

3.1 Bill of Rights

Explain how the U.S. Constitution protects individual liberties and rights.
Describe the rights protected in the Bill of Rights.

1. The Bill of Rights is continually being interpreted to balance the power of government and the civil liberties of individuals. All of the following define what our rights mean EXCEPT

- a. National referendums
- b. Legislative action
- c. Presidential orders
- d. Supreme Court decisions

2. The Bill of Rights were added to our U.S. Constitution primarily to

- a. Ease a political dispute at the Constitutional convention
- b. Protect individual liberties and rights
- c. Demonstrate the malleability of the U.S. Constitution
- d. Expose the Anti-Federalists as frauds

3. Civil liberties are constitutionally established guarantees and freedoms that protect citizens, opinions and property against arbitrary government interference. Which of the following would be an example of arbitrary governmental interference?

- a. Governments limiting the use of obscenity
- b. A court approval of a legal search warrant
- c. A law establishing a religious test for civic participation
- d. Meat inspection laws

4. In the Bill of Rights you would find the following language: *Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.* These words would be found in the

- a. The First Amendment
- b. The Second Amendment
- c. The Fourth Amendment
- d. The Sixth Amendment

5. In the Bill of Rights you would find the following language: *In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.* These words would be found in the

- a. The First Amendment
- b. The Second Amendment
- c. The Fourth Amendment
- d. The Sixth Amendment

6. In the Bill of Rights you would find the following language: *A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.* These words would be found in the

- a. The First Amendment
- b. The Second Amendment
- c. The Fourth Amendment
- d. The Sixth Amendment

7. In the Bill of Rights you would find the following language: *The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.* These words would be found in the

- a. The Fourth Amendment
- b. The Fifth Amendment
- c. The Eighth Amendment
- d. The Tenth Amendment

8. In the Bill of Rights you would find the following language: *Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.* These words would be found in the

- a. The Fourth Amendment
- b. The Fifth Amendment
- c. The Eighth Amendment
- d. The Tenth Amendment

9. In the Bill of Rights you would find the following language: *The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.* These words would be found in the

- a. The Fourth Amendment
- b. The Fifth Amendment
- c. The Eighth Amendment
- d. The Tenth Amendment

10. Former chief justice of the Supreme Court Charles Evans Hughes once said, "We are under a Constitution, but the Constitution is what the judges say it is." Which of the following best exemplifies what chief justice Hughes meant.

- a. The precedent found in *Marbury v. Madison*
- b. Presidential action to raise tariffs
- c. The passage of the Voting Rights Act of 1965
- d. Policy experimentation as a result of federalism

11. Provisions of the U.S. Constitution's Bill of Rights are continually being interpreted to balance the power of government and the civil liberties of individuals. The Court has been involved in a number of *landmark* cases. Which of the following best define what is meant by a *landmark* case?

- a. A civil scenario that involves arbitrary interference by government
- b. A criminal scenario that involves the seizure of property
- c. A significant court decision that address a constitutional question for the first time
- d. A significant court decision that brings clarity to constitutional ambiguity

12. The police entered Tom's apartment without a legal warrant based upon an informant's tip that illegal drugs were present. Drugs were found. At trial the judge agreed with Tom's attorney who claimed the evidence was inadmissible. What legal principle did the judge base her opinion on?

- a. The establishment clause
- b. The exclusionary rule
- c. Eminent domain
- d. Ex Post Facto Laws

13. All of the following types of protections can be found in the Bill of Rights EXCEPT

- a. Political rights
- b. Religious rights
- c. Police powers
- d. Suffrage extensions

14. In the case *Riley v. California* (2014) the Supreme Court argued: *Modern cell phones are not just another technological convenience. With all they contain and all they may reveal, they hold for many Americans "the privacies of life". The fact that technology now allows an individual to carry such information in his hand does not make the information any less worthy of the protection for which the Founders fought.* What legal doctrine can be applied to this scenario?

- a. Separation of powers doctrine
- b. The castle doctrine
- c. The doctrine of original intent
- d. Qualified immunity doctrine

15. Which of the following Court cases extended Fourth Amendment privileges to all citizens in all states?

- a. *Mapp v. Ohio* (1961)
- b. *Marbury v. Madison* (1803)
- c. *Baker v. Carr* (1961)
- d. *Roe v. Wade* (1973)

16. "Pleading the Fifth" has become almost cliché. Which of the following best exemplifies this practice?

- a. Despite pressure from the police, Tom remained silent during questioning.
- b. Officer Friendly must first obtain a legal warrant to enter Tom's house.
- c. Tom was provided an attorney even though he could not afford one.
- d. Tom's execution was granted a stay due to his persuasive arguments.

17. The Supreme Court held that any suspect put in custody by authorities must first be informed of their rights in this case:

- a. *Mapp v. Ohio* (1961)
- b. *Riley v. California* (2014)
- c. *Miranda v. Arizona* (1966)
- d. *Roe v. Wade* (1973)

18. *Gideon v. Wainwright* (1963) made certain the right to an attorney. The government must provide legal counsel not only in federal cases but also in state cases. This landmark case was rooted in the

- a. The Fourth Amendment
- b. The Fifth Amendment
- c. The Sixth Amendment
- d. The Tenth Amendment

19. A look at recent court precedent regarding capital punishment would support the following quotes:

- a. "Government is accountable to Darwin not to Newton," Woodrow Wilson.
- b. "The evils we experience flow from the excess of democracy," Elbridge Gerry.
- c. "Government even in its best state is but a necessary evil," Thomas Paine.
- d. "Politics is the art of the possible," Anonymous.

20. When more and more state legislatures limit capital punishment what principle of our government is exemplified?

- a. Separation of powers
- b. Checks and balances
- c. Federalism
- d. Limited government