



State Hearing Follow-Up Questions 2024–2025

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?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. In what ways did the Glorious Revolution and the English Bill of Rights shape the Founders' understanding of constitutional government and individual rights? [Evidence]
- c. What role did British common law and its emphasis on following precedent influence the legal system envisioned by the Founders for the United States? [Evidence]
- d. To what extent did Montesquieu's political theories and the British government's structure inform the Founders' views of the separation of powers? [Analysis/Understanding]
- e. In what manner did the governance model of the Holy Roman Empire impact the Founders' perspectives on organizing the U.S. government? [Analysis/Understanding]
- f. How can the Founders' principles of limited government and individual rights be used in current debates about government surveillance and privacy laws? [Application]



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2. How did colonists' practical experiences of self-governance in the British colonies in North America shape their views on political authority and representation?

- How did the colonists' observations about the British government contribute to their ideas about rights and governance? Provide examples of specific grievances.
- How do these historical grievances resonate with or differ from contemporary concerns about government overreach or individual rights in today's political climate?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. In what ways did differences in property requirements for voting across the colonies shape colonial political culture and ideas about representation? [Evidence]
- c. What impact did the English Civil War have on the way colonists thought about the power balance between kings and legislative bodies? [Analysis/Understanding]
- d. What does the Albany Plan of Union reveal about early colonial attempts at unity, and what insights did colonists gain from its failure? [Evidence]
- e. How did the varying powers of royal governors in various colonies shape colonists' views on executive power? [Analysis/Understanding]
- f. How might the principles of religious toleration established in colonies like Maryland and Pennsylvania inform contemporary debates on governance and individual rights in the United States today? [Application]



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3. How are the principles of limited government and the rule of law from the Magna Carta and the English Bill of Rights reflected in the American political system?

- How did colonial experiences like the trial of John Peter Zenger and the British use of writs of assistance further shape the colonists' understanding of good governance?
- What are some contemporary challenges or debates in the United States that test these principles?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. In what ways did colonial charters and contracts incorporate principles from the Magna Carta and the English Bill of Rights in shaping local governance during the colonial period? [Evidence]
- c. What influence did the English Bill of Rights have on the American Constitution's rules about holding government officials accountable? [Analysis/Understanding]
- d. How do founding documents like the Mayflower Compact and the Fundamental Orders of Connecticut reflect the principles of governance by consent and the social contract? [Analysis/Understanding]
- e. In what ways did early colonial documents and events, such as the Maryland Toleration Act and the Salem Witch Trials, illustrate the evolving American views of religious freedom and the protection of individual rights? [Evidence]
- f. In what ways might the protections against arbitrary imprisonment established by the Magna Carta inform current debates about civil liberties and due process rights? [Application]



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Unit 2: How Did the Framers Create the Constitution?

1. Seeking to rebut the fears of the Anti-Federalists, one Federalist rhetorically asked, “Will a virtuous and sensible people chuse villains or fools for their officers?”*
To what extent, if any, has Fabius’s confidence in the American people prevailed throughout American history?
 - Which constitutional design elements are intended to prevent the election of an unqualified or harmful executive, as described by Fabius? How effective have these elements been in practice?
 - Should we consider additional constitutional amendments to address potential issues with executive power? Why or why not?

* Fabius IX, *Pennsylvania Mercury*, May 1, 1788, Center for the Study of the American Constitution, University of Wisconsin–Madison,
https://csac.history.wisc.edu/wp-content/uploads/sites/281/2024/04/DC3-04-03-04_Fabius-IX_1May88.pdf.

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How closely has the Electoral College aligned with its original purpose? [Evidence]
- c. What changes, if any, should be made to the method we use to elect the president? [Analysis/Understanding]
- d. Is it essential for the president to possess virtue? Why or why not? [Analysis/Understanding]
- e. Do you think the impeachment process has not served as the check many Founders intended? Why or why not? [Analysis/Understanding]
- f. What actions could citizens take to help ensure a virtuous executive? [Application]



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2. James Madison claimed that “the Convention must have enjoyed ... an exemption from the pestilential influence of party animosities; the diseases most incident to deliberative bodies, and most apt to contaminate their proceedings.”* To what extent, if any, is this a valid claim regarding the proceedings of the Philadelphia Convention?

- What were the primary sources of contention at the Philadelphia Convention, and how did these conflicts shape the final outcome of the constitutional debates?
- If another constitutional convention were held today, what partisan animosities might emerge, and how could these affect the proceedings?

* Publius, “The Federalist 37,” *New York Daily Advertiser*, January 11, 1788, Center for the Study of the American Constitution, University of Wisconsin–Madison,
https://csac.history.wisc.edu/wp-content/uploads/sites/281/2024/04/DC2-04-01-14_Federalist-37_11Jan88.pdf.

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How much should we rely on the Federalist to understand the Framers’ intentions at the Philadelphia Convention? [Analysis/Understanding]
- c. Do you think politicians today are as willing to compromise as those in the early days of the United States? Why or why not? [Analysis/Understanding]
- d. Which compromises at the Philadelphia Convention do you consider the most significant and why? [Evidence]
- e. What role did the rule of secrecy play in shaping the proceedings of the Philadelphia Convention? [Analysis/Understanding]
- f. How could the idea of trusteeship representation help political parties work together more effectively today? [Application]



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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?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How much were Anti-Federalist arguments influenced by the principles in the Articles of Confederation? [Evidence]
- c. In what ways did the Constitution address the shortcomings of the Articles of Confederation? [Analysis/Understanding]
- d. What specific examples from the Articles of Confederation and the Constitution illustrate the differences in the concept of sovereignty? [Evidence]
- e. What was the significance of the Northwest Ordinance during the Articles of Confederation era? [Analysis/Understanding]
- f. What lessons from Shays' Rebellion can we apply to today's conversations about government power and citizen protests? [Application]



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

1. Do you agree or disagree with the Supreme Court's decision in *Alexander v. South Carolina* (2024) that political gerrymandering should not be subject to judicial review? Why?

- Compare the Supreme Court's 2024 decision in *Alexander v. South Carolina* (2024) with the decision in *Allen v. Milligan* (2023). How do these decisions reflect different judicial approaches to racial gerrymandering and the Voting Rights Act?
- How effective have state independent redistricting commissions been in addressing racial and political gerrymandering? What additional measures could improve fairness in redistricting?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. What criteria should we use to determine if state redistricting processes are fair and effective? [Evidence]
- c. What have been some long-term societal impacts of political gerrymandering on voter engagement and trust in the electoral process? [Evidence]
- d. Do you believe that public hearings and community input are effective in the redistricting process? Why or why not? [Analysis/Understanding]
- e. How does gerrymandering affect minority voters compared to majority voters? What are the differences in how each group is represented and their voting power? [Analysis/Understanding]
- f. Imagine you are on an independent commission tasked with creating fair voting districts. What steps would you take to make sure the maps truly represent your community? [Application]



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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?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How has the delegation of power to the states influenced the consistency of election laws across various states today? [Evidence]
- c. In what ways have changes to voting rights reflected larger social movements in American history? [Analysis/Understanding]
- d. What impact have historical amendments to the Constitution had on public perception regarding voting as a fundamental right? [Evidence]
- e. Which types of technology could enhance voter accessibility for various populations? [Analysis/Understanding]
- f. What strategies would you suggest to balance the use of technology in voting and the protection of privacy and confidentiality? [Application]



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

3. In the cases of *Brown v. Board of Education* (1954) and *Dobbs v. Jackson Women's Health Organization* (2022), was the Supreme Court justified in overturning longstanding precedents given the doctrine of stare decisis? Evaluate the Court's reasoning in both cases and how it aligns with or deviates from this principle.
- Under what circumstances, if any, should the process of overruling longstanding precedents be addressed through constitutional amendments, new legislation, or a combination of both?
 - Recently, many proposals have been made to modify the Supreme Court's structure or procedures, such as imposing term limits or increasing its size. Do you agree with these proposals, or do you favor leaving the Court in its current form? Explain.

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. In what ways do public opinion and societal values affect the Supreme Court's decisions to overturn longstanding precedents? [Analysis/Understanding]
- c. What historical examples show how changes to the Supreme Court have influenced its decisions and interpretations of the Constitution? [Evidence]
- d. How might the balance between federal and state powers shape discussions about constitutional amendments compared to the creation of new laws? [Analysis/Understanding]
- e. Which contemporary issues do you think need immediate changes to existing legal decisions, and what specific changes would you suggest? [Application]
- f. What effects could reforms to the Supreme Court have on how justices interpret the Constitution and evaluate the law? [Analysis/Understanding]



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

1. **Article II, Section 3 of the Constitution allows the president to recommend legislation to Congress and yet tasks the office to “take care that the laws be faithfully executed.” Is this consistent with the separation of powers doctrine? Why or why not?**
 - To what extent have executive agencies influenced the balance of power between Congress and the president?
 - How have recent Supreme Court decisions shaped the balance of power between Congress and the president?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. In your view, how closely does the current distribution of power in the government match what the Framers intended about the president’s role in making laws?
[Analysis/Understanding]
- c. What factors do you think influence how Congress reacts to the president’s suggestions for new laws, and why are these factors important? [Application]
- d. What are some significant executive agencies that Congress has created, and what are the primary roles they fulfill? [Evidence]
- e. How do you think public opinion about executive agencies shapes discussions about the balance of power within the government? [Analysis/Understanding]
- f. What possible effects do you think the political beliefs of Supreme Court justices could have on their decisions about the power relationship between Congress and the president?
[Analysis/Understanding]



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

2. How does the idea that “history is a resource and not a command”^{*} apply to the current Supreme Court’s approach to constitutional interpretation? Analyze recent decisions to illustrate how historical context is used or disregarded in the Court’s rulings.
- What role should historical context play in interpreting the Constitution?
 - Which methods of constitutional interpretation do you believe are most effective and why?

^{*} Jack M. Balkin, *Memory and Authority: The Uses of History in Constitutional Interpretation* (Yale University Press, 2024), 51.

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. In what ways could the idea that “history is a resource and not a command” change how legal scholars approach debates about the Constitution? [Analysis/Understanding]
- c. What are the main ways to interpret the Constitution, and who are some important figures that support each method? [Evidence]
- d. How do historical context and strict textualism differ when interpreting the Constitution? [Analysis/Understanding]
- e. What are some advantages and disadvantages of originalism compared to living constitutionalism? [Analysis/Understanding]
- f. How might integrating multiple interpretive methods lead to a more nuanced understanding of constitutional issues? [Application]



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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?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How did the Framers design Congress to use both the delegate and trustee methods of representation? [Evidence]
- c. What are some examples that show how equal representation in the Senate conflicts with the idea of “one person, one vote”? [Evidence]
- d. How might adding more voting members to the House change how effectively laws are made and decisions are reached? [Analysis/Understanding]
- e. What could happen to party representation if the number of representatives in the House were increased? [Analysis/Understanding]
- f. What other changes, besides adding more members to the House, could help make representation fairer in American democracy? [Application]



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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 or disagree with Justice Brennan’s view of freedom of expression? Why?
 - 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>.

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How have the political branches protected—or failed to protect—freedom of speech? [Evidence]
- c. How should public universities respond to protests that seek to prevent unpopular speech? [Application]
- d. What are the benefits of protecting freedom of speech? [Analysis/Understanding]
- e. What are some limits on freedom of speech that courts have recognized? [Evidence]
- f. What is the relationship between the First Amendment’s protection of freedom of speech and Congress’s enumerated powers? [Analysis/Understanding]



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

2. “These two Clauses, the Establishment Clause and the Free Exercise Clause, are frequently in tension. ... Yet we have long said that ‘there is room for play in the joints’ between them.”* What are some ways the First Amendment’s religion clauses have been in tension with one another?
- In your opinion, have recent Supreme Court interpretations of the establishment clause strengthened or weakened the protection of religious liberty? Explain.
 - Should the federal or state governments implement additional laws offering more robust protections for religious practice? Why or why not?

* *Locke v. Davey*, 540 U.S. 712 (2004), <https://www.law.cornell.edu/supct/html/02-1315.ZS.html>.

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. Should public school teachers be permitted to engage in religious practices in the classroom? Why or why not? [Application]
- c. To what extent should the free exercise clause protect religious practices that could harm others? [Analysis/Understanding]
- d. Should it violate the establishment clause for a state to post copies of the Ten Commandments in all public school classrooms? [Analysis/Understanding]
- e. Why did the Founders include the religion clauses in the Constitution? [Evidence]
- f. How might the free exercise and establishment clause questions come up in the context of local governments? [Application]



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

3. How do the Sixth Amendment's protections for the rights of the accused relate to the First Amendment's protections for freedom of expression during a criminal trial?

- What reasonable limitations, if any, should judges impose on freedom of the press during a criminal trial to protect the accused's right to a fair trial?
- How should public expression, such as protests or media coverage, be managed during a criminal trial to maintain jury impartiality and to protect the rights of the accused?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How can freedom of the press help protect the right to a fair trial? [Analysis/Understanding]
- c. What steps have courts taken to protect criminal defendants' right to a fair trial? [Evidence]
- d. How should courts weigh a criminal defendant's rights against the public's rights? [Analysis/Understanding]
- e. In what ways does jury selection play a role in ensuring that the rights of the accused are protected against public opinion shaped by the media? [Evidence]
- f. In what scenarios would it be appropriate for a court to issue a gag order to protect the rights of the accused? [Application]



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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?

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How do the policies of private companies regarding content moderation impact the ability of individuals to express dissenting opinions? [Analysis/Understanding]
- c. In what ways might users adapt their communication strategies to navigate the restrictions imposed by social media platforms? [Application]
- d. What rules could be created to help social media platforms protect free speech while also handling harmful content? [Application]
- e. What specific examples of online campaigns, like hashtags or viral videos, illustrate changes in traditional protest tactics? [Evidence]
- f. How do different laws about hate speech in various countries affect how global digital platforms operate? [Analysis/Understanding]



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

2. How have the Founders' decisions on slavery shaped contemporary debates over states' rights and federal authority? Evaluate how recent Supreme Court decisions have addressed or failed to address the legacy of the Founders' compromises on liberty and individual rights, using specific cases as examples.
- How do current civil- and voting-rights debates illustrate the tension between the Founders' principles and today's society?
 - Which historical periods, if any, have been as pivotal as the founding era in shaping the interpretation of American principles? Provide examples.

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How might activists today use the Founders' principles to support their arguments in contemporary civil rights movements? [Application]
- c. What recommendations might you propose to reconcile the legacy of the Founders' decisions with modern views on equality and justice? [Application]
- d. What role did landmark Supreme Court cases during the Reconstruction era play in redefining the interpretation of the Constitution? [Evidence]
- e. What different opinions do historians have about the Founders' compromises on slavery, and how do these opinions impact today's political discussions? [Analysis/Understanding]
- f. How could combining history, law, and social studies help us better understand how American principles have changed over time? [Analysis/Understanding]



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

3. “Sports and diplomacy are remarkably similar. ... Arguably, the only difference between the two is the clothes that they wear and the training they receive. Both professions are highly complementary.”* How do global athletic events, such as the Olympics, function as extensions of political alliances and opposition, and what role do athletes play in representing their countries in these contexts?
- To what extent have athletic competitions been used for civic engagement and civil disobedience worldwide? Provide examples to illustrate these uses.
 - In what ways have U.S. constitutional principles, such as the right to free speech, been upheld or challenged by American athletes protesting in international settings? Discuss the implications of these actions.

* Stuart Murray, “Understanding Sports Diplomacy with Dr. Stuart Murray, Co-Founder of the Sports Diplomacy Alliance,” *Georgetown Journal of International Affairs*, March 29, 2024, <https://gjia.georgetown.edu/2024/03/29/understanding-sports-diplomacy-with-dr-stuart-murray-co-founder-of-the-sports-diplomacy-alliance>.

Suggested Follow-Up Questions:

- a. You mentioned _____ in your statement. Please expand on this as it relates to your unit topic.
- b. How can understanding the interplay between sports and politics inform future international diplomatic strategies? [Analysis/Understanding]
- c. What strategies can athletes use to effectively convey their messages while competing on a global stage? [Application]
- d. How can athletes ensure that their protests are both impactful and respectful of the host country’s laws and culture? Should they be? Why or why not? [Analysis/Understanding]
- e. What are the main political messages conveyed through ceremonies and rituals during global athletic competitions? [Evidence]
- f. How do public reactions to athletes’ civic engagement vary based on the specific context of the competition? [Analysis/Understanding]