

## Potential Follow-Up Questions for Unit 1 - We the People

### **Unit One: What Are the Philosophical and Historical Foundations of the American Political System?**

#### **Follow-up Questions:**

- What are some of the specific parts of the Constitution that show the influence of natural rights philosophy?
- In your own words, what is classical republicanism?
- To what extent do Americans today exhibit the qualities that classical republicans thought were important?
- Define civic virtue and describe someone who possesses civic virtue.
- In what ways did the Framers attempt to insure that individual rights would be protected under the Constitution?
- Does modern American government lean more towards natural rights philosophy or classical republicanism? Explain and give examples
- What is the difference between a democracy and a republic? Which term most accurately describes the government created by our Constitution?
- How have our ideas about individual rights expanded since the Constitution was written?
- Explain social contract theory.
- What did the classical republicans think should be the goal of education? How does the thinking of contemporary Americans differ with respect to education?
- How did James Madison and the Framers of the Constitution try to reconcile the differences between these two philosophies in the U.S. Constitution?
- What do you think is the greatest threat to individual rights at the present time?
- Under what conditions would it be permissible for the government to take away an individual's life, liberty, or property?
- What is meant by the common (or public) good? What are some examples of laws that promote the common good? Current issues that involve the public good?
- What is your opinion on how religion influenced the Founders?
- How did beliefs about slavery affect the constitution?
- Are your ideas about rights different from those of the classical world and the natural rights philosophers? Explain.

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- Why were the ideas of the natural rights philosophy as expressed in the Declaration of Independence used in the fight against slavery?
- The Founders believed it wasn't practical to expect people in a large, diverse nation to possess a lot of civic virtue. Do you think that modern communication technologies are increasing or decreasing our capacity to have civic virtue in the present day?
- What do you think is the greatest threat to individual rights at the present time?
- Can your natural rights ever be taken away?
- What does the natural right of "liberty" include?
  - If one member of the U.S. House of Representatives was a strict follower of the natural rights philosophy and another was a strict follower of classical republicanism, how might each have reacted differently to the Patriot Act and the Homeland Security Act?
- Is a government that has a constitution always a constitutional government? Explain and give examples.
- Give examples of unconstitutional governments.
- In theory, the United States government gets its authority from the consent of the people. What evidence can you identify to show that people actually do consent to be governed by the United States government?
- Can you give an example of a government that does not have a written constitution, yet is still considered a constitutional government?
- What are the advantages and disadvantages of a written constitution?
  - Explain what is meant by the term "rule of law".
  - What contributions did Montesquieu make to the ideas of constitutional government?
  - In what way does the structure of the government set up by the Constitution promote limited government?
  - When is it appropriate for the government to limit freedom of expression?
  - What is the importance of procedural due process to the goals of constitutional government?
  - Why is the Magna Carta seen as such an important document in the development of constitutionalism?
  - Aside from the Magna Carta, what other things helped to establish constitutional government in Britain?

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- Is judicial review constitutional? Explain.
- Can a monarchy be a constitutional government?
- How has Britain been able to survive for so long without a written constitution?
- How has our constitution influenced other nations' constitutions?
- What is the difference between democracy and constitutionalism?
- What is the relationship between procedural due process and constitutional government?
- In what ways has the 14<sup>th</sup> Amendment expanded the principles of constitutionalism since its adoption?
- What types of things are typically included in a written constitution?
- What is the difference between a democracy and a republic? Which term most accurately describes the government created by our Constitution?
- What might happen in a government where there was no agreed-on or peaceful means for removing officials? Give a recent example to support your answer.
- Could a government that did not have a democratic form of government still be a constitutional government?
- Under what conditions is it permissible for the government to pry into an individual's private domain?
- It is said that during wartime, the government should be allowed to wield more power in the name of national security. To what extent should Americans be willing to sacrifice individual liberties in the quest for national security during a war?
- Is a government that has a constitution always a constitutional government? Explain and give examples.
- Give examples of governments that could be considered "unconstitutional".
- What are the benefits of an autocratic or dictatorial government?
- Are there constitutional governments which violate their constitutions?
- When can the government limit "freedom of speech?"
- How does the constitutional provision that protects the right to obtain a writ of habeas corpus an important limitation on the power of government?
- How does the right to have a trial by jury an important limitation on the power of government?
- The Founding generation of Americans believed that a constitution should function as a higher law. What were some of the characteristics they believed were an important part of such a higher law?

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- What role do the courts play in helping to maintain a government of limited power?
- What role does the Congress play in helping to maintain a government of limited power?
- What role does the executive branch play in helping to maintain a government of limited power?
- What were some of the differences between English and Colonial institutions (in the late 1700's)?
- In the years leading up to the American Revolution, how did the British violate the principles of limited government with regard to their actions in the American colonies?
- Why did American colonists have greater opportunities to achieve prosperity than did most people in Europe?
- Why were voting rights limited to men of property in the colonies and England despite the belief in representative government?
- Under what conditions is it permissible for the government to pry into an individual's private domain?
- What was the Age of Enlightenment, and what influence did it have on our Constitution?
- Do you think the Framers were justified in fearing a strong national government? Why?
- John Locke believed that under certain conditions, people held a right to revolution. Based on your knowledge of the history of the colonies in the 1760's and 1770's, did the colonists have a right to revolt against the British government?
- John Locke believed that if a government was abusing the rights of the people, they possessed a right to revolution. Why do you think the U.S. Constitution has endured for so long without a violent revolution in spite of the fact that the government has not always protected the rights of some minority groups?
- What were some of examples of the ways in which colonial governments restricted the individual rights of citizens?
- Where did sovereignty reside in the colonial governments?
- What are some things Great Britain did to limit the colonist's rights?
- How did the colonial experience of Americans under British rule influence the Framers?
- How did the colonial experience encourage an independent and republican spirit among the political classes?
- In what ways did Americans' colonial experience prepare them to write state constitutions after the Revolution?

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- Why did the colonists believe that their legislators should be required to live in the districts they represented?
- Why did most early state constitutions provide for strong legislatures?
- Do you think the Framers were justified in fearing a strong national government? Why?
- If you lived in a colony under British rule in the 18<sup>th</sup> century would you have joined the rebellion?
- What influence did Parliamentary actions such as the Stamp Act, the Tea Tax, the Intolerable Acts, and other such laws passed by Parliament have on the Framers' ideas about government?
- To what extent did a separation between church and state exist in the colonies?
- To what extent did social contract theory apply to the colonial governments?
- Can you provide examples of social contracts in the history of colonial America?
- Why do you think the colonists attached special importance to written guarantees of rights?
- Why do you think property rights, in particular, were so important to the colonists?
- What specific occurrences in British history provided the colonists with insight into how a government could best protect the rights of its citizens?
- Do you see a link between the experiences the colonists had in dealing with executive branches under the colonial system and the type of executive branch they created in Philadelphia in 1787? Be specific.
- In what ways did colonial governments protect the natural rights of the colonists?
- John Locke believed that under certain conditions, people held a right to revolution. Based on your knowledge of the history of the colonies in the 1760's and 1770's, did the colonists have a right to revolt against the British government?
- The American colonists believed they had the right of revolution in their conflict with Great Britain, yet Lincoln and others claimed the Southern States had no right to secede from the Union prior to the Civil War. Does Locke's social contract theory apply to one case and not the other? Or does it apply to both? Explain and justify your responses.
- Which branch of government do you think is most responsive to the will of the people?
- In what ways was the Massachusetts constitution a forerunner of the U.S. Constitution?
- What influence did the Virginia Declaration of Rights have on the creation of the U.S. Constitution?
- What is common law, and what role does it play in our constitutional system?
- Why and how did the colonial governments become more representative than Britain's government?

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