

Detailed Answers

- 1) a. Eighteenth:** *The Eighteenth Amendment (Prohibition Amendment) was adopted in 1919 and was repealed by the Twenty-First Amendment in 1933. Franklin Roosevelt pledged to repeal the amendment in his 1932 presidential campaign against Herbert Hoover.*
- 2) a. the Congress:** *Under Article 4, Section 3, Clause 1: “New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the Jurisdiction of any other State; nor any state be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.” This part of the Constitution was used by the Radical Republicans to justify congressional control of Reconstruction.*
- 3) c. the States or the people:** *The Tenth Amendment was added to the Constitution to guarantee states’ rights so that the federal government could not infringe on the power of the states: “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.” The powers of the states are referred to as “reserve powers.”*
- 4) d. year:** *This stipulation is found in Article 1, Section 4, Clause 2 of the Constitution: “The Congress shall assemble at least once in every Year”*
- 5) a. the first ten amendments:** *There was a concern when the Constitution was written in 1787, that the federal government would be too powerful. The Bill of Rights was added in 1791 to put a “check “ on the power of the national government and to protect the individual rights of all Americans.*
- 6) d. goods sent from one state to another:** *This part of the Constitution was important to protect the economic stability of trade between the states that was lacking under the Articles of Confederation. It is found in Article 1, Section 9, Clause 5: “No Tax or Duty shall be laid on Articles exported from any State.”*
- 7) a. the Speaker of the House:** *The importance of succession to the presidency was initially addressed in Article 2, Section 1, Clause 6 and further clarified by the Presidential Succession Act of 1947. The present order of succession is President, Vice-President, Speaker of the House of Representatives, President Pro Tempore of the Senate and then the various cabinet positions based on their order of creation (with the exception of the Department of Defense that combined the Departments of War and Navy in 1947). The Secretary of Defense is now fifth in the overall order of succession.*
- 8) b. support the Constitution:** *This requirement is found in Article 6, Clause 3 of the Constitution: “The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution.”*
- 9) a. the number of its Senators and Representatives:** *The Electoral College was established to determine how a president was to be elected. The number was established in Article 2, Section 1, Clause 2 of the Constitution: “Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress”*

What's Your Constitution IQ?: Expert Quiz #2 *(Continued)*

10) d. the number of people it has: *The number of representatives that each state could have in the House of Representatives was first addressed in Article 1, Section 1, Clause 3 of the Constitution: "The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct." The number of representatives per state is reevaluated every ten years once the federal census is taken. Congress fixed the number of representatives in the House of Representatives at 435 in 1929.*

11) b. a republican form of government: *This type establishes the power of the people to elect representatives to run the government. This guarantee is found in Article 4, Section 4: "The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence."*

12) d. grant a title of nobility: *This is found in Article 1, Section 10, Clause 1: "No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility."*

13) a. 1788: *Article 7 identified the number of states that had to ratify the Constitution in order for it to be considered the "law of the land". "The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same." Delaware was the first state to ratify the Constitution by a unanimous vote on December 7, 1787. New Hampshire became the ninth state to ratify the Constitution on June 21, 1788 by a vote of 57-47. The vote by New Hampshire officially made the Constitution the "law of the land."*

14) c. Gouverneur Morris: *Gouverneur Morris (1752-1816) was a delegate from Pennsylvania to the Constitutional Convention in Philadelphia, Pennsylvania. He was a member of the Committee on Style and Arrangement and was responsible for the preparation of the final draft of the Constitution.*

15) a. set up a religion: *This is guaranteed by the First Amendment to the Constitution as one of the Bill of Rights: "Congress shall make no law respecting an establishment of religion ..."*

16) b. Secretary of State: *The Secretary of State was the first Cabinet Position created by President George Washington in 1789. The country's first Secretary of State was Thomas Jefferson.*

17) a. the Chief Justice: *The impeachment process is discussed in Article 1, Section 3, Clause 6: "The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present."*

18) c. Independence Hall: *This was actually the State House of the Province of Pennsylvania built between 1732 and 1756. It was called Independence Hall because it is where the Declaration of Independence was adopted in 1776. It also was the location where George Washington was appointed Commander-in-Chief of the Revolutionary Army in 1775 and where the Articles of Confederation were adopted in 1781.*

What's Your Constitution IQ?: Expert Quiz #2 *(Continued)*

19) b. the President: *This presidential power is found in Article 2, Section 2, Clause 2: “He shall have Power, by and with the Advice and Consent of the Senate ... appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States ...”*

20) c. 2 years: *Article 1, Section 3, Clause 2: “Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year...”*

21) d. the Legislatures of three-fourths of the States: *Article 5: “The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States”*

22) c. 25 years old: *This is one of the three constitutional qualifications for a member of the House of Representatives found in Article 1, Section 2, Clause 2 of the Constitution: “No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.”*

23) c. 35 years old: *This is one of the three constitutional qualifications for President found in Article 2, Section 1, Clause 5 of the Constitution: “No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.*

24) c. Congress: *This is one of the “enumerated” or “delegated” powers of the federal government found in Article 1, Section 8, Clause 11 of the Constitution: “To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water.”*

25) a. 7: *The basic organizational structure of the Constitution is: The Preamble; Article 1 (Legislative Branch); Article 2 (Executive Branch); Article 3 (Judicial Branch); Article 4 (Relationship among the states); Article 5 (the amending process); Article 6 (the Constitution as the “Supreme Law of the Land)” Article 7 (Ratification process); the signatures of those who approved the Constitution.*

26) a. wins a majority of the electoral votes: *based upon the electoral process as described in the Constitution in Article 2, Section 1, Clause 3: “The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed ...”*

27) d. “habeas corpus”: *This goes back to English Common Law in which habeas corpus was the name of several writs a judge would issue to bring a prisoner before the court. The official procedure was known as “habeas corpus ad subjiciendum.” It was important to determine if the individual was lawfully being imprisoned. The individual must be told the charges against him before being incarcerated.*

What's Your Constitution IQ?: Expert Quiz #2 *(Continued)*

28) d. was born or naturalized here: *One can be a “natural born citizen” which means that the person is born in the United States or can be “naturalized” by going through a number of steps set up by the government to become a citizen. Congress is given the power to identify the criteria for naturalization. Article 1, Section 8, Clause 4 of the Constitution: “To establish an uniform Rule of Naturalization*”

29) c. 9 years: *This is one of the three constitutional qualifications for a member of the Senate found in Article 1, Section 3, Clause 3 of the Constitution: “No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.”*

30) b. Senate: *This part of the impeachment process is found in Article 1, Section 3, Clause 6: “The Senate shall have the sole Power to try all Impeachments.”*

31) c. the President: *Article 2, Section 2, Clause 1 gives the President this power: “The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States*”

32) c. form a stronger government: *The Articles of Confederation was our first constitution and was in effect from 1781 - 1789. It was based on the principles that we fought for in the American Revolution (1775-1783). The Articles were based on a confederation - a concept of a weak central government where the states had more power than the federal government. By the end of the 1780's it was evident that the country needed a stronger central government to address many of the political and economic issues of the time period.*

33) a. the Congress: *The power of Congress is found in Article 1, Section 8, Clause 4 of the Constitution: “To establish an uniform Rule of Naturalization*”

34) d. consent of the States involved: *It should be noted that there is an “expressed” part of the Constitution that cannot be amended or changed, and that deals with the guarantee that each state would be equally represented in the Senate. It should be noted that there may be other “implied” un-amendable constitutional provisions. However, the answer to this question is found in Article 5 of the Constitution: “... Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.”*

35) b. two-thirds: *Article 1, Section 5, Clause 2: “Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.”*

36) d. due process of law: *This right is guaranteed by the Fifth Amendment to the Constitution: “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces,, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”*

What's Your Constitution IQ?: Expert Quiz #2 *(Continued)*

37) c. 10 years: *The Constitution requires that a census be taken at least once every ten years. The first census was taken in 1790 which was three years after the writing of the Constitution. The only way that the frequency of census taking would change would be by an act of Congress. The requirement for a census every ten years is found in Article I, Section 2, Clause 3 of the Constitution: "... The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct."*

38) c. 1787: *Alexander Hamilton was responsible for the Annapolis Convention that met in Maryland in 1786 to discuss the economically unstable situation of the thirteen states. Due to poor attendance (only five of the thirteen states were represented), Hamilton asked the Congress of the Confederation to send formal invitations to all thirteen states to meet in Philadelphia in May 1787. The express purpose of this meeting was to amend or change the Articles of Confederation. Behind closed doors and in secret the delegates agreed to write an entirely new constitution. All states sent representatives except for Rhode Island.*

39) d. the Senate: *Article 2, Section 2, Clause 2 of the Constitution: "He (the President) shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls....."*

40) d. the President: *All of the powers and responsibilities of the President are found in Article 2 of the Constitution.*

41) d. 7 years: *The time limit for 3/4 of the state legislatures to approve a new amendment to the Constitution has been in some cases seven years. In the 1921 decision Dillon v. Gloss the Supreme Court concluded that Congress had the power to determine a time limit for ratification. The first time that the seven year time limit was imposed was for the Eighteenth Amendment that dealt with prohibition. The seven year time limit was actually a part of the text of the Twentieth, Twenty-First and Twenty-Second Amendments, but was not of the text of the Twenty-Third, Twenty-Fourth, Twenty-Fifth and Twenty-Sixth Amendments. The Twenty-Seventh Amendment had no time limit when it was adopted in 1992.*

42) d. life: *Judges are appointed to the court for life under Article III, Section 1 of the Constitution of the United States with the advice and consent of the United States Congress: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior; and shall, at stated Times, receive for their Services a Compensation which shall not be diminished during their Continuance in Office.*

43) b. two-thirds: *This a "check" on the power of the President by Congress as explained in Article 1, Section 7, Clause 2: "Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law"*

What's Your Constitution IQ?: Expert Quiz #2 *(Continued)*

44) c. John Jay: *John Jay (1745-1829) was appointed by George Washington in 1789 to be the nation's first Supreme Court Chief Justice and served until 1795. Interestingly enough, as a delegate to the Second Continental Congress from New York, he retired rather than sign the Declaration of Independence.*

45) a. State legislators to the people: *Until the Seventeenth Amendment was passed in 1913, United States Senators were chosen by the various state legislatures. The Seventeenth Amendment was an outgrowth of the Progressive Movement's objective to make the government more responsive to the people: "The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.*

46) b. 12: *The state of Rhode Island refused to send any representation to the Philadelphia or Constitutional Convention in 1787. Rhode Island was the last state to ratify the Constitution on May 29, 1790 by a vote of 34-32.*

47) a. 2: *Article 1, Section 3, Clause 1: "The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote."*

48) a. the Supreme Court and U.S. courts: *Article 3, Section 1: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts ..."*

49) a. 3 days: *This stipulation is found in Article 1, Section 5, Clause 4: "Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.*

50) b. twice: *Amendment Twenty-Two was proposed by a Republican dominated Congress in reaction to the four elected terms of President Franklin Roosevelt who was a Democrat. It was also passed to legalize the two term tradition established by George Washington (1789-1797). The amendment was adopted in 1951: "No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once."*



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