

Constitutional Jurisprudence and Empirical Foundations

Constitutional Law · Answer Key · 8 Questions

1. Which landmark constitutional case incorporated the 'Brandeis Brief' strategy, which relies on sociological and scientific data to support legal arguments regarding the physiological effects of long working hours?

A) Muller v. Oregon (1908)

B) Lochner v. New York (1905)

C) Adkins v. Children's Hospital (1923)

D) West Coast Hotel Co. v. Parrish (1937)

2. Under the Australian Constitution, which specific section provides the legal basis for the federal government's 'external affairs' power, frequently cited in cases involving international environmental treaties based on ecological scientific consensus?

A) Section 51(i)

B) Section 51(xxix)

C) Section 51(ii)

D) Section 109

3. In the context of the U.S. Constitution's 8th Amendment, which Supreme Court ruling utilized neurobiological data concerning adolescent brain development to prohibit the death penalty for offenders under 18?

A) Roper v. Simmons (2005)

B) Atkins v. Virginia (2002)

C) Graham v. Florida (2010)

D) Miller v. Alabama (2012)

4. Which constitutional doctrine in German Basic Law (Grundgesetz) requires that state interventions must be scientifically 'necessary' and 'proportional' to the objective sought, grounded in the principle of Verhältnismäßigkeitsprinzip?

A) Ewigkeitsklausel

B) Rechtsstaatsprinzip

C) Subsidiaritätsprinzip

D) Wesensgehaltgarantie

5. Which amendment to the U.S. Constitution was ratified primarily to address the biological and logistical reality of presidential succession in the event of an incapacitated head of state?

- A) 20th Amendment
- B) 22nd Amendment
- C) 25th Amendment**
- D) 12th Amendment

6. The 'Precautionary Principle,' often invoked in constitutional environmental litigation, posits that lack of full scientific certainty shall not be used as a reason for postponing measures to prevent environmental degradation. Which international declaration formally codified this principle?

- A) Rio Declaration (1992)**
- B) Kyoto Protocol (1997)
- C) Stockholm Declaration (1972)
- D) Paris Agreement (2015)

7. Which constitutional law concept refers to the empirical requirement that a statute must have a 'rational basis' connected to a legitimate government interest, a standard often applied to legislation involving public health and medical data?

- A) Strict Scrutiny
- B) Rational Basis Test**
- C) Intermediate Scrutiny
- D) Substantive Due Process

8. In the history of constitutional law, which 1954 case relied explicitly on social science evidence, specifically the 'doll tests' by Kenneth and Mamie Clark, to determine the psychological impacts of segregation?

- A) Plessy v. Ferguson
- B) Brown v. Board of Education**
- C) Sweatt v. Painter
- D) McLaurin v. Oklahoma State Regents