

**APGOV Reading Guide Review Questions Chapter 4**  
**\*Answers are in the notebook in my classroom.**

1. Civil Liberties are legal and constitutional protections against
  - a. criminals.
  - b. governments.
  - c. foreign invasions.
  - d. private enterprise.
  
2. Civil liberties are formally set down in the
  - a. Bill of Rights.
  - b. preamble to the Constitution.
  - c. Declaration of Independence.
  - d. Articles of Confederation.
  
3. Most cases concerning civil liberties are easy and straightforward.
  - True
  - False
  
4. Which of the following statements about civil liberties is FALSE?
  - a. The first Congress passed the Bill of Rights.
  - b. All of the original states had their own bills of rights.
  - c. The American people are entirely devoted to political rights in both theory and practice.
  - d. Our civil liberties often conflict.
  
5. In literal terms, the First Amendment is directed toward
  - a. the states.
  - b. Congress.
  - c. the courts.
  - d. all units of government.
  
6. In the case of *Barron v. Baltimore* (1833), the Supreme Court held that the Bill of Rights restrained only the national government, not the states and cities.
  - True
  - False
  
7. Freedom of speech was incorporated into state laws by
  - a. *Barron v. Baltimore*.
  - b. the first Congress.
  - c. *Gitlow v. New York*.
  - d. the Tenth Amendment.
  
8. The Bill of Rights
  - a. applies only to the national government.
  - b. immediately applied to the states after ratification of the Fourteenth Amendment.
  - c. was gradually incorporated into state laws.
  - d. has always applied to the states as well as the national government.

9. According to Thomas Jefferson, the First Amendment was designed to create
- a. a national church.
  - b. federal support for religious pursuits.
  - c. a wall of separation between church and state.
  - d. government control of churches.
10. The “wall of separation” separates
- a. assembly and association.
  - b. government and religion.
  - c. protected and unprotected speech.
  - d. civil liberties and civil rights.
11. According to the Supreme Court, sponsored prayers in public schools are acceptable only with certain restrictions.
- True
  - False
12. Which of the following statements regarding religion in the U.S. in recent years is FALSE?
- a. Religious issues and controversies have assumed much greater importance in political debate.
  - b. Fundamentalist religious groups have shied away from political action due to recent controversies.
  - c. Many school districts have ignored the Supreme Court’s ban on school prayer.
  - d. Conservative Republicans have pushed for a constitutional amendment permitting school prayer.
13. The Supreme Court has been very tolerant of the right of people to believe what they want and less tolerant of their right to practice what they believe.
- True
  - False
14. Who said, “*The most stringent protection of free speech would not protect a man falsely shouting fire in a theater and causing a panic. [...] The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent.*”?
- a. Justice Oliver Wendell Holmes.
  - b. Justice Hugo Black.
  - c. Justice Thurgood Marshall.
  - d. Justice Potter Stewart.
15. Prior Restraint
- a. is frequently exercised by the U.S. government.
  - b. was allowed in *Near v. Minnesota* (1931).
  - c. means government prevention of publication.
  - d. allows a newspaper to print libelous materials.

16. According to the Supreme Court in the case of *Schenck v. United States* (1919), free speech can be restricted by the government only on the basis of
- a. obscenity.
  - b. community settlement.
  - c. symbolic protest.
  - d. clear and present danger.
17. In the case of *Dennis v. United States* (1951), the Supreme Court permitted the government to
- a. exercise prior restraint over certain publications.
  - b. jail some American Communist Party leaders.
  - c. prohibit all forms of symbolic speech.
  - d. use wiretaps to spy on United States citizens.
18. Constitutional protections of free speech diminish once a person steps on private property.
- True
  - False
19. Some states have passed shield laws that protect
- a. criminals from self-incrimination.
  - b. publications from prior restraint.
  - c. reporters' notes and information from being revealed in court.
  - d. courts from holding trials in public.
20. In *Roth v. United States* (1957), the Supreme Court ruled that obscene material was not within the realm of constitutionally protected speech or press.
- True
  - False
21. "I know it when I see it" refers to
- a. obscenity.
  - b. libel.
  - c. crime.
  - d. cruel and unusual punishment.
22. In *Miller v. California* (1973), defining obscenity was left up to
- a. private individuals.
  - b. courts.
  - c. Congress.
  - d. state and local officials.
23. The newest issue in the obscenity controversy involves
- a. regulations aimed at keeping obscene material away from the young.
  - b. the proliferation of pornography on the Internet.
  - c. the proliferation of pornography in video stores.
  - d. the use of obscene words in public places.

24. To be libelous, a statement must be knowingly false or malicious.
- True
  - False
25. The Supreme Court case of *New York v. Sullivan* (1964)
- a. made it easier for public officials to win libel cases.
  - b. held that statements about public officials are libelous only if made with malice and reckless disregard for the truth.
  - c. held that statements about public officials are libelous if they are intended to damage severely the person's reputation.
  - d. severely limited the ability of the press to express its opinions freely.
26. Private individuals have a lower standard to meet for winning lawsuits for libel than public figures.
- True
  - False
27. The Supreme Court has dealt with questions of free speech by
- a. allowing the government to regulate the content of speech on the airwaves.
  - b. distinguishing between pure and symbolic speech.
  - c. using a "clear and danger" test.
  - d. all of these.
28. In 1989, the Supreme Court ruled that the burning of the United States flag was a form of constitutionally protected speech.
- True
  - False
29. Which of the following has received that greatest amount of regulation by the national government?
- a. symbolic speech.
  - b. commercial speech.
  - c. television news.
  - d. newspapers.
30. The Federal Communications Commission regulates the content, nature, and licensing of radio, television, and newspapers.
- True
  - False
31. The Supreme Court has
- a. ruled that newspapers must provide space for political candidates to reply to newspaper criticisms.
  - b. allowed the policy of barring certain words from radio or television when children might hear them.
  - c. ruled that cable television is subject to the same regulations as commercial television.
  - d. all of these.

32. Freedom of assembly only concerns the literal right of people to gather in one place.
- True.
  - False
33. The Supreme Court has ruled that spontaneous demonstrations at anytime, anywhere, and in anyway are protected by the First Amendment's freedom of assembly.
- True
  - False
34. Most of the words contained in the Bill of Rights pertain to the rights of persons accused of crime.
- True
  - False
35. The most infrequent event in the criminal justice system is a
- a. crime.
  - b. arrest.
  - c. prosecution.
  - d. trial.
36. In *Mapp v. Ohio* (1961), the Supreme Court
- a. extended the principle of unreasonable searches and seizures to the states.
  - b. established the exclusionary rule.
  - c. required probable cause to make and arrest.
  - d. protected individual against self-incrimination.
37. The exclusionary rule prohibits a court's use of
- a. illegally seized evidence.
  - b. cruel and unusual punishment.
  - c. search warrants.
  - d. plea-bargaining.
38. Fifth Amendment protection against self-incrimination begins with
- a. a trial.
  - b. prosecution.
  - c. an arrest.
  - d. criminal sentencing.
39. According to the Supreme Court's decision in *Miranda v. Arizona* (1966), police suspects must be told that
- a. they are constitutionally entitled to remain silent.
  - b. anything they say can be used against them.
  - c. they have a right to have a lawyer present during police questioning.
  - d. all of these.

40. The Sixth's Amendment's guarantee of a right to a lawyer was extended to state courts by the Supreme Court's decision in
- a. *Miranda v. Arizona* (1966).
  - b. *Gideon v. Wainright* (1963).
  - c. *Mapp v. Ohio* (1961).
  - d. *Gregg v. Georgia* (1976).
41. Most criminal cases are settled through plea bargaining.
- True
  - False
42. Plea bargaining usually
- a. costs the state more money.
  - b. results in fewer defendants going to prison.
  - c. results in harsher punishment for defendants.
  - d. can only be used by defendants accused of minor crimes.
43. The Constitution
- a. does not specify the size of a jury.
  - b. sets jury size at twelve.
  - c. sets jury size according to the type of crime.
  - d. sets jury size according to the type of court.
44. The Supreme Court has ruled that the death penalty
- a. is suitable for the most extreme crimes.
  - b. is always unconstitutional.
  - c. can be made mandatory for certain crimes.
  - d. is the highest form of cruel and unusual punishment.
45. The Bill of Rights spells out the right to privacy in the Second Amendment.
- True.
  - False
46. In *Roe v. Wade* (1973), the Supreme Court
- a. forbade state regulation of abortion during the first trimester.
  - b. permitted states to allow abortion in the second trimester only to protect the mother's health.
  - c. permitted states to forbid abortions in the third trimester.
  - d. all of these.
47. Which of the following statements concerning recent Supreme Court decisions concerning abortion is FALSE?
- a. It has upheld state laws forbidding the use of state funds to pay for abortions.
  - b. It has upheld a ban on abortion counseling in federally supported family planning programs.
  - c. It has upheld a law requiring a married woman to tell her husband of her intent to have an abortion.
  - d. IT has upheld a law requiring a 24-hour waiting period prior to an abortion.

48. The Supreme Court has affirmed the right of parents to make medical decisions for their children.
- True
  - False
49. Which of the following statements is FALSE?
- a. First Amendment rights are essential to democracy.
  - b. Ultimately, Congress decides what constitutional guarantees mean in practice.
  - c. The courts enhance democracy by protecting liberty and equality from the excesses of majority rule.
  - d. The Bill of Rights places strict limitations on governmental power.