

Sultan
Constitutional Law - *Con Law I = **
Multiple Choice Questions

NOTE TO CONLAW I STUDENTS (SPRING 2000): QUESTIONS "C" AND "I" ARE CROSSED OUT ON THE ORIGINAL COPY SUBMITTED BY PROFESSOR SULTAN

A. Regulations dealing with desecration of the American Flag may be based upon:

1. the fact that it is offensive to others.
- ② a desire to avoid the commission of unlawful acts.
3. the need to maintain respect for our national emblem.
4. the desire to associate the flag with peace rather than war.

B. Freedom of the Press is not primarily:

1. for the benefit of the public.
2. designed to play a vital part in the functioning of our democratic government.
- ③ for the benefit of those in the media.
4. an important instrument in maintaining the "marketplace of ideas."

C. In interpreting the religion clauses of the Constitution, the Supreme Court has not:

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 - ① often ignored limitations to its jurisdiction.
 2. permitted itself to be directly influenced by the history behind the clause.
 3. avoided the problem of defining what constitutes a "religion."

D. Which of the following cannot be said of freedom of expression and freedom of religion:

1. they are both contained in the same part of the Bill of Rights.
- ② they are both most important rights and thus are equally protected.
3. they can be said to jointly constitute intellectual liberty.
4. they are both part of our Jeffersonian legacy.

E. In evaluating the validity of a regulation of protected expression, the courts do not look to:

- ① the truth of the message.
2. the method of regulation.
3. the mode of expression.
4. the sanction used to regulate it.

* F. The prohibitions of the establishment clause are not the primary considerations the court deals with in the area of:

1. the conscientious objector and religion.

2. public aid to church-run secondary schools.
3. prayers in public schools.
- ④ Sunday closing laws.

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G. Freedom of Conscience is not:

1. usually referred to as freedom of religion.
- ② interpreted in a manner that rules out forms of moral belief alien to organize religion.

H. Symbolic Expression is protected because:

1. it cannot be abused.
2. that was the specific intention of the Framers.
- ③ it furthers the same goals and objectives of protected speech and press.
4. the Court likes to keep the Constitution in tune with the times.

I. Which of the following does not apply to the regulation of symbolic expression:

1. it must be within the constitutional power of government.
- ② it furthers an interest that the legislature promulgating the regulation deems important or substantial.
3. the governmental interest is unrelated to the suppression of free expression.
4. the resulting incidental restriction is no greater than is essential to further the governmental interest.