



We the People

THE CITIZEN AND THE CONSTITUTION

Directed by the Center for Civic Education and funded by the U.S. Department of Education under the Education for Democracy Act approved by the United States Congress.

HEARING QUESTIONS CONGRESSIONAL DISTRICT LEVEL

Unit One: What Are the Philosophical and Historical Foundations of the American Political System?

1. **How were the Founders' views about government influenced both by classical republicans and the natural rights philosophers?**
 - **Why did classical republicans believe in limiting individual rights and promoting civic virtue?**
 - a. **What conflicts might arise in a society that emphasizes the importance of both individual rights and the common good?**
 - b. **Why did the classical republicans stress the need for moral education and homogeneity?**
 - **Is classical republican philosophy relevant today? How?**

2. **What are the fundamental characteristics of a constitutional government?**
 - **What are the essential differences between a constitutional government and an autocratic dictatorial government?**
 - **Describe at least five provisions of the United States Constitution that provide a means of preventing the abuse or misuse of government power and explain how they work in our system of government today.**

3. **What effect did colonial experiences have on the Founders' views about rights and government?**
 - **In what ways were eighteenth-century American and British societies similar or dissimilar in terms of rights of individual liberty, equality of opportunity, and property?**
 - **How did early state constitutions reflect colonial experiences as well as the ideas of classical republicanism and natural rights philosophy?**



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Unit Two: How Did the Framers Create the Constitution?

1. **How is the Constitution designed to limit government power in order to protect individual rights?**
 - **In what ways did the Framers try to improve on the Articles of Confederation?**
 - **Why did Anti-Federalists believe that the design of the Constitution was insufficient to protect individual rights and, in fact, would lead to violations of rights by the new national government?**

2. **What were the major conflicts of the Philadelphia Convention and how were they resolved?**
 - **What arguments can you make for and against giving each state the right to send the same number of members to the Senate?**
 - **What arguments can you make for and against including the "three-fifths clause" and the "fugitive slave clause" in the Constitution?**

3. **What were the major differences between the Federalists and the Anti-Federalists?**
 - **How did the arguments of the Federalists and the Anti-Federalists reflect their points of view regarding natural rights, republicanism, and constitutionalism?**
 - **What is the relevance of arguments or points made by the Federalists and Anti-Federalists to contemporary events under our present government?**



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**Unit Three: How Did the Values and Principles Embodied in the
Constitution Shape American Institutions and Practices?**

- 1. How did political parties arise in American politics?**
 - **What were the objections of the Federalists to political parties? What relevance, if any, do these objections have today?**
 - **What advantages and disadvantages do political parties have in a democratic system of government?**

- 2. What is the power of judicial review and how was it established in the United States?**
 - **Is the power of the Supreme Court to overrule the will of a congressional majority consistent with the principle of representative government? Why or why not?**
 - **If the Supreme Court did not have this power, in what other way could the rights of minorities be protected from the majority? Take and defend a position on which way you think the rights of minorities should be protected.**

- 3. How does a federal government differ from a unitary or confederate system of government?**
 - **In our federal system of government, where does sovereignty reside?**
 - **In matters of public education and public health care, should the federal government or the state governments have the responsibility for making and enforcing laws? Explain your position.**



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**Unit Four: How Have the Protections of the Bill of Rights Been Developed
and Expanded?**

- 1. What are the basic purposes of the Fourteenth Amendment's equal protection and due process clauses?**
 - **How are the equal protection and due process clauses related to the principle of limited government?**
 - **What are some specific examples of how the equal protection and due process clauses of the Fourteenth Amendment have been used to expand the protections of the Constitution?**

- 2. What constitutional issues were in dispute during the Civil War?**
 - **Were any or all of these issues resolved by the Civil War?**
 - **How can the denial of any state's right to secede from the Union be justified in terms of the natural rights philosophy?**

- 3. Which has been more important in the extension of rights to all Americans, the Supreme Court or the political action of individuals and groups?**
 - **Describe the roles of the legislative, executive, and judicial branches of the government in the expansion of rights.**
 - **Are groups that attempt to extend the protections of the Constitution to all Americans interest groups (what Madison called "factions")?**



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Unit Five: What Rights Does the Bill of Rights Protect?

- 1. Why have First Amendment rights been viewed as essential to the functioning of a free society?**
 - **In what ways have these rights been of particular importance to women and minorities?**
 - **Although these rights are considered essential in a constitutional democracy, it is sometimes argued that they must be limited. Under what circumstances, if any, do you think this is justified? Explain your answer.**

- 2. In what ways are the establishment and free exercise clauses similar and dissimilar?**
 - **What historical lessons and personal experiences of the Founders led them to safeguard these rights in the First Amendment?**
 - **How might these two clauses come into conflict, and what criteria do you think should be used to ease this conflict?**

- 3. What is meant by procedural due process and why would a free society be impossible without it?**
 - **What are the historical and philosophical sources of procedural due process?**
 - **How are the powers of all branches of government limited by procedural due process?**



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Unit Six: What Are the Roles of the Citizen in American Democracy?

1. What do you think are the major problems confronting American citizens at the present time?

- **What relevance do the writings of such men as James Madison have in helping us to find solutions to these problems? Be specific in explaining your answer.**
- **Does the Constitution provide an adequate framework for the solution of these problems? Why or why not? If you believe changes are required, what are they?**

2. In the United States, what rights does a citizen have that a resident alien does not have?

- **Do these rights mean that citizens have responsibilities that resident aliens do not have? If so, what are they? To what extent are these responsibilities moral and to what extent are they legal?**
- **Aliens applying for American citizenship must demonstrate a basic knowledge of American history and government. Should citizens be required to take a similar test before being allowed to vote? Why or why not?**

3. Do all citizens have a responsibility to participate in the political life of the nations? Why or why not?

- **If citizens should participate, what forms should that participation take?**
- **Is civil disobedience ever a justified form of political participation? Explain your position.**