

# Practice Exam #2

1. The “wall of separation” theory refers to
  - a. The competing demands of free expression and national security
  - b. The judicial treatment of libel for celebrities and non-celebrities
  - c. The freedoms guaranteed to adults vs. those guaranteed to children
  - d. The principle that religious beliefs and practices should be prohibited in public schools
  - e. The rights of ordinary citizens vs. those accused of crimes.
  
2. The main agency for making monetary policy intended to be formally beyond the control of the president and Congress is the...
  - a. Federal Reserve System
  - b. Department of the Treasury
  - c. Congressional Budget Office
  - d. Office of Management and the Budget
  - e. Internal Revenue Service
  
3. The most important leadership position in the Senate is the
  - a. Majority leader
  - b. President pro tempore
  - c. Vice president
  - d. Speaker
  - e. Majority whip
  
4. Which of the following types of powers are specifically granted to the national government by the Constitution?
  - a. Expressed
  - b. Implied
  - c. Inherent
  - d. Concurrent
  - e. Reserved
  
5. All of the following represent differences between the House and the Senate **except**:
  - a. Power in the House is more centralized in the leadership than in the Senate
  - b. Party-line voting has been more common in the House than in the Senate
  - c. The House has a Rules Committee, the Senate does not
  - d. The Senate allows the filibuster, the House does not
  - e. The House ratifies all treaties, the Senate does not
  
6. An example of the “revolving door” is...
  - a. An ex-member of Congress being employed in a government agency
  - b. A state representative being elected to the national House of Representatives
  - c. A recently elected president appointing his campaign manager as his chief of staff in the White House
  - d. A government official leaving his or her position for a job with a business or an interest group
  - e. A black representative who fails to win a second term of office.
  
7. Statistics reflect all of the following patterns of voter behavior **except**:
  - a. Middle-aged people are more likely to vote than are younger people.
  - b. Politically active people are more likely to vote than those who are inactive.

- c. Better educated people are more likely to vote than those with less education.
  - d. Upper middle class people are more likely to vote than are working class people
  - e. Men are more likely to vote than are women
8. Which of the following court cases is paired **incorrectly** with a right that it addresses?
- a. *Gitlow v. New York*; freedom of speech
  - b. *Mapp v. Ohio*; exclusionary right
  - c. *Gideon v. Wainwright*; right to counsel in felony cases
  - d. *Griswold v. Connecticut*; right of privacy
  - e. *Shenck v. U.S.*; immunity from double jeopardy
9. The theorist who believed that the bureaucracy was the real power in government was
- a. Karl Marx
  - b. Max Webber
  - c. C. Wright Mills
  - d. James Madison
  - e. Thomas Hobbes
10. Of the approximately 2500 president presidential vetoes in U.S. history, about what proportion have been overridden by Congress?
- a. 4%
  - b. 20%
  - c. 30%
  - d. 50%
  - e. 75%
11. In *Webster v. Reproductive Health Services*, Missouri's law prohibiting the use of state money to fund abortions was
- f. declared unconstitutional because the right to privacy is guaranteed in the Constitution
  - g. upheld by the Supreme Court, thus overturning the basic right to an abortion
  - h. upheld by the Supreme Court, but the basic right to an abortion was not overturned
  - i. declared unconstitutional, although the Supreme Court later overturned its own decision
  - j. upheld, but the Supreme Court guaranteed that the federal government would continue to fund abortions
12. In the Constitution, the concept of equal protection of the law is referred to in
- k. the preamble
  - l. the 2<sup>nd</sup>, 4<sup>th</sup>, and 6<sup>th</sup> amendments
  - m. Article III
  - n. the 14<sup>th</sup> amendment
  - o. Article IV
13. Federal judges and justices can be removed from office only by
- p. the president
  - q. the chief justice of the Supreme Court
  - r. senatorial courtesy
  - s. impeachment
  - t. the Senate Judiciary Committee
14. "An act of the legislative repugnant to the Constitution is void ... it is emphatically the province of the judicial department to say what the law is."

John Marshall, 1803

The above quote from the majority opinion of *Marbury vs. Madison* establishes which important power of the court?

- a. strict construction
- b. appellate jurisdiction
- c. judicial review
- d. certiorari
- e. class action suits

15. "But the ultimate question must be, what do the words of the text mean in our time? For the genius of the Constitution rests not in any static meaning it might have in a world that is dead and gone, but in the adaptability of its great principles to cope with current problems and current needs."

Justice William Brennan

The above passage reflects the philosophy of

- a. judicial activism
- b. judicial restraint
- c. judicial activism in some areas but judicial restraint in others
- d. conservatism
- e. liberalism

16. The famous *Gibbons v. Ogden* case established the precedent of

- a. judicial review
- b. dual federalism
- c. broad interpretation of interstate commerce
- d. states' right, according to the compact theory
- e. right to privacy

17. All of the following are powers granted to Congress in the Constitution **except**:

- a. to recognize foreign governments
- b. to borrow money
- c. to lay and collect taxes
- d. to declare war
- e. to raise and support an army and navy and make rules for their governance

18. The Hatch Act. Controlling the political activities of federal employees, permits bureaucrats to participate in all of the following activities **except**:

- a. assist in voter registration drives
- b. contribute to a political campaign
- c. join a political party
- d. organize and participate in political rallies
- e. display political badges and stickers

19. Which of the following court decision declared the nonexistence of "absolute unqualified presidential privilege of immunity from judicial process under all circumstances"?

- a. *Gitlow v. New York*
- b. *Gideon v. Wainwright*
- c. *Miller v. California*
- d. *U.S. v. Nixon*
- e. *Marbury v. Madison*

20. The relationship between Congress and the president was designed by the framers to be

- a. naturally antagonistic, since both branches serve different constituencies
  - b. cooperative since both branches need each other to govern
  - c. an equal relationship since each branch has complementing powers
  - d. a relationship in which the executive is superior to Congress because the executive branch initiates law
  - e. a relationship designed for efficient running of the government
21. All of the following are reasons why voter turnout in the U.S. is lower than in other democracies **except**:
- a. The U.S. requires voter registration in advance of the election.
  - b. The American government asks citizens to vote far more often and for a broader range of political offices than do most other democracies.
  - c. Political parties are weaker and do not mobilize the vote as thoroughly as in other countries.
  - d. The choice offered Americans is not as great; there is neither a major left wing socialist party nor a right wing party.
  - e. United States citizens have a lower sense of political efficacy than do citizens of other democracies.
22. Which of the following excerpts from the Constitution is most directly related to the Supreme Court decision *McCulloch v. Maryland*
- a. "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers."
  - b. "No bill of attainder or ex post facto law shall be passed."
  - c. "The Vice President of the U.S. shall be President of the Senate, but shall have no vote, unless they be equally divided."
  - d. "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted."
  - e. "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."
23. The prohibition of "separate but equal" schools was established with
- a. *Heart of Atlanta v. U.S.*
  - b. *Mapp v. Ohio*
  - c. *Brown v. Topeka*
  - d. *Plessy v. Ferguson*
  - e. *Griswold v. Connecticut*
24. Which of the following represent significant differences between the powers and/or procedures of the House and the Senate?
- I. The Senate allows a filibuster, the House does not
  - II. The Senate may add nongermane amendments to a bill; the House may restrict adding nongermane amendments
  - III. The House had a committee of the Whole; the Senate does not
- a. I only
  - b. I and II only
  - c. I and III only
  - d. II and III only
  - e. I, II and III

25. According to the Supreme Court's interpretation of the establishment clause, public schools may allow
- the teaching of creation science
  - daily, school directed, moments of silence
  - the literary study of the Bible
  - non-denominational prayers at the beginning to each school day
  - teacher directed voluntary prayers at the beginning of the school day
26. In the *Chadha* case, the Supreme Court held that the Constitution requires that "every order, resolution, or vote to which the concurrence of the Senate and House or Representatives may be necessary... shall be presented to the President of the U.S."

Which Congressional practice was declared unconstitutional

- committee clearance
  - annual authorizations
  - gerrymandering
  - legislative veto
  - "marking up" bills
27. Some states protect reporters and their confidentiality of sources with
- shield laws
  - prior restraint laws
  - sunshine laws
  - privacy provisions
  - Zenger laws
28. Which problem of an American president would almost certainly **NOT** be a problem for the British prime minister?
- bad publicity from a negative press conference
  - a misunderstanding with another head of state concerning a U.N. resolution
  - a lack of funds to enact a favorite project
  - an impasse with the legislature concerning a policy
  - a military leader that refuses to follow orders
29. According to the Court's ruling in *Gregg v. Georgia*, the death penalty is
- not cruel and unusual punishment, and may be allowed
  - cruel and unusual punishment, and may not be allowed
  - not to be banned in any state
  - mandatory for certain crimes, much as for murder and rape
  - necessary to control the growing prison population
30. The equal protection clause had been interpreted to do all of the following **EXCEPT**
- forbid school segregation
  - require draft boards to draft men and women for front line military duty
  - prohibit job discrimination
  - reapportion state legislation
  - permit forced busing and affirmative action
31. Cabinet members are often not valuable political advisors to the president primarily because they
- are usually more loyal to their political parties than to the president

- b. are influenced heavily by the policy positions of members of Congress
  - c. usually do not know as much about political issues as does the president
  - d. often split their loyalties between the president and their own executive departments
  - e. are unable to be sufficiently objective because of their loyalties to the president
32. "Full faith and credit" refers to the obligation of
- a. juries to give witnesses in criminal trials the benefit of the doubt
  - b. states to honor public acts, records, and civil judicial procedures of every other state
  - c. the national government to honor the separate powers of the states
  - d. one branch of government to respect and support the decisions of the other branches
  - e. national government to respect and support the mandates of international organization
33. The Court declared that freedoms of speech and press "were fundamental personal rights and liberties protected by the due process clause of the 14<sup>th</sup> amendment from impairment by the states" in
- a. *Barron v. Baltimore*
  - b. *Gideon v. Wainwright*
  - c. *Gitlow v. New York*
  - d. *Schenck v. U.S.*
  - e. *Miller v. California*
34. The Court case that established the broad interpretation of the Constitution reference to "commerce" for economic regulation was
- a. *McCulloch v. Maryland*
  - b. *Marbury v. Maddison*
  - c. *Gibbons v. Ogden*
  - d. *Texas v. Johnson*
  - e. *Gideon v. Wainwright*
35. "To allow the Court to govern simply by what it views at the time as fair and decent, is a Scheme of government no longer popular; the idea of democracy had suffered. The permanence of the Constitution has been weakened. A Constitution that is viewed as onlu what the judges say it is, is no longer a constitution in the true sense. Those who framed the Constitution chose their words carefully; they debated at great length the most minute points. The language they chose meant something. It is incumbent upon the Court to determine what that meaning was."
- Attorney General Edwin Meese
- The above passage reflects the philosophy of
- a. judicial activism
  - b. judicial restraint
  - c. judicial activism in some areas but judicial restraint in others
  - d. judicial neutrality
  - e. liberalism
36. A state university's requirement that an out-of-state student pay a higher tuition than an in-state student is an exception to
- a. extradition rights
  - b. full faith and credit
  - c. citizens' entitlement to the same privileges and immunities
  - d. supremacy of national law over state law
  - e. the principle of dual federalism

37. In *California v. Bakke* (1978), the Supreme Court ruled that universities
- could not weight race or ethnic group in selecting their students
  - must use quota systems
  - must advise potential students of their affirmative action status
  - may use quota systems for racial background but not for gender
  - could weight race or ethnic background, but could not set aside a quota of spots for particular groups
38. Which of the following was the most **RECENT** group in U.S. history to receive the franchise?
- non-property owning males
  - black Americans
  - women
  - resident of D.C.
  - 18-21 year olds
39. All of the following represent effective checks on judicial power **EXCEPT**:
- public opinion
  - lack of court power to execute decisions of the Supreme Court
  - the threat of impeachment
  - the power of Congress to alter the number of judges
  - the power of Congress and the executive branch to overturn Supreme Court Decision
40. The policy that Congressional districts be drawn so that one person's vote is worth as much as another's was set by
- an executive order
  - the state legislatures
  - a law passed by both houses of Congress
  - a Supreme Court decision
  - a Constitutional amendment
41. Which of the following are provisions of the 25<sup>th</sup> Amendment?
- The vice president may serve as "acting president" whenever the president declares that he is unable to discharge the power and duties of his office.
  - The vice president may serve as "acting president" if a 2/3 majority of Congress and the Cabinet think that it is necessary.
  - The vice president acting as the President, with the concurrence of the Cabinet and 2/3 of both houses of Congress, can prevent the president from acting his office.
- I only
  - II only
  - I and II only
  - I and III only
  - I, II and III
42. All of the following are laws that have restricted first amendment rights **EXCEPT**:
- the Sedition Act of 1798
  - the Espionage and Sedition Acts of 1917-18
  - the Smith Act
  - the Internal Security Act
  - the Taft-Hartley Act
43. The principle of prior restraint can be excepted in cases regarding
- libel

- b. obscenity
  - c. free speech
  - d. freedom of the press
  - e. national security
44. A simple majority vote of both houses of Congress is necessary for
- a. the ratification of a treaty with a foreign government
  - b. the ratification of constitution amendments
  - c. the implementation of an executive agreement
  - d. passing a bill into law
  - e. the override of a presidential veto
45. The government of the U.S. between 1776 and 1787 was a
- a. federation
  - b. unitary system
  - c. confederation
  - d. oligarchy
  - e. direct democracy
46. All of the following are principles of John Locke's philosophy as reflected in the Declaration of Independence **EXCEPT**:
- a. A people have the right to dissolve and unjust government.
  - b. All men have natural rights, including life and liberty.
  - c. Government must be built on the consent of the governed.
  - d. Government must be limited by clear restrictions on what rulers can do.
  - e. The government must guarantee its citizens equal protection of the laws.
47. All of the following are accurate description of PACs **EXCEPT**:
- a. PACs usually give money to incumbent senators and representatives.
  - b. Business PACs have increased more dramatically than any other category of PAC.
  - c. PACs always contribute to only one candidate in a race.
  - d. PACs always contribute a maximum, of \$5000 per candidate.
  - e. PACs must register with the Federal Election Commission.
48. An "open primary" is one in which
- a. a write-in ballot is used
  - b. a candidate can run for an office without being a party's nominee
  - c. the voter is eligible to vote in a party's primary only after showing support for the party
  - d. a voter may select the nominees for both parties
  - e. a voter may select the nominees of either (but not both) parties
49. A primary reason that the ERA was not ratified was concerned that women would
- a. be encouraged to have abortions
  - b. become priests in the Catholic Church
  - c. be drafted for combat duty
  - d. become involved in politics
  - e. not know how to handle their new rights
50. Which of the following courts hear only original jurisdiction cases?
- a. Court of Appeals
  - b. Supreme Court
  - c. District Courts

- d. Court of Military Appeals
- e. State Supreme Courts

51. Which of the following are rules governing *standing* (the right to bring a case to court)?

- I. There must be and actual controversy between real adversaries.
  - II. The plaintiff must have been harmed by the law or practice about which he/she is complaining.
  - III. Merely being a taxpayer does not ordinarily entitle an individual to challenge the constitutionality of a federal government action.
- a. III only
  - b. I and II only
  - c. I and III only
  - d. II and III only
  - e. I, II, and III

52. Cloture is a technique used in the Senate to

- a. discharge a bill from committee
- b. place a bill on a calendar
- c. create a select committee
- d. end a filibuster
- e. prohibit the mark-up of a bill

53. An important difference between political parties and interest groups is that interest groups usually do **not**

- a. try to influence the president's proposal for legislation
- b. contact agencies within the executive branch
- c. try to influence the decisions of congressional committees
- d. try to place their members in public office
- e. organize on the state and local levels

54. Which powers of the presidency are specifically mentioned in the Constitution?

- I. commander of the armed services
  - II. pardons for individuals accused of offenses against the U.S.
  - III. with the advice and consent of the Senate, making of treaties and appointments
  - IV. initiation of legislation
- a. I and II only
  - b. II and III only
  - c. I, II and III only
  - d. I, II and IV only
  - e. I, II, III and IV

55. People who join a political party other than the one to which their parents belong most often do so because of

- a. Peer pressure
- b. Economic issues
- c. Religious believe
- d. Pressure from their employers
- e. Issues of international politics

56. Which of the following best describes the fate of most popular third-party movements?

- a. They displace one of the two major parties and become major parties themselves.

- b. They are ultimately abandoned by the public because their politics are perceived as too radical.
  - c. Their supporters become frustrated and withdraw from the political process.
  - d. They remain active participants in the American political system indefinitely.
  - e. They disintegrate when one or both of the major parties adopt the third party's goals.
57. The Supreme Court's decision in *Miranda v. Arizona* was based mainly on the
- a. Constitutional prohibition of ex post facto laws
  - b. Incorporation of the Fifth Amendment through the due process clause of the Fourteenth Amendment
  - c. Eighth Amendment restriction against cruel and unusual punishment
  - d. Abolition of slavery by the Thirteenth Amendment
  - e. Full faith and credit clause of the Constitution
58. The Supreme Court has used the practice of selective incorporation to
- a. Limit the number of appeals filed by defendants in state courts
  - b. Extend voting rights to racial minorities and women
  - c. apply most Bill of Rights protections to state law
  - d. Hasten the integration of public schools
  - e. Prevent the states from calling a constitutional convention
59. The term "iron triangle" refers to the interrelationship of the
- a. President, Congress and the Supreme Court
  - b. Electorate, Congress and political action committees
  - c. Local, state and federal governments
  - d. State Department, the Pentagon and the National Security Council
  - e. Federal bureaucracy, congressional committees, and lobbyists
60. Which of the following factors would most likely explain why voter registration records underestimate the number of Independent voters in the United States?
- a. Independents are less likely than Republicans or Democrats to register to vote.
  - b. Many Americans who consider themselves Independent do not participate in elections.
  - c. Independents make up only a small portion of the electorate.
  - d. Because Independents in many states are not allowed to participate in primary elections, many Independents register as either Republicans or Democrats.
  - e. The majority of Independents are non-citizens who are not allowed to vote.