Each of the branches influences the other branches within their realm of power, thus limiting the power of each of the branches.

28. How and why did the founders make it easier to amend the Constitution, as compared to the Articles of Confederation?

- The Articles of Confederation had an amendment procedure that required all states to agree to any changes, thus creating veto power for each state. This made setting any necessary change in place practically impossible.
- The Constitution only requires ¾ of the states to agree to a proposed amendment, thus allowing for any necessary or important alterations without making the process too easy and subject to instability.

29. Describe how at least one tenet of classical republicanism is connected to the Electoral College?

- Tenet: "The people" provide legitimacy for the government; however, keep "the people" away from the levels of power
- The Electoral College does not allow for election by popular vote. Instead, it sets an additional barrier in place by way of another system that removes the final decision concerning who will be the President from the hands of the electorate.

Essay Questions

1. In 1764, the Sugar Act required the colonies to pay a heavy tariff on various raw materials and manufactured products imported from foreign countries. In 1765, the Stamp Act imposed the first direct tax on the colonists themselves. Given that the American colonies were under British rule, why did the colonists find these acts problematic to the point of protest? Discuss the degree to which the colonists were reasonable in their fierce opposition to the legislation of the British.

- Highlight concepts of autonomy, taxation without representation, liberty, and equality.
- Reference issues of loyalty under a monarchy as evidence that protest was not fully reasonable.
- The aforementioned issues should be tied directly to the Sugar and Stamp Acts.

2. Compare and contrast arguments for and against the legitimacy of revolutionary actions of the colonists.

- For: Highlight concepts of autonomy, taxation without representation, liberty, and equality.
- Against: Issues of loyalty under a monarchy.

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- Reference the inconsistency of the desire for equality in the governmental system (only for those similar to the colonists with power) and the denial of equality to all who were not property-owning White males.

3. In the original draft of the Declaration of Independence, Thomas Jefferson (despite owning slaves) indicted King George III for engaging in and perpetuating slavery, particularly in terms of "violating the most sacred rights of life and liberty." Discuss the purpose of including this indictment of the British slave trade. Also discuss why this section was omitted from the final document.

- Demonstrate that the quote further shows the degree to which the King violates natural rights.
- Describe the differing reasons why the southern and northern colonies supported the continuation of the slave trade, thus making the mention of slavery as wrong both disingenuous and dangerous to their interests.

4. Discuss the ways in which the Framers of the Constitution were committed to the concept of equality as well as inequality.

- Describe how the Framers opposed what they saw as unequal treatment from Britain.
- Discuss issues of equality of power in the Constitution (separation of power, checks and balances).
- Explain the tradition of exclusion and how this appears in the Constitution (lack of citizenship and voting rights, etc.).

5. People often seek descriptive representation among their political officeholders, given the idea that people from similar backgrounds better understand the needs and policy preferences of the groups they belong to. Were the Framers of the Constitution representative of the population of the United States? To what degree? Provide specific evidence and indicate why there was not more representation.

- State that the Framers were not at all representative of the population.
- Reference the fact that only elites (white property-owning men over the age of 21) could participate in politics.
- Examine issues of race, gender, class, education, landownership, and so on.
- See Tables 2.a and 2.b.

6. Discuss the reasons the first new government in America was a confederation, rather than a unitary form of government. Provide examples to highlight your argument.

- Define unitary form of government and confederation.
- Explain the distrust of a unitary form of government based on the absolutism of the British government.
- Reference examples of despotism in British rule (particularly legislation).
- Discuss the fact that states had different ways of conducting daily business in terms of social, economic, and political issues; therefore, they wanted to ensure the states would have a great deal of power and sovereignty.

7. Under the Articles of Confederation, what was the purpose of allowing for a government that could enact laws but not enforce them?

- Discuss the idea that the colonists did not trust a unitary form of government.
- Examine the concept that the central government would agree to create a law, but each state would then still have the power to determine whether it wanted that law to stand within the state.

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8. Why did the officials in government under the Articles of Confederation fear for the stability of the system in the face of more rebellion after the victory of the Revolutionary War? Describe how Shay's Rebellion affected the stability of the government, and how it played a role in the formation of the new government.

- Indicate that the central government under the Articles of Confederation was particularly and purposefully weak. This lead to vulnerability to further rebellion because it was too weak to support its own laws.
- Provide basic details of Shays's Rebellion and its purpose.
- Connect these issues to the formation of a new government with a stronger central government.

9. What caused the Articles of Confederation to fail as our first form of government as an independent nation? What were the weaknesses of the Articles of Confederation? Were there any strengths? How did the Framers construct the Constitution so that it could address the weaknesses of the Articles of Confederation?

- Reference Shays' Rebellion and how it highlighted the weakness of the Articles of Confederation.
- Indicate why the Framers of the Articles of Confederation created a weak central government.
- Highlight the structural problems of the Articles of Confederation.
- Specify the major failing as a central government that was too weak and ineffectual.
- Describe the differences in terms of the strength of the central government, the number and purpose of government branches, the use of separation of powers, and checks and balances.

10. Your textbook notes, "the Framers were threatening their own privileged status by deciding to replace the government in which many of them served and to shift power away from the states they represented." Discuss this quote and the ways in which developing a new government was and was not a risky endeavor for these individuals.

- Examine the meaning and accuracy of the quote.
- Suggest the Framers had less at stake in terms of remaining in political decision-making positions than politicians currently do.
- Demonstrate understanding that, although the Framers were replacing a system that had benefitted them, they were also the ones writing the new system. As such, they could still construct it in a way that would be beneficial for their interests.

11. Explain the importance of the main procedural decisions that were made at the beginning of the Constitutional Convention in Philadelphia. Be sure to demonstrate how they influenced the outcome of the convention.

- (1) George Washington presided over the sessions: The sessions needed some degree of order and George Washington was well respected as a commander of the American Revolution and as an owner of a significant amount of land.
- (2) Hold secret sessions: Demonstrate the understanding that the states would have been able to attempt to have greater influence over the convention if the sessions were not held in secret. Connect to the issue of the compromises made to create the document (e.g., Great Compromise and Three-Fifths Compromise).
- (3) Draft a new Constitution: Demonstrate the understanding that the states intended for the Articles to be revised, rather than a new government to be formed. The quick decision to develop a new governing document meant a whole new form of government would be put in place.
- Answer should connect each of these to the idea of the how the new document was formed.

12. Name and describe the two plans that were originally set forward to deal with the issue of representation in Congress. Describe the Connecticut Plan (Great Compromise) and explain how this was

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a response to the aforementioned plans. How do these relate to our current form of government? Include a brief reference to the Seventeenth Amendment's population election of Senators.

- Provide the details of the Virginia plan and the New Jersey plan.
- Concerning the Great Compromise, demonstrate that this was a compromise between the issues of proportional and direct representation brought forward in the first two plans.
- Demonstrate that the Great Compromise is the basis for our current system; however, one main difference is the way we elect our Senators (17th Amendment).

13. How and why did the issue of slavery factor into the question of how to set up the House of Representatives? Describe the resolution of this problem and explain why the Northern and Southern states had differing views for this issue, in the context of proportional representation.

- Indicate that, once it was apparent that the House of Representatives would be based on proportional representation, it was necessary to determine whether "human property" (i.e. slaves) would be counted for representation purposes.
- Demonstrate understanding of why the slaveholding states wanted slaves counted as full persons and the nonslaveholding states did not want them counted at all.
- Demonstrate knowledge of how the Three-Fifths Compromise came about as the solution.

14. Examine the Three-Fifths Compromise. Why was this compromise viewed as necessary for the creation of the new government? What does this provision tell us about the role of slaves under the newly formed government (you must reference the issues of life, liberty, and property)? How did this compromise increase the power of slave-owning states, beyond having more representation in Congress?

- Explain the basic elements of the debate over slavery and representation in the House of Representatives.
- Indicate who benefitted most from the options regarding counting slaves for representation purposes.
- Suggest slaves were not to be seen as people with rights to their own lives and their own liberty and that they had no rights to property. Instead, they were to have the role of property, and their humanity was to be used as a political tool.
- Point to how the Three-Fifths Compromise also gave slave-owning states more electors in the Electoral College, thus influencing the results of presidential elections.

15. Describe the debate between the Federalists and the Antifederalists.

- Demonstrate that the Federalists believed the Constitution ensured that the states would retain a great deal of their power because the states and national government would share powers. Federalists showed strong recognition of the problem of a weak central government.
- Highlight the Antifederalists' concerns over a stronger central government in terms of how this would affect state power and individual freedoms.
- Include the fact that the Constitution was ratified with a promise to the Anti-Federalists that a Bill of Rights would be immediately drafted for ratification to protect civil liberties.

16. Explain the importance of the supremacy clause and how it influences the amount of power each level of government holds. Given the purpose of the clause, why do we not consider the U.S. Constitution to structure a unitary form of government?

- Define supremacy clause.
- Demonstrate understanding of the precedence of the national government over all other governments.
- Provide a strong argument for the idea that the U.S. Constitution creates a concurrent powers structure, rather than a unitary form of government.

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- Demonstrate the understanding that the national government is only supreme over those areas over which it has Constitutional permission to rule.

17. Explain the connection between enumerated and implied powers. What effect do these powers have on the outcomes of the struggle between national and state government power?

- Define enumerated and implied powers.
- Explain that implied powers are based on enumerated powers.
- Demonstrate that these powers held by Congress gave it a great deal of power, but also limited that power to that which was granted or needed to accomplish that which was granted.
- Can mention the influence of the Tenth Amendment in ensuring the national government would not gain all powers, but instead provide space for states to exercise influence.

18. Discuss three of the amendments that have been created to increase constitutional protections and equality for three ***different*** groups.

- Thirteenth, Fourteenth, and Fifteenth Amendments: Post–Civil War amendments; abolished slavery, provided citizenship, and granted voting rights to Black males.
- Nineteenth Amendment: Provided voting rights for women.
- Twenty-sixth Amendment: Lowered voting age to 18.
- Discuss the existence of the theoretical foundation of inegalitarianism (tradition of exclusion).
- Describe how each group gained a greater degree of rights and equality under the law.

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