

We the People...the Citizen and the Constitution State Hearing Questions

Students will be divided into groups by unit (1-6) to serve as expert witnesses testifying before Congress. Each group will prepare a four-minute opening statement addressing all elements of their unit question and sub questions. Judges will listen to the responses and ask six minutes of follow-up questions. See mock congressional hearing rules.

Unit 1: What Are the Philosophical and Historical Foundations of the American Political System?

1. How did classical republicanism and natural rights philosophy shape the Founders' ideas when creating the American political system?

- What role did the concept of the social contract play in shaping the Founders' views on government legitimacy and authority?
- In what ways did these philosophies influence the Founders' views of citizen participation in government?

Unit 2: How Did the Framers Create the Constitution?

3. What were the key controversies and challenges faced during the confederation period under the Articles of Confederation? Discuss how these issues contributed to the eventual call for a new constitution.

- In your estimation, have assessments of the Articles of Confederation been overly critical? Explain your answer.
- If you were to propose revisions to the Articles of Confederation, what specific changes would you suggest to address the issues of the period and ensure the document's long-term success?

Unit 3: How Has the Constitution Been Changed to Further the Ideals Contained in the Declaration of Independence?

2. Why did the Framers of the Constitution, in Article I, Section 4, delegate the responsibility for setting the time, place, and manner of congressional elections to state legislatures?

- In what ways have constitutional amendments and federal legislation expanded voting rights throughout American history?

- How can modern technology facilitate the right to vote while ensuring the accuracy and timeliness of vote recording?

Unit 4: How Have the Values and Principles Embodied in the Constitution Shaped American Institutions and Practices?

3. To what extent was it feasible for the legislature to accurately represent society in 1789, and how does this compare to the present day? Analyze the factors that influenced representation in the early years of the republic, and discuss the challenges that affect legislative representation today.

- Is the principle of equal state representation in the U.S. Senate still justified in modern American society? Why or why not?
- Should the number of voting members in the U.S. House of Representatives be increased? Why or why not?

Unit 5: What Rights Does the Bill of Rights Protect?

1. "If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."* Do you agree with Justice Brennan's view of freedom of expression? Why or why not?

- To what extent, if any, should public universities be able to prohibit expression on campus that may be considered harmful to other groups?
- Have recent U.S. Supreme Court decisions upheld the Framers' commitment to freedom of speech? Why or why not?

*Texas v. Johnson, 491 U.S. 397 (1989), <https://www.law.cornell.edu/supremecourt/text/491/397>.

Unit 6: What Challenges Might Face American Constitutional Democracy in the Twenty-first Century?

1. "Congress shall make no law...abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." What opportunities and concerns does private ownership of social-media platforms create for freedom of speech and civil discourse?

- How have digital platforms transformed the tactics and effectiveness of social movements in fostering public debate?
- In what ways do domestic and international legal frameworks complicate the global governance of digital platforms?

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