

Name _____

MULTIPLE CHOICE. Choose the one alternative that best completes the statement or answers the question.

- 1) The act by which government prevents material from being published is called 1) _____
A) libel.
B) free exercise.
C) incorporation.
D) prior restraint.
E) slander.
- 2) In the 1992 case of *Planned Parenthood v. Casey*, the Supreme Court ruled that abortion 2) _____
A) was a fundamental right, and any restrictions on such a right had to be judged by a "strict scrutiny."
B) funding by any level of government was unconstitutional.
C) could be completely outlawed by individual states.
D) restrictions could be imposed by states if they did not involve "undue burdens" on the women seeking abortions.
E) must be funded by state governments when the mother cannot afford it, or it would be a violation of the equal protection clause.
- 3) The Constitution grants the power to directly regulate such things as drinking ages, marriage and divorce, and sexual behavior to 3) _____
A) the president.
B) state governments.
C) all governments by the Bill of Rights.
D) both the state and national governments.
E) the national government.
- 4) Fiscal federalism is 4) _____
A) the distinct separation of national government spending versus state and local government spending.
B) the federal government's regulation of the money supply and interest rates.
C) the pattern of spending, taxing, and providing grants in the federal system.
D) the federal income tax.
E) a sharing of local and national resources practiced in other countries but not in the United States.
- 5) The Constitution states that Congress has the power to establish post offices. This is an example of 5) _____
A) shared powers.
B) reserved powers.
C) delegated powers.
D) enumerated powers.
E) implied powers.

- 6) Enumerated powers are those that are 6) _____
A) stated in the Constitution.
B) reserved for the states.
C) involving money matters.
D) granted specifically to the president.
E) implied in the Constitution.
- 7) The great freedoms of speech, press, religion, and assembly are contained in the 7) _____
A) First Amendment.
B) Second Amendment.
C) Third Amendment.
D) Fourth Amendment.
E) First, Second, Third, and Fourth Amendments.
- 8) The principal type of federal aid for states and localities is 8) _____
A) revenue sharing.
B) block grants.
C) categorical grants.
D) disaster loans.
E) urban renewal grants.
- 9) Which amendment deals with grand juries, double jeopardy, self-incriminating, due process, 9) _____
and eminent domain?
A) Fourth B) Second C) Third D) Fifth E) First
- 10) The publication of false or malicious statements that damage someone's reputation is called 10) _____
A) slander.
B) pornography.
C) incorporation.
D) libel.
E) obscenity.
- 11) The part of the First Amendment stating that "Congress shall make no law respecting an 11) _____
establishment of religion" is known as the
A) establishment clause.
B) free exercise clause.
C) lemon test.
D) elastic clause.
E) due process clause.
- 12) The fact that the legal drinking age is 21 across the 50 United States is a good example of 12) _____
A) the weakness of the states compared to the federal government.
B) the tendency for the federal government to ignore state police powers.
C) the influence the national government can wield over state governments through the
withholding of federal funds, despite state police powers.
D) the potential influence of lobbying organizations, such as Mothers Against Drunk Driving
(MADD) in a federalist system.
E) Both C and D.

- 13) Only the national government is allowed to _____
A) levy taxes.
B) take private property for public purposes.
C) make and enforce laws.
D) regulate commerce with foreign nations.
E) All of the above
- 14) The language of the First Amendment, "Congress shall make no law," suggests that _____
A) the Bill of Rights was written to restrict the powers of the national government.
B) the Bill of Rights was written to restrict the powers of the state governments.
C) the Bill of Rights, as written, did not apply to the state governments.
D) A and C
E) A and B
- 15) Which of the following is TRUE of the Constitution? _____
A) It established states as vital components of the machinery of government.
B) It created obligations of the national government toward the state including the obligation to protect states from invasion.
C) It guaranteed states equal representation in the Senate.
D) It guaranteed the continuation of each state by forbidding Congress to create new states by dividing existing states without the approval of the existing state.
E) All of the above
- 16) The _____ is the final interpreter of the content and scope of Americans' civil liberties. _____
A) Supreme Court
B) Constitution
C) Congress
D) president
E) American Civil Liberties Union
- 17) The main instrument the national government uses to influence state governments is _____
A) grants-in-aid.
B) the Tenth Amendment.
C) presidential decrees.
D) judicial review.
E) mandates.
- 18) The Constitution's provision that Congress has the right to "make all laws necessary and proper for carrying into execution" its powers is often referred to as the _____
A) privileges and immunities.
B) enumerated powers.
C) Unwritten Amendment.
D) elastic clause.
E) heart of fiscal federalism.
- 19) The enumerated powers of Congress and the national government are those _____
A) involving taxes, spending, and fiscal policy.
B) set out in the first ten amendments.
C) specifically spelled out in the Constitution.
D) requiring ratification by the states.
E) not specifically spelled out in the Constitution, but nonetheless acknowledged.

- 20) In the Constitution, the powers to coin money, to enter into treaties, and to regulate commerce with foreign nations and among the states were given to _____ 20) _____
- A) both the individual states and the national government.
 - B) neither the individual states nor the national government.
 - C) the national government.
 - D) the Senate only.
 - E) the individual states.
- 21) The incorporation doctrine involves _____ 21) _____
- A) the government's power to regulate corporations.
 - B) application of the Bill of Rights to the states.
 - C) the procedures for creating a city government.
 - D) the extension of judicial review to state courts.
 - E) the interpretation of the commerce clause.
- 22) Civil liberties are legal and constitutional protections against _____ 22) _____
- A) foreign invasions.
 - B) criminals.
 - C) tyranny.
 - D) government.
 - E) private enterprise.
- 23) Which of the following is often seen as a benefit of federalism? _____ 23) _____
- A) It creates conflict between national and state governments.
 - B) It creates more opportunities for interest groups to wield influence.
 - C) It encourages hyperpluralism.
 - D) It allows states to function as laboratories of democracy, or policy innovators.
 - E) Both A and D
- 24) All of the following areas prove examples of how federalism decentralizes our policies EXCEPT _____ 24) _____
- A) death penalty.
 - B) federal income tax.
 - C) regulation of abortion.
 - D) funding of education.
 - E) environmental protection.
- 25) Beginning with the case of _____ in 1925, the Supreme Court began to rule that the Bill of Rights applied directly to the states, as well as to the national government. _____ 25) _____
- A) *Gitlow v. New York*
 - B) *Barron v. Baltimore*
 - C) *United States v. Bill of Rights*
 - D) *Miranda v. Arizona*
 - E) *Engel v. Vitale*

- 26) Devolution refers to 26) _____
- A) returning to the politics of nineteenth century federalism.
 - B) transferring responsibility for policies from the national government to state governments.
 - C) unwinding federalism and moving toward a unitary system.
 - D) transferring responsibility for policies from the state governments to the national government.
 - E) a movement among liberal activist judges to expand Congress's interstate commerce power.
- 27) A project grant is 27) _____
- A) restricted to construction projects.
 - B) awarded on the basis of competitive application and given for specific purposes.
 - C) awarded more or less automatically to states or communities for broad purposes.
 - D) money awarded for public housing in urban areas of the nation.
 - E) distributed on the basis of population, per capita income, percentage of rural population, or some other factor.
- 28) The National Defense Education Act, the Elementary and Secondary Education Act, and the Interstate Highway System are all examples of 28) _____
- A) cooperative federalism.
 - B) dual federalism.
 - C) unitary federalism.
 - D) layer cake federalism.
 - E) triangulation.
- 29) In what case did the Supreme Court rule that a newspaper, no matter how outrageous its opinions, must be allowed to publish without prior restraint? 29) _____
- A) *New York Times v. Sullivan*
 - B) *Near v. Minnesota*
 - C) *Mapp v. Ohio*
 - D) *Wisconsin v. Yoder*
 - E) *Miranda v. Arizona*
- 30) Questions about the constitutionality of the death penalty deal with which amendment? 30) _____
- A) Ninth B) Tenth C) Eleventh D) Eighth E) Twelfth
- 31) The First Amendment ensures the right of 31) _____
- A) speech.
 - B) press.
 - C) assembly.
 - D) All of the above
 - E) None of the above
- 32) Federalism is a way of organizing a nation so that 32) _____
- A) there are three branches of government and a system of checks and balances.
 - B) power is centralized in the national government.
 - C) there is one federal government and all regional governments are administrative subunits of it.
 - D) both national and state levels of government have some authority over the same land and people.
 - E) power is centralized in state and local government.

- 33) Cruel and unusual punishment is forbidden by the 33) _____
A) Sixth Amendment.
B) self-incrimination clause.
C) Eighth Amendment.
D) Fifth Amendment.
E) exclusionary clause.
- 34) In *Lemon v. Kurtzman*, the Supreme Court established that aid to church-related schools must do 34) _____
all of the following EXCEPT
A) not advance religion.
B) treat all religions equally.
C) not create excessive government entanglement with religion.
D) have a secular purpose.
E) inhibit religion.
- 35) Government recognition of a national or official religion is prohibited by the 35) _____
A) establishment clause.
B) freedom of religion.
C) Second Amendment.
D) due process clause.
E) free exercise clause.
- 36) The Supreme Court case of *Gideon v. Wainwright* 36) _____
A) ruled that illegally seized evidence cannot be used in court.
B) extended the right to counsel to everyone accused of a felony.
C) set guidelines for police questioning of suspects.
D) prohibited government officials from issuing gag orders to the media.
E) gave only those accused of capital crimes the right to counsel.
- 37) In *Lemon v. Kurtzman* (1971), the Supreme Court ruled that 37) _____
A) an official prayer at a public school graduation violated the constitutional separation of church and state.
B) aid to church-related schools must have a secular legislative purpose.
C) religious freedom takes precedence over compulsory education laws.
D) states can prohibit pornography despite the freedom of the press.
E) voluntary prayer in public schools is unconstitutional.
- 38) In the case of *New York Times v. Sullivan* (1964), the Supreme Court ruled that 38) _____
A) statements made about political figures, however malicious, can never be deemed libelous.
B) the publication of the Pentagon papers could be legally barred as a matter of national security.
C) statements made about political figures are libelous only if made with malice and reckless disregard for the truth.
D) government officials cannot sue newspapers for libel since this would entail prior restraint of the press.
E) the Pentagon papers could be legally published despite the government's desire to keep the material secret.

- 39) The Tenth Amendment 39) _____
- A) establishes the Supreme Court as the final arbiter in all civil and criminal disputes.
 - B) establishes the number of electoral votes each state can cast in the Electoral College.
 - C) establishes the Constitution, laws of the national government, and treaties as the supreme law of the land.
 - D) states that powers not delegated to the United States by the Constitution, nor prohibited by the states, are reserved for the states.
 - E) declares that the national government is superior to the states in every concern.
- 40) Which of the following cases deals with the Fourth Amendment protections against unreasonable search and seizure? 40) _____
- A) *Miranda v. Arizona*
 - B) *Mapp v. Ohio*
 - C) *Gideon v. Wainwright*
 - D) *NAACP v. Alabama*
 - E) Both A and B
- 41) In the *Engel v. Vitale* case of 1962, the Supreme Court ruled that _____ was (were) unconstitutional. 41) _____
- A) prior restraint
 - B) prayers done as classroom exercises in public schools
 - C) police search or seizure without an authorized warrant
 - D) segregation
 - E) the Connecticut statute barring the distribution of birth control information
- 42) Which one of the following countries has federalism as its method of governing? 42) _____
- A) Kenya
 - B) France
 - C) China
 - D) Canada
 - E) No other country uses federalism.
- 43) In dealing with First Amendment cases involving religion, the Supreme Court has ruled that 43) _____
- A) such questions should be resolved at the state and local levels of government.
 - B) the Constitution does not protect antireligious beliefs and practices.
 - C) while all religious beliefs are constitutionally protected, all religious practices are not.
 - D) government must not interfere with any expression of religious faith.
 - E) None of the above
- 44) Cooperative federalism refers to a system in which 44) _____
- A) the national government and the state governments have clearly defined, distinct powers and policy assignments.
 - B) the state governments reign supreme over the national government.
 - C) the national government reigns supreme over the state governments.
 - D) the national government and the state governments share powers and policy assignments.
 - E) None of the above

- 45) The Constitution's supremacy clause 45) _____
A) makes the president supreme in any constitutional conflicts with the other two branches.
B) does not apply to state and local matters.
C) gives the states superiority over the national government's Constitution and laws.
D) is vague about which level of government should prevail in a dispute involving federalism.
E) made the Constitution, the laws of the national government, and the national government's treaties the supreme law of the land.
- 46) Contracts between business firms can be enforced across state boundaries as part of the constitutional provision of 46) _____
A) interstate compacts.
B) extradition.
C) full faith and credit.
D) implied powers of the states.
E) privileges and immunities.
- 47) The abridgment of citizens' freedom to worship, or not to worship, as they please is prohibited by the 47) _____
A) full faith and credit clause.
B) due process clause.
C) Second Amendment.
D) Fourth Amendment.
E) free exercise clause.
- 48) Federal support for public education is an example of a 48) _____
A) dual federalism.
B) layer cake federalism.
C) cooperative federalism.
D) separation of powers.
E) pragmatic federalism.
- 49) Which of the following was NOT among the reasons the framers adopted a federal system when they wrote the Constitution? 49) _____
A) The population was too dispersed for a unitary system to work.
B) Americans' loyalty to state governments was stronger than it was to the United States.
C) America had always had a federal system and it would have been too radical and disruptive a change to adopt another system.
D) The confederation had clearly failed in managing the country's problems.
E) The country's transportation and communication systems were too primitive for a unitary government to work.
- 50) Over time, there has been a gradual change from a dual federalism to a(n) _____ federalism. 50) _____
A) fiscal
B) tripartite
C) cooperative
D) single
E) unitary

ESSAY. EXTRA CREDIT (10 POINTS) Write your answer in the space provided or on a separate sheet of paper.

- 51) Describe how the Commerce Clause found in Article I, Section 8 of the Constitution was originally understood by the founding fathers. Explain the effect of the broader interpretation. Use the arguments advanced by Dr. Thomas Woods to explain your answer.

Answer Key

Testname: GOV TEST 2

- 1) D
- 2) D
- 3) B
- 4) C
- 5) D
- 6) A
- 7) A
- 8) C
- 9) D
- 10) D
- 11) A
- 12) E
- 13) D
- 14) D
- 15) E
- 16) A
- 17) A
- 18) D
- 19) C
- 20) C
- 21) B
- 22) D
- 23) D
- 24) B
- 25) A
- 26) B
- 27) B
- 28) A
- 29) B
- 30) D
- 31) D
- 32) D
- 33) C
- 34) E
- 35) A
- 36) B
- 37) B
- 38) C
- 39) D
- 40) B
- 41) B
- 42) D
- 43) C
- 44) D
- 45) E
- 46) C
- 47) E
- 48) C
- 49) C
- 50) C

Answer Key

Testname: GOV TEST 2

51)