

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

## Answer Key: Aced: The High-Stakes Trial of the Bill of Rights for 11th Grade

Examine 10 complex legal scenarios to determine how the Ninth and Tenth Amendments clash with federal commerce powers in this advanced civics challenge.

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**1. Which legal doctrine, derived from the Supremacy Clause, allows federal law to override conflicting state regulations even when those states claim authority under the Tenth Amendment?**

**Answer:** A) The Doctrine of Preemption

Preemption is based on the Supremacy Clause of Article VI, establishing that federal law takes precedence over state law when they conflict.

**2. The Ninth Amendment was specifically included to prevent the 'expressio unius' argument—the idea that listing certain rights implied that others did not exist.**

**Answer:** A) True

James Madison and the Federalists feared that a specific list of rights would be interpreted as exhaustive; the Ninth Amendment clarifies that the people retain unenumerated rights.

**3. In the landmark case \_\_\_\_\_ (1965), the Supreme Court cited the Ninth Amendment to argue that a 'penumbra' of privacy rights exists beyond those explicitly named.**

**Answer:** A) Griswold v. Connecticut

Griswold v. Connecticut used the Ninth Amendment to help establish a constitutional right to privacy, specifically regarding the use of contraceptives.

**4. The 'Takings Clause' of the Fifth Amendment allows the government to seize private property for public use provided they fulfill which requirement?**

**Answer:** C) Payment of 'just compensation' to the property owner

The Fifth Amendment's Takings Clause establishes the power of eminent domain, but requires the government to pay fair market value ('just compensation') to the owner.

**5. The process by which the Supreme Court applies specific protections of the Bill of Rights to the states via the 14th Amendment is known as \_\_\_\_\_.**

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**Answer:** B) Selective Incorporation

Selective incorporation ensures that states cannot enact laws that infringe upon the fundamental liberties of the Bill of Rights.

**6. The Seventh Amendment guarantees a trial by jury in civil cases where the value in controversy exceeds twenty dollars.**

**Answer:** A) True

The Seventh Amendment specifically addresses civil litigation in federal courts, though it is one of the few amendments that has not been fully incorporated to the states.

**7. Which amendment serves as the primary constitutional basis for the principle of 'Reserved Powers' held by the various states?**

**Answer:** D) The Tenth Amendment

The Tenth Amendment stipulates that powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states or the people.

**8. The \_\_\_\_\_ Clause of the Sixth Amendment allows a defendant to confront and cross-examine the witnesses testifying against them.**

**Answer:** B) Confrontation

The Confrontation Clause is vital for a fair trial, ensuring that testimony is subject to adversarial testing to reveal potential falsehoods.

**9. The Third Amendment, regarding the quartering of troops, has been used by some judges as a historical indicator that the Founders intended to protect a 'zone of privacy' within the home.**

**Answer:** A) True

While rarely litigated, the Third Amendment is often cited in discussions of the 'penumbras' of privacy because it limits government intrusion into the domestic sphere.

**10. The concept of 'Double Jeopardy' in the Fifth Amendment prevents a defendant from being tried twice for the same crime, but which exception allows for a second trial?**

**Answer:** B) The Dual Sovereignty Doctrine (State vs. Federal)

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Under the Dual Sovereignty Doctrine, a person can be prosecuted by both a state and the federal government for the same act if it violates the laws of both.