



## 17-18 yr olds – Bonus Questions

Name: \_\_\_\_\_

**Assignment #1** – Make sure that you are scoring in the 90% range on the regular quizzes from each part before moving on to these bonus questions.

**Assignment #2** – Have your parent/guardian give you all the questions below at once. Give your parent/guardian all the questions below at once.

a) I quizzed my child on the quiz below \_\_\_\_\_ He/she got \_\_\_/29 correct. I starred the ones missed. (Parent/Guardian signature)

b) I quizzed my parent/guardian on the quiz below \_\_\_\_\_ He/she got \_\_\_ / 29 correct. I circled the ones missed (Student signature)

### Part 1 – Introduction

- 1.1) Explain how the organization of the Constitution is similar to the organization of the Bible
- 1.2) Which two articles were mentioned as not having listed sections since they contain only one section? (Article VII is also only one section long but it wasn't mentioned with the other two articles)
- 1.3) a) What phrase does Article I, Section 8 begin with? b) How many clauses does the phrase apply to?
- 1.4) The 5 Clauses Everyone Should Know come from which 2 Articles?
- 1.5) The great majority of all listed Congressional powers are found in which Article and Section?

### Part 2 – Supremacy Clause

- 2.1) Define the a) Misinterpretation b) Correct Interpretation, and c) Justification behind understanding the Supremacy Clause
- 2.2) a) Write the words of the condition found in the Supremacy Clause? b) What words (phrase) does the condition apply to? c) What is another name for that phrase?
- 2.3) A hypothetical law is passed by Congress that gives them to the power to do X. If the states or the people don't agree that they should have the power to do X how should the question be resolved?
- 2.4) How would you respond to someone who claims a federal law is supreme regardless of its Constitutionality?

2.5) How would you respond to the claim that if Congress passes a law then it is, by definition, the supreme law of the land because the people's representatives had their chance to support or oppose it and have voted?

2.6) Explain the difference between "bottom up" government versus "top down" government

### **Part 3 – General Welfare Clause**

3.1) Define the a) Misinterpretation b) Correct Interpretation, and c) Justification behind understanding the General Welfare Clause

3.2) Write from memory the words of the 10<sup>th</sup> amendment

3.3) Complete the exact words from the quote by Thomas Jefferson regarding the general welfare clause which begins, "Congress has not unlimited powers ..."

3.4) Explain the validity or falsehood expressed in Attorney General Francis Biddle's statement, "The government of the United States can do anything not specifically prohibited by the Constitution".

3.5) a) Complete the exact words from the quote by Thomas Jefferson regarding the general welfare clause which begins, "To take a single step beyond the boundaries drawn around the powers of Congress, is to ..." b) The "boundaries drawn around the powers of Congress" are found in what article and section? c) Explain what Jefferson means

3.6) Define the term: Enumerated

3.7) Write from memory the complete quote from Daniel Webster regarding "good intentions".

### **Part 4 – Necessary and Proper Clause**

4.1) Define the a) Misinterpretation b) Correct Interpretation, and c) Justification behind understanding the Necessary and Proper Clause

4.2) How would you respond to someone who justifies a federal law by saying the Constitution allows laws to be made that are, "necessary and proper"?

4.3) How would you respond to someone who questions you, with "How can you say Medicare isn't necessary or that Social Security isn't proper?"

### **Part 5 – Interstate Commerce Clause**

5.1) Define the a) Misinterpretation b) Correct Interpretation, and c) Justification behind understanding the Interstate Commerce Clause

5.2) a) The words from the Constitution, “. . .nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another” come from what Article, Section, and Clause? b) What does this clause mean?

5.3) The words from the Constitution, “No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports” come from what Article, Section, and Clause? b) What does this clause mean?

5.4) Complete the exact words from the quote by James Monroe regarding the Interstate Commerce Clause which begins, “The power to prevent ...”

## **Part 6 – Treaty Law Clause**

6.1) Define the a) Misinterpretation b) Correct Interpretation, and c) Justification behind understanding the Treaty Law Clause

6.2) How would you respond to someone who says the United States needs to be a responsible world citizen and comply with United Nations treaties that are universally accepted?

6.3) a) Complete the exact words from Thomas Jefferson’s quote relative to Treaty Law which begins, “in questions of power, then, ...” b) What does Jefferson mean by this quote?

6.4) a) Fundamentally, what is the purpose of treaties b) What is the danger when the fundamental purpose of treaties is violated?

1.1) Just as the Bible has books, chapters and verses so also does the Constitution have articles, sections and clauses. And, just as the real meat of the Bible is found in the verses and books and chapters are just organizational terms, so also is the meat of the Constitution found in the clauses and articles and sections are just organizational terms. 1.2) Article V, Article VI 1.3) a) "The Congress shall have power . ." b) 18 1.4) Article I and Article VI 1.5) Article I, Section 8 2.1) a) Federal law trumps state law b) Neither federal nor state law is supreme. The Constitution is supreme. It defines which powers are delegated to which entity be it federal, state, or a power which is reserved to the people. c) "This Constitution, and the laws of the United States *which shall be made in pursuance thereof* shall be the supreme law of the land." (Article VI, Clause 2) 2.2) "which shall be made in pursuance thereof" b) the laws of the United States c) federal laws 2.3) Look in the Constitution and see if that power was directly given or if it is necessary and proper in order to carry into execution a specifically listed power 2.4) By quoting the Supremacy Clause (Article VI, Clause 2) and pointing out that the laws of the United States are only supreme if they are made in pursuance of the Constitution. If the law doesn't follow the Constitution then it's not supreme 2.5) In our Republic, it is true that people vote for representatives who then represent them in Congress but those representatives are only given power to do certain things as found in the Constitution. They aren't free to do whatever they would like to do. 2.6) "Bottom up" government says that people are in charge and only delegate to government certain powers. "Top down" government says the government is in charge and can do what they determine is good for the people. 3.1) a) Congress decides what is good for the people b) The standard is not whether something is good for the people but rather whether it is right - as authorized by the people. The list of those authorized general welfare powers is found in Article I, Section 8, Clauses 2-9, 17. c) "The Congress shall have power to . . . provide for the common defense and *general welfare* . . ." (Article I, Section 1, Clause 1) and "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." (10<sup>th</sup> Amendment) 3.2) The powers not delegated to the United State by the Constitution are reserved to the states respectively or to the people. 3.3) "...to provide for the general welfare, but only those specifically enumerated." 3.4) It is false because it says the exact opposite of what the general welfare clause and 10<sup>th</sup> amendment state: "If it's not listed, you can't do it". His statement essentially says, "As long as it's not prohibited, we can do it." The Constitution is a list of powers government *can* do not a list of powers they *can't* do 3.5) a) "take possession of a boundless field of power" b) Article I, Section 8 c) Once you break the rules of the Constitution there is no more restraint on government 3.6) written down or listed 3.7) "The Constitution was made to guard the people against the dangers of good intentions." 4.1) a) Congress determines what is necessary and proper b) Implied powers – those powers which are not listed in the Constitution but which are required in order to carry out those specifically listed powers – are indirectly granted to the Congress in the Constitution c) "The Congress shall have power . . . to make all laws which shall be necessary and proper *for carrying into execution the foregoing powers*." (Article I, Section 8, Clause 18) 4.2) Necessary and proper is only part of the phrase. The most important part of the phrase is found in the last 7 words that say, "*for carrying into the foregoing powers*", which defines what necessary and proper refers to 4.3) I'm not saying retirement and insurance aren't necessary or proper. What I'm saying is that those programs aren't necessary and proper to carry into effect any of the powers listed in Article I, Section 8 so although retirement and insurance are necessary and proper for people to have they should be provided by the people themselves, not the government. 5.1) a) Federal law can regulate all commerce b) Congress was granted the power to prohibit the states from collecting fees as a condition of doing business within their state. This was a power granted over interstate commerce – not over the states and not between individuals. c) "The Congress shall have power . . . to *regulate* commerce . . . *among* the several *states*." (Article I, Section 8, Clause 3) (see also Article I, Section 10, Clause 2; Article I, Section 9, Clause 6) 5.2) a) Article I, Section 9, Clause 6 b) No trucks or ships that are going to or from a state can be forced to pay fees just for being in that state. 5.3) a) Article I, Section 10, Clause 2 b) No state shall, without the consent of the Congress, collect any state fees on products entering or leaving the state. 5.4) "... any [fees] on the trade between the states was the only power granted. 6.1) a) All treaties are the supreme law of the land b) Only those treaties which comply with the Constitution are supreme. Unlawful treaties grant powers to government that are either forbidden or not granted by the Constitution. c) "All treaties made, or which shall be made, *under the authority of the United States*, shall be the supreme law of the land." (Article VI, Clause 2) 6.2) The rules of government are found in the Constitution, not in treaties. If treaties comply with the Constitution (both in how they are adopted . . . and in the powers they employ) then those treaties are also supreme. But if they don't, treaties don't trump the Constitution. The specific powers of government are delegated by the people to the government. The government officials get their power from the people, not from treaties, and they are accountable back to the people not to an international body that is unelected and unaccountable. 6.3) a) "...bind [men] down from mischief by the chains of the Constitution" b) We should look to the Constitution for the rules and limits of power, not to treaties. 6.4) a) The purpose of treaties is to set up a formal agreement describing how our nation interacts with other nations in external, foreign, international affairs. b) If treaties are used to control what happens within our nation, in national, internal and domestic affairs then we become subject to a body that we never elected, that is not accountable to us and to whom we never delegated authority nor power.