

Name: _____ Date: _____

Answer Key: Could the Founders Balance Power? 8th Grade Bill of Rights Challenge

Synthesize the tension between federal authority and civil liberties as you analyze the precedents set by the 9th and 10th Amendments.

1. The 'Elastic Clause' (Necessary and Proper Clause) in Article I often conflicts with which amendment that reserves powers to the states or the people?

Answer: C) The Tenth Amendment

The Tenth Amendment is the cornerstone of Federalism, stating that any power not delegated to the federal government belongs to the states or the people, creating a natural legal tension with federal expansion.

2. In the context of the Fifth Amendment, the government's power to take private property for public use is known as _____, provided they offer 'just compensation.'

Answer: B) Eminent Domain

Eminent domain is a specific limitation on property rights within the Fifth Amendment, requiring a balance between public necessity and individual ownership.

3. The Ninth Amendment explicitly lists every individual right that a citizen possesses under the United States government.

Answer: B) False

The Ninth Amendment actually asserts the opposite; it states that the list of rights in the Constitution is not exhaustive and that people retain other 'unenumerated' rights.

4. Which legal principle, derived from the Sixth Amendment, ensures that a defendant cannot be held in jail indefinitely without being told of the charges against them?

Answer: A) The right to a speedy and public trial

The Sixth Amendment's requirement for a 'speedy and public trial' and the right to be informed of the nature of the accusation prevents the government from arbitrary or secret detentions.

5. The Seventh Amendment is unique because it specifically protects the right to a jury trial in _____ cases involving significant monetary value, rather than crimes.

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Answer: C) Civil

While the Sixth Amendment covers criminal trials, the Seventh Amendment ensures that disputes between private parties (civil cases) can also be decided by a jury of peers.

6. According to the Third Amendment, the government is strictly forbidden from quartering soldiers in private homes during times of war under any circumstances.

Answer: B) False

The Third Amendment states that quartering during war can occur, but only 'in a manner to be prescribed by law,' meaning it requires specific legislative action rather than executive decree.

7. If a judge sets a \$1 billion bail for a minor shoplifting charge, which amendment would a defense attorney argue is being violated?

Answer: C) The Eighth Amendment

The Eighth Amendment prohibits 'excessive bail,' meaning the amount must be proportional to the crime and the risk of the defendant fleeing.

8. The presence of 'Probable Cause' is a constitutional requirement for a judge to issue a _____ under the Fourth Amendment.

Answer: B) Warrant

The Fourth Amendment specifically protects 'persons, houses, papers, and effects' by requiring a warrant supported by probable cause before a search is conducted.

9. The First Amendment's 'Establishment Clause' was designed to prevent the federal government from creating an official national religion.

Answer: A) True

The Establishment Clause prohibits the government from 'establishing' a religion, ensuring a separation between church and state at the federal level.

10. How does the Bill of Rights serve as a 'scaffold' for the principle of Limited Government?

Answer: C) It defines the boundaries of government interference in personal lives.

The Bill of Rights limits government by explicitly stating what the government *cannot* do, thereby protecting individual sovereignty and maintaining a restricted federal scope.

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