

Additional Thematic Based Discussion Questions

The U.S. as a Republic vs. a Democracy

Constitutional democracies have constitutions or other governing documents that help regulate the power of those elected to office. What are the benefits of a constitutional democracy? Hint: Think of a key sentence in the United States Declaration of Independence.

In a direct (pure) democracy without a constitution, what is to prevent the majority from trampling the rights of the minority?

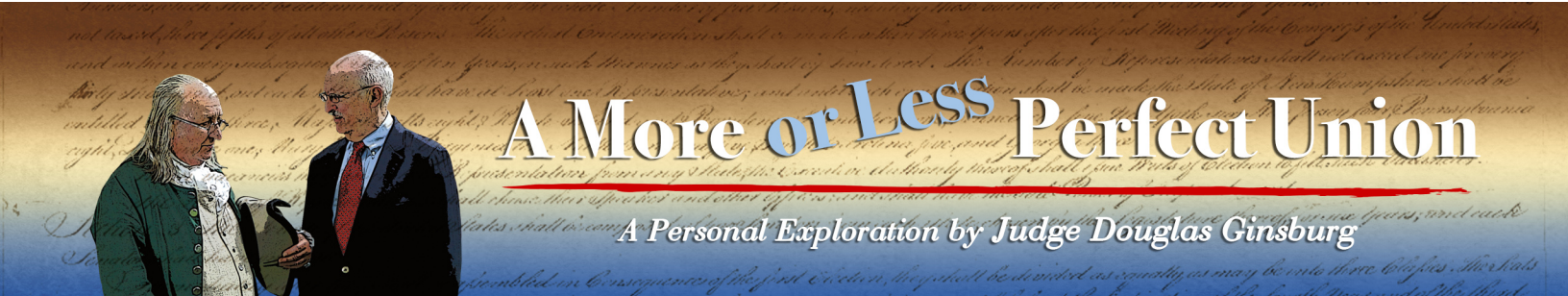
In a direct (pure) democracy, each person votes on each issue, and the simple majority wins. Imagine a football game played as a democracy, with each fan in the stands entitled to one vote. The fans will vote on each play for both teams. What would that game look like? What problems (unintended consequences) might arise? Would the game take longer? Why or why not?

Would the home team have an advantage? Why or why not? Would this be a "fair" game if one team had way more fans in the stands than the other? Why or why not? How does this concept relate to the Electoral College?

Governance by Bureaucracy

Does the federal bureaucracy have a mostly positive or mostly negative impact on American society? Why?

Make a list of as many federal agencies as you can in three minutes. Compare your list to others in your discussion group. How many did others have that you didn't list and vice versa? Check out this full list: <https://www.usa.gov/federal-agencies>. Were you surprised by how many there are? What part of the Constitution, if any, authorizes these types of agencies?



How hard is it to open a business where you live? How many agencies will you have to get permission from (or have some kind of contact with) in order to do so?

What fears did the Framers have about government? Have those fears come to pass? Why or why not? What might they think about so many bureaucratic agencies creating de facto laws for the American public?

First Amendment

What do you think is the most important right protected by the First Amendment, and why?

The presidential oath of office ends with "so help me God," added by George Washington and every one of his successors. Is this a breach between separation of church and state? Why or why not?

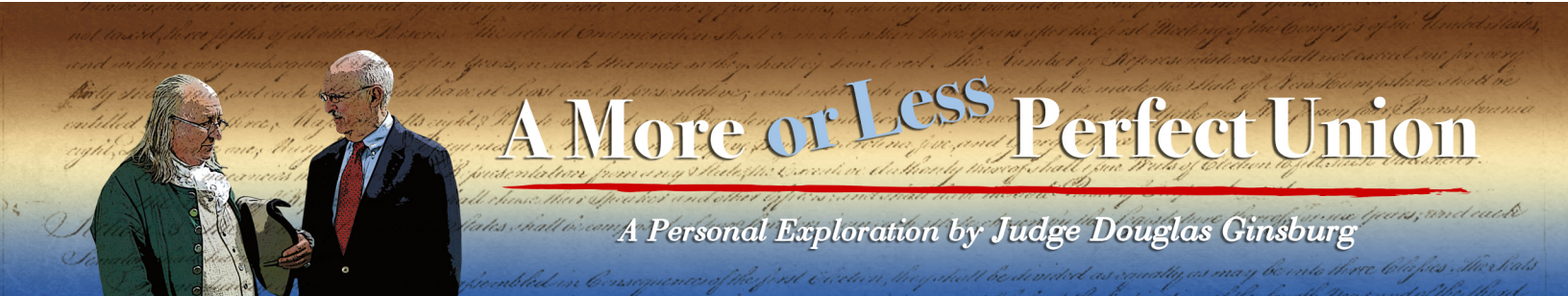
What is the purpose of freedom of the press?

Is there a right to "not be offended" in the Constitution? If so, where?

Who gets to decide where one person's rights end and another's begin in a case where both are claiming that their rights are being infringed upon? (Example: the baker who cites religious freedom in declining to create a wedding cake for a gay couple because it is against his/her religious beliefs. The gay couple claims this infringes on their rights.) Does one party in this situation have more rights than the other? Is that even possible if we are all to be equal under the law? Explain your response.

What actual limitations are there on free speech?

The right of the people to peaceably assemble is guaranteed by the First Amendment. What is the purpose of this right? Why do you suppose the Framers spelled out "peaceably" in this text?



Second Amendment

Explain the two main interpretations of the Second Amendment: the individual rights interpretation and the states' rights interpretation.

Why did the Framers ensure that the people could bear arms? What do you believe their purpose was in guaranteeing this right?

If the Second Amendment doesn't cover modern weapons (as some people argue), does the First Amendment cover modern forms of speech, press, and assembly? (Like the internet.) Why or why not?

Amending the Constitution

Article V of the Constitution lays down procedures for amending the Constitution, providing a choice of four different routes. Do you think this is enough?

Why did the Framers make the process to amend the Constitution purposely difficult?

Do you think that the cumbersome guidelines for being able to change the Constitution make it hard for the Constitution to respond to changes in society and politics today? Why or why not?

Should we rely on the US Supreme Court to make our Constitution relevant to modern society? Why or why not? Should the Constitution become a target of changing fashions?

Is it undemocratic or anti-democratic for judges to rewrite the Constitution according to their own whims? Why or why not?