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| 1. The naturalist theory was based on what belief?

|  |  |  |
| --- | --- | --- |
|   | a.  | Very few individuals have the ability to distinguish between right and wrong. |
|   | b.  | The aristocracy has the ability to distinguish between right and wrong. |
|   | c.  | All individuals have the ability to distinguish between right and wrong. |
|   | d.  | The court system has the ability to distinguish between right and wrong. |

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| *ANSWER:* | c |
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| 2. The colonists considered the Articles of Confederation largely ineffective because of what factor?

|  |  |  |
| --- | --- | --- |
|   | a.  | Widespread corruption within the government. |
|   | b.  | The national government lacked enforcement power. |
|   | c.  | Lack of cooperation between the three branches of government. |
|   | d.  | The governmental staff had grown too large and ineffective. |

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| *ANSWER:* | b |
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| 3. During formation of the national government, individual states were left intact because

|  |  |  |
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|   | a.  | the fledgling nation was at war. |
|   | b.  | the federal government was too weak to force the states into giving up the notion of individual statehood. |
|   | c.  | the states threatened secession and civil war. |
|   | d.  | they could more effectively respond to the citizens’ needs. |

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| 4. Federal laws take precedence over conflicting state laws because of the

|  |  |  |
| --- | --- | --- |
|   | a.  | legislative clause. |
|   | b.  | judicial clause. |
|   | c.  | statutory clause. |
|   | d.  | supremacy clause. |

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| *ANSWER:* | d |
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| 5. Before 1913, how were the House of Representatives and the Senate elected?

|  |  |  |
| --- | --- | --- |
|   | a.  | The people elected both indirectly. |
|   | b.  | The people elected the Senate indirectly. |
|   | c.  | The people elected both directly. |
|   | d.  | The people elected the House of Representatives indirectly. |

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| 6. Congress has the sole authority to pass

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| --- | --- | --- |
|   | a.  | state treaties. |
|   | b.  | criminal law. |
|   | c.  | international law. |
|   | d.  | statutory law. |

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| 7. At the state level, the head of the executive branch is the

|  |  |  |
| --- | --- | --- |
|   | a.  | state governor. |
|   | b.  | state attorney general. |
|   | c.  | state legislator. |
|   | d.  | state senators. |

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| 8. Each state is entitled to appoint a number of electors based on

|  |  |  |
| --- | --- | --- |
|   | a.  | the state’s total number of registered voters. |
|   | b.  | the state’s total number of national convention delegates. |
|   | c.  | the state’s total number of senators and representatives. |
|   | d.  | the state’s total number of federal judges. |

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| 9. Who elects the President if there is not a candidate with a majority of the electoral vote?

|  |  |  |
| --- | --- | --- |
|   | a.  | House of Representatives |
|   | b.  | President of the Senate |
|   | c.  | Senate |
|   | d.  | Supreme Court |

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| 10. Federal law-enforcement agencies are considered a component of the

|  |  |  |
| --- | --- | --- |
|   | a.  | executive branch. |
|   | b.  | Federal Bureau of Investigation. |
|   | c.  | judicial branch. |
|   | d.  | legislative branch. |

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| 11. The primary source of new law is the

|  |  |  |
| --- | --- | --- |
|   | a.  | executive branch. |
|   | b.  | U.S. Constitution. |
|   | c.  | Congress. |
|   | d.  | popular vote. |

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| *ANSWER:* | c |
| *POINTS:* | 1 |
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| 12. The traditional balance equals the rights of the people versus

|  |  |  |
| --- | --- | --- |
|   | a.  | the rights of society. |
|   | b.  | the rights of the state. |
|   | c.  | the rights of the individual. |
|   | d.  | the rights of the government. |

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| 13. Federal judges are appointed by the

|  |  |  |
| --- | --- | --- |
|   | a.  | U.S. Senate. |
|   | b.  | U.S. attorney general. |
|   | c.  | President. |
|   | d.  | U.S. Supreme Court. |

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| 14. Which law uses precedent as a key element?

|  |  |  |
| --- | --- | --- |
|   | a.  | Statutory law |
|   | b.  | Criminal law |
|   | c.  | Administrative law |
|   | d.  | Judicial law |

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| 15. *Stare decisis* literally means what?

|  |  |  |
| --- | --- | --- |
|   | a.  | Let the decision stand. |
|   | b.  | Let the decision rest. |
|   | c.  | Let the verdict stand. |
|   | d.  | Let the verdict rest. |

|  |  |
| --- | --- |
| *ANSWER:* | a |
| *POINTS:* | 1 |
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| 16. The ability to enforce law consistently while retaining enough flexibility to adapt to changes in societal standards is the definition of

|  |  |  |
| --- | --- | --- |
|   | a.  | modern law. |
|   | b.  | modern balance. |
|   | c.  | current law. |
|   | d.  | current balance. |

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| *ANSWER:* | b |
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| 17. What type of law is most effective in dealing with a large or national industry that requires monitoring for public welfare or safety?

|  |  |  |
| --- | --- | --- |
|   | a.  | Administrative law |
|   | b.  | Business law |
|   | c.  | Commercial law |
|   | d.  | Delegated law |

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| 18. What has had the most influence on the way all U.S. law is implemented?

|  |  |  |
| --- | --- | --- |
|   | a.  | Legal traditions |
|   | b.  | An established hierarchy of authority among the branches |
|   | c.  | The British system of law |
|   | d.  | The Supreme Court |

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| 19. State governments are responsible for handling matters not addressed by

|  |  |  |
| --- | --- | --- |
|   | a.  | administrative laws. |
|   | b.  | Congress. |
|   | c.  | federal regulations. |
|   | d.  | the U.S. Constitution. |

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| *ANSWER:* | d |
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| 20. The Bill of Rights does not reflect the language of

|  |  |  |
| --- | --- | --- |
|   | a.  | naturalist theory. |
|   | b.  | sociological theory. |
|   | c.  | positivist theory. |
|   | d.  | unionist theory. |

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| *ANSWER:* | d |
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| 21. Criminal law is the term used to describe all federal statutory law.

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| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| 22. The U.S. Supreme Court is the main source of all law in this country.

|  |  |  |
| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| 23. The majority of Americans have more frequent personal contact with the legislative branch than with any other branch of government.

|  |  |  |
| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| 24. Because of the influence of societal standards on behavior, the sociological theory plays a critical role in our governmental structure.

|  |  |  |
| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| 25. Because the naturalist theory was ideally suited for the complex legal issues of the period, it played a key role in the creation of the Supreme Court.

|  |  |  |
| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| 26. Each state legislature determines the manner in which the electors are appointed.

|  |  |  |
| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| 27. The executive branch was the first governmental branch established in the federal structure.

|  |  |  |
| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

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| 28. One of the first priorities for settlers in the New World was to establish a formal legal system different from the ones they left in Europe and Britain.

|  |  |  |
| --- | --- | --- |
|   | a.  | True |
|   | b.  | False |

|  |  |
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| *ANSWER:* | False |
| *POINTS:* | 1 |
| *QUESTION TYPE:* | True / False |
| *HAS VARIABLES:* | False |
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| 29. Administrative law is primarily made up of two elements.

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|   | a.  | True |
|   | b.  | False |

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| *ANSWER:* | True |
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| *QUESTION TYPE:* | True / False |
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| 30. The Articles of Confederation was the document that guided the new government in advance of the U.S. Constitution.

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|   | a.  | True |
|   | b.  | False |

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| Match the most appropriate term to the definition.

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| a.  | modern balance |
| b.  | *stare decisis* |
| c.  | common law |
| d.  | statutory law |
| e.  | administrative law |
| f.  | precedent |
| g.  | sociological theory |
| h.  | traditional balance |
| i.  | positivist theory |
| j.  | legal standard |

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| *QUESTION TYPE:* | Matching |
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| 31. Regulations and decisions that explain and detail statutes, and are issued by administrative agencies.

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| 32. Creation of law by the judiciary

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| 33. Law created by one of the three sources of government, including the legislature, administrative agencies, and the judiciary

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| 34. The goal of law-making authorities to balance the need for consistency and stability against the need for a flexible and adaptive government

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| 35. The political belief that there should be a superior government entity that is not subject to question or challenge

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| 36. Existing legal standards that courts look to for guidance when making a determination of a legal issue

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| 37. The doctrine that follows the principle that government should adapt laws to reflect the current needs and beliefs of society

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| 38. “Let the decision stand.” The method used by the judiciary when applying precedent to current situations.

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| 39. A statute; law that is created by the legislature

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| 40. The goal of the judiciary to allow maximum personal freedom without detracting from the welfare of the general public.

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| Match the most appropriate term to the definition.

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| a.  | naturalist theory |
| b.  | legislative branch |
| c.  | positivist theory |
| d.  | executive branch |
| e.  | judicial branch |
| f.  | sociological theory |
| g.  | Bill of Rights |
| h.  | modern balance |
| i.  | legal standard |
| j.  | traditional balance |

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| *QUESTION TYPE:* | Matching |
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| 41. The first branch of government created

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| 42. Follows the principle that government should adopt laws to reflect the current needs and beliefs of society

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| 43. Belief that there should be a superior governmental entity not subject to question or challenge

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| 44. Is headed by the President at the national level and governors at the state level

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| 45. Based on the belief that all persons inherently know the difference between right and wrong

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| 46. Has the authority to interpret laws and protect the Constitution from violation by Congress, the President, and the states

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| 47. Establishes the standards of fundamental fairness by which the government must deal with its citizens

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| 48. Legal principle or point of law that may appear in the form of statutory, judicial, or administrative law

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| 49. Goal of law-making authorities to balance the need for consistency and stability against the need for flexible and adaptive government

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| 50. Goal of the judiciary to allow maximum personal freedom without detracting from the welfare of the general public

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| *ANSWER:* | j |
| *POINTS:* | 1 |

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