**Important Terms (Chapters 1-5)**

|  |  |
| --- | --- |
| **politics** | The management of conflict over who shall rule and what policies shall be made. |
| **government** | The institution that, with a monopoly on the lawful use of power, can make decisions binding the whole society. |
| **democracy** | Political system where the people rule. |
| **direct democracy** | Political system in which most citizens make policy, as in a town meeting. |
| **representative democracy**  | Political system in which policy is made by officials elected by the people. |
| **republic** | A form of democracy in which power is vested in representatives selected by means of popular competitive elections. |
| **legitimate** | Political authority supported by public opinion. |
| **parliamentary system** | A government that vests power in an elected legislature that chooses the chief executive. |
| **presidential system**  | A government that vests power in a separately elected president and legislature. |
| Articles of Confederation | A weak constitution that governed America during and immediately after the Revolutionary War. |
| sovereignty | A governmental unit that has supreme authority and is accountable to no higher institution. |
| unicameral legislature | A lawmaking body with only one chamber, as in Nebraska. |
| Shays’s Rebellion | A 1787 rebellion in which ex–Revolutionary War soldiers attempted to prevent foreclosures of farms as a result of high interest rates and taxes. |
| Great (or Connecticut) Compromise | Plan to have popularly elected House based on state population and a state-selected Senate, with two members for each state. |
| republic | A government in which elected representatives make the decisions. |
| judicial review | The power of the courts to declare laws unconstitutional. |
| separation of powers | Sharing of constitutional authority among three different branches of government. |
| federalism | Government authority shared by national and state governments. |
| checks and balances | The power of the legislative, executive, and judicial branches of government to block some acts by the other two branches. (See also *separation of powers*.) |
| faction | A group with a distinct political interest. |
| Federalists | Those who favor a stronger national government. |
| Antifederalists | Those who favored a weaker national government. |
| Federalist Papers  | A series of eighty-five essays written by Alexander Hamilton, James Madison, and John Jay (all using the name “Publius”) that were published inNew York newspapers in 1787– 1788 to convince New Yorkers to adopt the newly proposed Constitution. They are classics of American constitutional and political thought. |
| coalition  | An alliance of factions. |

|  |  |
| --- | --- |
| **civil liberties** | Rights—chiefly, rights to be free of government interference—accorded to an individual by the Constitution: free speech, free press, etc. |
| **civil rights** | The rights of citizens to vote, to receive equal treatment before the law, and to share equally with other citizens the benefits of public facilities (such as schools). |
| **Bill of Rights** | The first ten amendments to the U.S. Constitution, containing a list of individual rights and liberties, such as freedom of speech, religion, and the press. |
| **due-process clause** | Protection against arbitrary deprivation of life, liberty, or property as guaranteed in the Fifth and Fourteenth Amendments. |
| **equal protection clause** | The provision in the Fourteenth Amendment to the Constitution guaranteeing that no state shall “deny to any person” the “equal protection of the laws.” |
| **incorporation** | A doctrine whereby the Supreme Court incorporates—that is, includes—many parts of the Bill of Rights into restrictions on state government actions. |
| **prior restraint** | The traditional view of the press’s free speech rights as expressed by William Blackstone, the great English jurist. According to this view, the press is guaranteed freedom from censorship—that is, rules telling it in advance what it can publish. After publication, however, the government can punish the press for material that is judged libelous or obscene. |
| **libel** | Injurious written statements about another person. |
| **symbolic speech**  | An act that conveys a political message, such as burning a draft card to protest the draft. |
| **free-exercise clause** | A clause in the First Amendment to the Constitution stating that Congress shall make no law prohibiting the “free exercise” of religion. |
| **establishment clause** | A clause in the First Amendment to the Constitution stating that Congress shall make no law “respecting an establishment of religion.” |
| wall of separation | A Supreme Court interpretation of the establishment clause in the First Amendment that prevents government involvement with religion, even on a nonpreferential basis. |
| **exclusionary rule** | A rule that holds that evidence gathered in violation of the Constitution cannot be used in a trial. The rule has been used to implement two provisions of the Bill of Rights—the right to be free from unreasonable searches or seizures (Fourth Amendment) and the right not to be compelled to give evidence against oneself (Fifth Amendment). |
| **search warrant** | An order from a judge authorizing the search of a place; the order must describe what is to be searched and seized, and the judge can issue it only if he or she is persuaded by the police that good reason (probable cause) exists that a crime has been committed and that the evidence bearing on the crime will be found at a certain location. |
| **probable cause** | See **search warrant**. |
| **good-faith exception** | Admission at a trial of evidence that is gathered in violation of the Constitution if the violation results from a technical or minor error. |

|  |  |
| --- | --- |
| separate-but-equal doctrine | The doctrine, established in Plessy v. Ferguson (1896), in which the Supreme Court ruled that a state could provide “separate but equal” facilities for blacks. |
| suspect classifications | Classifications of people on the basis of their race and ethnicity. The courts have ruled that laws classifying people on these grounds will be subject to “strict scrutiny.” |
| strict scrutiny  | The standard by which the Supreme Court judges classifications based on race. To be accepted, such a classification must be closely related to a “compelling” public purpose. |
| reverse discrimination | Using race or sex to give preferential treatment to some people. |
| equality of opportunities | A view that it is wrong to use race or sex either to discriminate against or give preferential treatment to blacks or women. |
| affirmative action | The requirement, imposed by law or administrative regulation, that an organization (business firm, government agency, labor union, school, or college) take positive steps to increase the number or proportion of women, blacks, or other minorities in its membership. |
| police powers | The authority of a government to safeguard and promote public order, safety, and morals. |

|  |  |
| --- | --- |
| federalism | A political system in which ultimate authority is shared between a central government and state or regional governments. |
| confederation or confederal system | A political system in which states or regional governments retain ultimate authority except for those powers that they expressly delegate to a central government. The United States was a confederation from 1776 to 1787 under the Articles of Confederation. |
| necessary-and-proper clause or elastic clause | The final paragraph of Article 1, section 8, of the Constitution, which authorizes Congress to pass all laws “necessary and proper” to carry out the enumerated powers. Sometimes called the “elastic clause” because of the flexibility that it provides to Congress. |
| nullification | A theory first advanced by James Madison and Thomas Jefferson that the states had the right to “nullify” (that is, declare null and void) a federal law that, in the states’ opinion, violated the Constitution. The theory was revived by John C. Calhoun of South Carolina in opposition to federal efforts to restrict slavery. The North’s victory in the Civil War determined once and for all that the federal union is indissoluble and that states cannot declare acts of Congress unconstitutional, a view later confirmed by the Supreme Court. |
| dual federalism | A constitutional theory that the national government and the state governments each have defined areas of authority, especially over commerce. |
| grants-in-aid | Federal funds provided to states and localities. Grants-in-aid are typically provided for airports, highways, education, and major welfare services. |
| categorical grant  | A federal grant for a specific purpose defined by federal law: to build an airport, for example, or to make welfare payments to low-income mothers. Such grants usually require that the state or locality put up money to “match” some part of the federal grant, though the amount of matching funds can be quite small. |
| block grant | Grant of money from the federal government to states for programs in certain general areas rather than for specific kinds of programs. |
| mandates | Rules imposed by the federal government on the states as requirements that the states pay the costs of certain nationally defined programs. |
| conditions of aid | Federal rules attached to the grants that states receive. States must agree to abide by these rules in order to receive the grants. |