



**We the People**  
THE CITIZEN AND THE CONSTITUTION  
Directed by the Center for Civic Education

## **STATE HEARING QUESTIONS 2025-2026**

### **Unit One: What Are the Philosophical and Historical Foundations of the American Political System?**

- 1. Article VI of the U.S. Constitution reads, “this Constitution... shall be the supreme Law of the Land.” Why is a constitution considered a higher law? What are the major characteristics of a higher law?**
  - How did the Founders believe legitimate government was established?
  - How could higher law be used as a justification for a revolution?
  
- 2. Although much has been written about the ways in which the Framers were influenced by social contract theory, the influence of these philosophies on the creation of state governments is less explored. To what extent do you see the concept of social contract theory reflected in the structure of Ohio’s state government, both as it exists now and in the past?**
  - Does the philosophy underlying the Ohio Constitution more closely reflect the views of Hobbes or Rousseau on the social contract?
  - What impact, if any, does Ohio’s unique history have on our view of the social contract?
  - What changes could or should be made to better align our state with these principles?

## **STATE HEARING QUESTIONS 2025-2026**

### **Unit Two: How Did the Framers Create the Constitution?**

- 1. One historian has suggested that the secrecy rule of the Philadelphia Convention allowed a “group of elite nationalists... some space to maneuver independent of public opinion.”\* What were the reasons for the secrecy rule? In your opinion, were they legitimate?**

- What other rules of the convention, if any, were as important as the secrecy rule?
- In your opinion, are there any circumstances that warrant government proceedings to be shielded from public scrutiny?

\* Michael J. Klarman, *The Framers' Coup: The Making of the United States Constitution* (New York: Oxford University Press, 2016), 253.

- 2. Often seen as one of the most important “victories” of the Confederation Congress, the Northwest Ordinance of 1787 laid the framework for the incorporation of the Northwest Territory into the United States. One of the terms of the incorporation was that “There shall be neither slavery nor involuntary servitude in the said territory.” (Northwest Ordinance of 1787 article 6). Did the Northwest Ordinance represent a victory for abolitionists?**

- In what ways does Article VI represent a success for abolitionist efforts?
- In what ways does Article VI fail resolve the issue of slavery within the United States?
- What impact, if any, did the Northwest Ordinance have on the eventual abolition of slavery in the United States?



**We the People**  
THE CITIZEN AND THE CONSTITUTION  
Directed by the Center for Civic Education

## STATE HEARING QUESTIONS 2025-2026

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

- 1. 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?
  
- 2. The Ohio Constitution includes a provision to require a constitutional convention call to be placed on the ballot every 20 years. The United States Constitution, however, has no such provision. Should the U.S. Constitution be periodically reviewed and modernized? Should citizens be able to vote periodically on holding a constitutional convention, as we do in Ohio?**
  - What other methods are there to amend the Ohio and U.S. Constitutions? In what ways are they similar to and different from conventions?
  - Why might some people be opposed to constitutional conventions, whether at the state or federal level?

## STATE HEARING QUESTIONS 2025-2026

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

1. The Framers of the Constitution wanted to ensure that the presidency was *energetic* as opposed to the *deliberative* nature of Congress. Did the Framers achieve this aim based on the constitutional powers given to the president?
  - At the Philadelphia Convention, what were the various measures proposed to check and balance the power of the executive?
  - How, if at all, has the role of the president evolved?
  
2. An August 1, 2022, Gallup poll showed that only 22% of Americans “approve” of the way Congress is handling its job. Many of the respondents cited variations of lack of representation as motivating their disapproval.\* Without similar polling for Ohio, do you think the Ohio General Assembly does a better job of representing the will of their constituents?
  - What similarities and differences exist in the structure of the Ohio General Assembly and the United States Congress?
  - In what ways do legislatures fulfill the Guarantee Clause in Article IV of the United States Constitution?
  - What are some contemporary and historical examples of legislative policy reflecting (or not reflecting) the will of their constituents?

\* Gallup. “The Congress and the Public.” *Gallup.com*, Gallup, 29 Aug. 2022, <https://news.gallup.com/poll/1600/congress-public.aspx>.

## **STATE HEARING QUESTIONS 2025-2026**

### **Unit Five: What Rights Does the Bill of Rights Protect?**

- 1. Political and social movements in American history have been successful because of the right of assembly. President Abraham Lincoln wrote in a letter that “the right of peaceable assembly” is part of the “Constitutional substitute for revolution.”\* Do you agree or disagree with President Lincoln? Why? What is the history of freedom of assembly in America?**

- What historical or contemporary evidence is there, if any, that political and social movements have led to significant changes in laws or policies?
- What limits, if any, should be placed on the right to freedom of assembly?

\* Abraham Lincoln to Alexander H. Stephens, 19 January 1860, in Gilbert A. Tracy, ed., *Uncollected Letters of Abraham Lincoln* (Boston and New York: Houghton Mifflin Company, 1917), 127.

- 2. In *San Antonio Independent School District v Rodriguez*\*, the U.S. Supreme Court held that education is not a fundamental right under the U.S. Constitution. However, Article VI of the Ohio Constitution guarantees a right to education for Ohioans. Should education be a fundamental right recognized in the U.S. Constitution? What are the arguments for and against education being a fundamental right?**

- How have Ohio courts interpreted the right to education under the Ohio Constitution? How have U.S. courts interpreted the right to education?
- Should government (local, state, or national) have the responsibility to guarantee an equity of education? Why or why not? If so, which level(s) of government?

\* *San Antonio Independent School District v Rodriguez*, 411 US 1 (1973)

## **STATE HEARING QUESTIONS 2025-2026**

### **Unit Six: 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?
  
- 2. Both the Ohio and U.S. Constitutions begin with the phrase “We the People.” As government has expanded in both size and authority over time, has the role of the citizen diminished? In what ways, if any, do citizens exercise meaningful influence over the government?**
  - What powers, if any, do people have to influence both the structure and function of government?
  - In what ways, if any, can government authority be used to limit the power of the citizen?