



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 did both classical republicans and the natural rights philosophers influence the Founders' views about government?
 - What are the essential differences between classical republicanism and natural rights philosophy?
 - Why do both classical republicans and natural rights philosophers stress the need for education and preparation for citizenship?
2. What are the fundamental characteristics of a constitutional government?
 - In what ways does constitutional government mean limited government?
 - Describe at least three provisions of the Constitution that provide a means of preventing the abuse or misuse of governmental power. Explain how these provisions 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 the 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 the natural rights philosophy?



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Unit Two: How Did the Framers Create the Constitution?

1. How does the Constitution limit government power to protect individual rights while promoting the common good?
 - Why did the Federalists and Anti-Federalists disagree on whether the Constitution sufficiently protected individual rights and promoted the common good?
 - What responsibilities, if any, do citizens have for seeing that individual rights are protected and the common good is promoted?
2. What were the major conflicts at 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 Anti-Federalists?
 - How did the arguments of the Federalists and the Anti-Federalists reflect their points of view regarding natural rights, republicanism, and the powers of the states?
 - Why are the Federalist and Anti-Federalist debates still relevant today?



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Unit Three: How Has the Constitution Been Changed to Further the Ideals Contained in the Declaration of Independence?

1. What are the basic purposes of the Fourteenth Amendment?
 - How are questions left unresolved at the Philadelphia Convention addressed in the Fourteenth Amendment?
 - How are the due process and equal protection clauses of the Fourteenth Amendment related to principles of limited government?
2. How and why has suffrage been expanded in the United States?
 - Why has the expansion of suffrage been controversial?
 - How have advocates of expanded suffrage used their rights under the First Amendment to achieve their goals?
3. What are the major arguments for and against judicial review?
 - Alexander Hamilton claimed in *Federalist* No. 78 that “the interpretation of the laws is the proper and peculiar province of the courts.” Do you agree or disagree? Why?
 - What are the advantages and disadvantages of an appointed, life-tenured branch of government overturning laws passed by a democratically elected body of government?



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Unit Four: How Have the Values and Principles Embodied in the Constitution Shaped American Institutions and Practices?

1. In the Constitution, why are the powers of and limits on Congress addressed first and in greater detail than those of other branches?
 - In addition to the powers granted to Congress in Article I, what other provisions in the Constitution address legislative powers? Why?
 - How have the “enforcement” provisions of amendments adopted since the Civil War increased Congressional power?
2. How and why has presidential power expanded since the ratification of the Constitution?
 - How have wars, emergencies, and the media contributed to the expansion of presidential powers?
 - How have the other branches of government responded to the expansion of presidential power? Do you think they have done so adequately? Explain.
3. How and why did the founders create America’s system of federalism?
 - How does federalism limit the powers of both the national government and the states?
 - How does federalism extend opportunities for citizen participation?



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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 First Amendment rights are considered essential in a constitutional democracy, it is sometimes argued that these rights must be limited. Under what circumstances, if any, do you think limitations are justified? Explain your answer.
2. How are individual rights protected in the body of the Constitution?
 - Given the protection of rights in the body of the Constitution, would you have agreed or disagreed with the Anti-Federalists' argument for the addition of a bill of rights? Why?
 - What additional rights, if any, do you think should be added to the Constitution? Why?
3. What fundamental American values are embodied in the Fourth Amendment?
 - Why have Fourth Amendment issues been a persistent concern from colonial times until today?
 - How and why does modern technology raise new concerns about the Fourth Amendment?



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Unit Six: What Challenges Might Face American Constitutional Democracy in the Twenty-First Century?

1. Why does the United States' commitment to the rule of law appeal to other peoples?
 - How would you explain the meaning of the rule of law?
 - How do America's founding documents express the nation's commitment to the rule of law?

2. What do you think are the greatest challenges of American citizenship today?
 - Why and how does constitutional democracy in the United States depend on the active participation of its citizens?
 - What are the advantages and disadvantages, if any, of being a citizen of both the United States and the state in which you reside?

3. What do you think are the best ways to achieve constitutional change?
 - Thomas Jefferson argued that the Constitution should be revised every generation. The founders provided instead for an amendment process to take place only if and when revisions may be deemed necessary. Which method do you think is better? Why?
 - In what ways, if any, have constitutional amendments helped the United States become "a more perfect union"? Explain.