**UNIT THREE:**

**Question 1:**

* How is the due process clause related to the principle of limited government (constitutional government)?
* Why did the decision in the case of Dred Scott v. Sanford help to precipitate the Civil War?
1. How did the 14th Amendment change the definition of citizenship?
2. What is the difference between substantive and procedural due process? Give examples.
3. How do due process rights guarantee your rights in civil or non-criminal matters?
4. How did Jim Crow laws affect everyday life in Southern states?
5. How has the Fourteenth Amendment been used to promote equal treatment for all Americans?
6. What are the differences between equality of condition and equal protection of the laws?
7. How did ratification of the Fourteenth Amendment reflect the failure of the original Constitution to achieve the goals stated in the Preamble?
8. How has the Bill of Rights been incorporated into the Fourteenth Amendment? How has this changed or undermined the original intention of the Bill of Rights?
9. Some have said we have had two constitutions, one before the 14th Amendment and one after. Do you agree or disagree.
10. Besides ex-slaves, what other groups in American society have benefited from the equal protections clause of the 14th Amendment?
* Explain the impact the case of Plessy v. Ferguson had on the 14th Amendment and the struggle for equal rights?
* Explain how the case of Brown v. Topeka Board of Education reversed legal precedent.
* How can natural rights philosophy be used to support the Southern view of slavery? The northern view of slavery?

**Question 2:**

* Why were some groups denied the right to vote in early America?
* What is the difference between a democracy and a republic? Which term most accurately describes the government created by our Constitution?
* Why were voting rights limited to men of property in the colonies and England despite the belief in representative government?
* What major obstacles did women face in their quest for suffrage?
* What were the major obstacles African-Americans faced in their quest for civil rights?
* Does the U.S. Constitution protect every citizen’s right to vote? Why or why not?
* How were the rights outlined in the 1st Amendment essential to the struggle for minority and women’s rights?
* What was the importance of the Voting Rights Act of 1965?
* Why do you think many people choose not to vote? How much of a problem do you think this is for our nation?
* Would you favor laws compelling people to vote? (If yes, why? If not, what things should be done to encourage more people to become politically active?)
* Do you think the use of initiatives and referenda at the state level increase voter participation? Why?

**Question 3:**

* What evidence exists that the Framers intended for the Federal Courts to have the power of judicial review?
* Does the power of judicial review, as it is exercised today, give too much power to the Courts? Why or why not?
* Can you describe a recent example of the use of judicial review that you agree or disagree with?
* Can you describe the difference between judicial activism and judicial restraint? What are the different ways in which the Constitution may be interpreted?
* What is meant by the term “tyranny of the majority”?
* What is common law, and what role does it play in our constitutional system?
* Is there any check on the Supreme Court’s power to interpret the meaning of the Constitution?
* What checks are there on the judicial branch?
* What checks are there on the legislative branch?
* What checks are there on the executive branch?
* What can you tell me about President Franklin Roosevelt’s 1937 court packing plan? Was such a plan a danger to our system of checks and balances as some have claimed? Why or why not?
* Name several current or recent members of the Supreme Court and evaluate the job they have done on the court.
* Would you change anything about the appointment process for federal judges?
* What criteria should the Senate use when considering whether or not to confirm a president’s appointment to the Supreme Court?
* Would electing judges make judicial review less controversial?
* Do you believe the U.S. Constitution should be viewed as a “living document?” What implications would that have for the way in which it is interpreted?