

## Glossary of Terms

### Legal Terms

#### JUDICIAL BRANCH

**acquittal:** Judgement that a criminal defendant has not been proved guilty beyond a reasonable doubt.

**affidavit:** A written statement of facts confirmed by the oath of the party making it, before a notary or officer having authority to administer oaths.

**affirmed:** In the practice of the appellate courts, the decree or order is declared valid and will stand as rendered in the lower court.

**answer:** The formal written statement by a defendant responding to a civil complaint and setting forth the grounds for defense.

**appeal:** A request made after a trial, asking another court (usually the court of appeals) to decide whether the trial was conducted properly. To make such a request is "to appeal" or "to take an appeal." One who appeals is called the appellant.

**appellate:** About appeals; an appellate court has the power to review the judgement of another lower court or tribunal.

**arraignment:** A proceeding in which an individual who is accused of committing a crime is brought into court, told of the charges, and asked to plead guilty or not guilty.

**bail:** Security given for the release of a criminal defendant or witness from legal custody (usually in the form of money) to secure his appearance on the day and time appointed.

**bankruptcy:** Refers to statutes and judicial proceedings involving persons or businesses that cannot pay their debts and seek the assistance of the court in getting a fresh start. Under the protection of the bankruptcy court, debtors may discharge their debts, perhaps by paying a portion of each debt. Bankruptcy judges preside over these proceedings.

**bench trial:** Trial without a jury in which a judge decides the facts.

**brief:** A written statement submitted by the lawyer for each side in a case that explains to the judges why they should decide the case or a particular part of a case in favor of that lawyer's client.

**chambers:** A judge's office.

**capital offense:** A crime punishable by death.

**case law:** The law as laid down in cases that have been decided in the decisions of the courts.

**charge to the jury:** The judge's instructions to the jury concerning the law that applies to the facts of the case on trial.

**chief judge:** The judge who has primary responsibility for the administration of a court but also decides cases; chief judges are determined by seniority.

**circumstantial evidence:** All evidence except eyewitness testimony.

**clerk of court:** An officer appointed by the court to work with the chief judge in overseeing the court's administration, especially to assist in managing the flow of cases through the court and to maintain court records.

**common law:** The legal system that originated in England and is now in use in the United States. It is based on judicial decisions rather than legislative action.

**complaint:** A written statement by the plaintiff stating the wrongs allegedly committed by the defendant.

**contract:** An agreement between two or more persons that creates an obligation to do or not to do a particular thing.

**conviction:** A judgement of guilt against a criminal defendant.

**counsel:** Legal advice; a term used to refer to lawyers in a case.

**counterclaim:** A claim that a defendant makes against a plaintiff.

**court:** Government entity authorized to resolve legal disputes. Judges sometimes use "court" to refer to themselves in the third person, as in "the court has read the briefs."

**court reporter:** A person who makes a word-for-word record of what is said in court and produces a transcript of the proceedings upon request.

**damages:** Money paid by defendants to successful plaintiffs in civil cases to compensate the plaintiffs for their injuries.

**default judgement:** A judgement rendered because of the defendant's failure to answer or appear.

**defendant:** In a civil suit, the person complained against; in a criminal case, the person accused of the crime.

**deposition:** An oral statement made before an officer authorized by law to administer oaths. Such statements are often taken to examine potential witnesses, to obtain discovery, or to be used later in trial.

**discovery:** Lawyers' examination, before trial, of facts and documents in possession of the opponents to help the lawyers prepare for trial.

**docket:** A log containing brief entries of court proceedings.

**en banc:** "In the bench" or "full bench." Refers to court sessions with the entire membership of a court participating rather than the usual quorum. U.S. courts of appeals usually sit in panels of three judges, but may expand to a larger number in certain cases. They are then said to be sitting en banc.

**evidence:** Information presented in testimony or in documents that is used to persuade the fact finder (judge or jury) to decide the case for one side or the other.

**federal question:** Jurisdiction given to federal courts in cases involving the interpretation and application of the U.S. Constitution, acts of Congress, and treaties.

**felony:** A crime carrying a penalty of more than a year in prison.

**file:** To place a paper in the official custody of the clerk of court to enter into the files or records of a case.

**grand jury:** A body of citizens who listen to evidence of criminal allegations, which are presented by the government, and determines whether there is probable cause to believe the offense was committed. As it is used in federal criminal cases, "the government" refers to the lawyers of the U.S. attorney's office who are prosecuting the case.

**habeas corpus:** A writ that is usually used to bring a prisoner before the court to determine the legality of his imprisonment. It may also be used to bring a person in custody before the court to give testimony, or to be prosecuted.

**hearsay:** Statements by a witness who did not see or hear the incident in question but heard about it from someone else. Hearsay is usually not admissible as evidence in court.

**impeachment:** (1) The process of calling something into question, as in "impeaching the testimony of a witness." (2) The constitutional process whereby the House of Representatives may "impeach" (accuse of misconduct) high officers of the federal government for trial in the Senate.

**indictment:** The formal charge issued by a grand jury stating that there is enough evidence that the defendant committed the crime to justify having a trial; it is used primarily for felonies.

**in forma pauperis:** In the manner of a pauper. Permission given to a person to sue without payment of court fees on claim of indigence or poverty.

**information:** A formal accusation by a government attorney that the defendant committed a misdemeanor.

**injunction:** An order of the court prohibiting (or compelling) the performance of a specific act to prevent irreparable damage or injury.

**instructions:** Judge's explanation to the jury before it begins deliberations of the questions it must answer and the law governing the case.

**interrogatories:** Written questions asked by one party of an opposing party, who must answer them in writing under oath; a discovery device in a lawsuit.

**issue:** (1) The disputed point in a disagreement between parties in a lawsuit. (2) To send out officially, as in to issue an order.

**judge:** Government official with authority to decide lawsuits brought before courts. Other judicial officers in the U.S. courts system are Supreme Court justices.

**judgement:** The official decision of a court finally determining the respective rights and claims of the parties to a suit.

**jurisdiction:** (1) The legal authority of a court to hear and decide a case. Concurrent jurisdiction exists when two courts have simultaneous responsibility for the same case. (2) The geographic area over which the court has authority to decide cases.

**jury:** Persons selected according to law and sworn to inquire into and declare a verdict on matters of fact.

**jurisprudence:** The study of law and the structure of the legal system.

**lawsuit:** A legal action started by a plaintiff against a defendant based on a complaint that the defendant failed to perform a legal duty, resulting in harm to the plaintiff.

**litigation:** A case, controversy, or lawsuit. Participants (plaintiffs and defendants) in lawsuits are called litigants.

**magistrate judges:** Judicial officers who assist U.S. district judges in getting cases ready for trial, who may decide some criminal and civil trials when both parties agree to have the case heard by a magistrate judge instead of a judge.

**misdemeanor:** Usually a petty offense, a less serious crime than a felony, punishable by less than a year of confinement.

**mistrial:** An invalid trial, caused by fundamental error. When a mistrial is declared, the trial must start again from the selection of the jury.

**nolo contendere:** No contest-has the same effect as a plea of guilty, as far as the criminal sentence is concerned, but may not be considered as an admission of guilt for any other purpose.

**opinion:** A judge's written explanation of a decision of the court or of a majority of judges. A dissenting opinion

disagrees with the majority opinion because of the reasoning and/or the principles of law on which the decision is based. A concurring opinion agrees with the decision of the court but offers further comment.

**oral argument:** An opportunity for lawyers to summarize their position before the court and also to answer the judges' questions.

**panel:** (1) In appellate cases, a group of judges (usually three) assigned to decide the case; (2) In the jury selection process, the group of potential jurors.

**parties:** Plaintiffs and defendants (petitioners and respondents) to lawsuits, also known as appellants and appellees in appeals, and their lawyers.

**petit jury (or trial jury):** A group of citizens who hear the evidence presented by both sides at trial and determine the facts in dispute. Federal criminal juries consist of 12 persons. Federal civil juries consist of six persons.

**plaintiff:** The person who files the complaint in a civil lawsuit.

**plea:** In a criminal case, the defendant's statement pleading "guilty" or "not guilty" in answer to the charges, a declaration made in open court.

**pleadings:** Written statements of the parties in a civil case of their positions. In the federal courts, the principal pleadings are the complaint and the answer.

**precedent:** A court decision in an earlier case with facts and law similar to a dispute currently before a court. Precedent will ordinarily govern the decision of a later similar case, unless a party can show that it was wrongly decided or that it differed in some significant way.

**procedure:** The rules for the conduct of a lawsuit; there are rules of civil, criminal, evidence, bankruptcy, and appellate procedure.

**pretrial conference:** A meeting of the judge and lawyers to discuss which matters should be presented to the jury, to review evidence and witnesses, to set a timetable, and to discuss the settlement of the case.

**probation:** A sentencing alternative to imprisonment in which the court releases convicted defendants under supervision as long as certain conditions are observed.

**pro se:** A Latin term meaning "on one's own behalf"; in courts, it refers to persons who present their own cases without lawyers.

**prosecute:** To charge someone with a crime. A prosecutor tries a criminal case on behalf of the government.

**record:** A written account of all the acts and proceedings in a lawsuit.

**remand:** When an appellate court sends a case back to a lower court for further proceedings.

**reverse:** When an appellate court sets aside the decision of a lower court because of an error. A reversal is often followed by a remand.

**sentence:** The punishment ordered by a court for a defendant convicted of a crime.

**service of process:** The service of writs or summonses to the appropriate party.

**settlement:** Parties to a lawsuit resolve their difference without having a trial. Settlements often involve the payment of compensation by one party in satisfaction of the other party's claims.

**sequester:** To separate. Sometimes juries are sequestered from outside influences during their deliberations.

**sidebar:** A conference between the judge and lawyers held out of earshot of the jury and spectators.

**statute:** A law passed by a legislature.

**statute of limitations:** A law that sets the time within which parties must take action to enforce their rights.

**subpoena:** A command to a witness to appear and give testimony.

**subpoena duces tecum:** A command to a witness to produce documents.

**summary judgement:** A decision made on the basis of statements and evidence presented for the record without a trial. It is used when there is no dispute as to the facts of the case, and one party is entitled to judgement as a matter of law.

**temporary restraining order:** Prohibits a person from an action that is likely to cause irreparable harm. This differs from an injunction in that it may be granted immediately, without notice to the opposing party, and without a hearing. It is intended to last only until a hearing can be held.

**testimony:** Evidence presented orally by witnesses during trials or before grand juries.

**tort:** A civil wrong or breach of a duty to another person, as outlined by law. A very common tort is negligent operation of a motor vehicle that results in property damage and personal injury in an automobile accident.

**transcript:** A written, word-for-word record of what was said, either in a proceeding such as a trial or during some other conversation, as in a transcript of a hearing or oral deposition.

**uphold:** The decision of an appellate court not to reverse a lower court decision.

**U.S. attorney:** A lawyer appointed by the President in each judicial district to prosecute and defend cases for the federal government.

**venue:** The geographical location in which a case is tried.

**verdict:** The decision of a petit jury or a judge.

**voir dire:** The process by which judges and lawyers select a petit jury from among those eligible to serve, by questioning them to determine knowledge of the facts of the case and a willingness to decide the case only on the evidence presented in court. "Voir dire" is a phrase meaning "to speak the truth."

**warrant:** A written order directing the arrest of a party. A search warrant orders that a specific location be searched for items, which if found, can be used in court as evidence.

**witness:** A person called upon by either side in a lawsuit to give testimony before the court or jury.

**writ:** A formal written command, issued from the court, requiring the performance of a specific act.

**writ of certiorari:** An order issued by the Supreme Court directing the lower court to transmit records for a case for which it will hear on appeal.

## Legal

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**amicus curiae brief** A "friend of the court" brief filed by a third party (not directly involved) in a case aimed at influencing a decision of the Supreme Court. **Antifederalists** Group opposed to the ratification of the Constitution on the grounds that it gave too much power to the national government at the expense of the states. Later became one of the first two major political parties in America. **Antitrust policy** Collection of national and state laws (including the Sherman Antitrust Act of 1890) aimed at preventing a single business from gaining monopoly control over a particular sector of the economy. **appellate jurisdiction** Authority to hear appeals of cases arising in a particular geographic area or sphere of the law. The Supreme Court has appellate jurisdiction over all cases arising under the Constitution of the United States. **appropriation** Allotment of specific dollar amounts for specific programs or purposes.

**Articles of Confederation** Document that established a "firm league of friendship" between the 13 states during the Revolutionary War. **authorization** Creation and empowerment of a program to spend money for specified purposes **bad tendency doctrine** Interpretation of the First Amendment that would allow the Congress or state legislatures to prohibit or limit speech or expression that had the tendency to cause or incite illegal activity. **ballot initiative** A public policy question decided by a vote of the people. The placement of the question on the ballot is initiated by the people (usually by petition). Used only at the state level. **bicameral** Term describing a legislative branch that is divided into two houses, such as the United States Congress which consists of the House of Representatives and the Senate.

**bill of attainder** A bill passed by a legislature imposing a penalty or inflicting a detriment on a particular individual or group of individuals. Forbidden by Article I, Section 9 of the Constitution. See "Other Rights." **Bill of Rights** First ten amendments to the Constitution which establish the fundamental rights enjoyed by the people of the United States.

**bipartisanship** Cooperation and collaboration between members of the two major political parties (Republicans and Democrats). **cabinet** Group of key presidential advisors which includes the Secretaries or heads of each Department of the national government. Presidents generally hold regular Cabinet meetings. **capitalism** Economic system in which goods and services are produced, exchanged and owned by individuals with minimal governmental regulation.

**caucus (legislative)** A group of legislators unified by common goals or characteristics. The largest congressional caucuses are the Republican and Democratic party caucuses. Other caucuses include the Black Caucus, the Hispanic Caucus and a variety of issue-oriented caucuses.

**caucus (local party)** Political party meeting at which voters choose nominees to represent their political parties in general election contests. **census** An official enumeration or counting of the population of the United States conducted by the national government every ten years, as dictated by the Constitution. **checks & balances** Powers held by one branch of government that allow it to limit another branch's exercise of its own powers, e.g. the President's ability to veto legislation.

**Chief Diplomat** Role of the President as the primary point of contact between the United States of America and other nations. **Classical liberalism** Political philosophy founded on the notion that individual human beings are autonomous agents with inviolable rights and that the powers of government arise from the people.

**closed primary** A primary election in which only voters that belong to a particular political party are permitted to vote, e.g. only registered Democrats can vote in a closed Democratic party primary election.

**closed rule** Rule in the House of Representatives which forbids any amendments to a bill being considered on the floor **coattail effect** A boost in electoral support realized by candidates lower down the ballot when a successful candidate of their party runs strong at the top of the ballot. For example, a popular Democratic presidential

candidate who won a large percentage of the vote might carry other Democratic party candidates into office on his or her "coattails."

**Cold War** "War" between the United States and the former Soviet Union which involved no direct conflict between the two nations but instead was characterized by a multibillion dollar nuclear arms race and numerous conflicts between secondary nations backed (sometimes publicly, sometimes secretly) by each nation.

**Commander-in-Chief** Formal constitutional role of the President as leader of the nation's armed forces.

**concurrent powers** Powers shared and exercised jointly under the Constitution by both national and state governments. Examples include taxation and law enforcement. **concurrent resolution** A statement of the "sense" or opinion of the Congress, passed by both the House and the Senate. Not binding as a matter of law.

**Conference Committee** Committee comprised of both House and Senate members charged with working out the differences between House and Senate versions of a bill. **Conservatism** Political philosophy that favors limited government with minimal regulation and governmental interference in the economy and other aspects of social life. In general, conservatives favor giving power to state and local governments rather than to the national government.

**constitution** The structures and fundamental principles of a government, usually in written form (Great Britain is notable for its "unwritten" constitution). The United States Constitution is the supreme law of the land, meaning that all other laws (including state laws), executive actions and judicial decisions must be consistent with it. Granting power to the government from the people, the Constitution of the United States can only be changed by the people (through their representatives).

**constitutional amendment** A formally proposed and ratified change to the Constitution that becomes a fully binding provision of the Constitution itself

**constitutional democracy** System of governance based on popular sovereignty in which the structures, powers and limits of government are set forth in a constitution. **Constitutional law** Law that finds its basis in the Constitution. More particularly, "constitutional law" is the sum of the interpretations of constitutional questions rendered by the Supreme Court and subsidiary courts in their written and published decisions.

**continuing resolution** A temporary spending bill which funds government programs until funds are appropriated for them.

**cooperative federalism** View that the national and state governments are partners, not competitors, in the exercise of governmental authority

**crossover voting** Members of one party voting for candidates of another. Encouraged by open primaries.

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## D - G <sup>1</sup>

**debt** Accumulated amount of unpaid budget deficits. **deficit** Amount by which spending exceeds available funds during a fiscal year. **deficit spending** Spending more money than is raised in taxes in a fiscal year. **delegate** A representative who bases his or her votes on the majority opinions of the people he or she represents.

**democracy** Form of government in which policy alternatives are voted on by the people with majority determining the outcome. **direct democracy** System or process that depends on the voice of the people (and not representatives), usually through referendums or initiatives, to make public policy decisions. **direct primary** Election in which rank-and-file members (and not the leaders) of a political party select nominees to represent their party in the general election. **discretionary spending** Spending that can be raised, lowered, kept even or eliminated by the Congress as it sees fit. **divided-party government** Situation in which the Congress and the Presidency are controlled by opposing political parties. **dual federalism** View that the national government and state governments have distinct realms of authority which do not overlap and into which the other should not intrude. **electoral college** Mechanism by which the President is chosen. Each state has a number of electoral votes equal to the number of members it sends to the U.S. Senate and House of Representatives **entitlement programs** Benefits extended to individuals who meet legislatively established eligibility requirements. Any individual who meets the requirements is considered "entitled" to the benefit, regardless of the overall amount spent on providing the benefit to all eligible individuals. **equal protection clause** Provision in the 14th Amendment to the Constitution that guarantees all people "equal protection under the law." **equality of finish** Equality of outcomes, generally measured in socioeconomic status. The "finish" in question generally refers to accomplishments after entering adulthood. **equality of start** Equality of opportunity, generally measured in terms of equal access to quality education and training.

**executive agreement** Agreement made between the President of the United States and the leader of another country or countries. Has the same effect as a treaty but does not need to be ratified by the Senate.

**executive branch** Branch of government charged with "executing" or implementing and enforcing the laws.

**executive privilege** Claim that the President, as the leader of the Executive Branch, has the prerogative to divulge or refuse to divulge information in a manner that he believes most consistent with the national interest.

**faction** A group of individuals united in the pursuit of shared political values. A political party is a large faction.

**federalism** System of government in which powers are divided and shared between different levels, e.g. national, state and local. **Federalist Papers** Series of essays written in support of ratifying the Constitution. Written by Alexander Hamilton, John Jay and James Madison. **Federalists** Supporters of the Constitution during the battle for its ratification. Also became one of the first two major political parties in the United States.

**filibuster** Tactic employed by an individual or group of individuals in the U.S. Senate aimed at blocking legislation by gaining control of the floor (simply by standing and making a speech) and refusing to relinquish control until the rest of the Senate gives up and agrees to move on to other business.

**fiscal policy** Policies and programs establishing budgetary policy, including types and rates of taxation and types and amounts of spending. **fiscal year** 365-day period, beginning October 1st and ending September 30th, which defines the beginning and end of the federal government's annual budgetary cycle. **flat tax** Tax collected at the same rate or percentage regardless of income level.

**franchise** The right to vote.

**free rider** An individual that chooses not to join or contribute to a group but nonetheless benefits from the existence and activities of the group. **gender gap** Difference between women and men in political ideology or political party preferences. In recent years, for example, women have been more likely than men to support the Democratic party.

**gerrymandering** The redrawing of a political district to favor a particular candidate or kind of candidate, e.g. an incumbent, a member of a particular political party or a racial minority. **gross domestic product (GDP)** Monetary value of *all* economic activity (goods and services produced, etc.) in a nation during one calendar year. **gross national product (GNP)** Monetary value of the goods and services produced in a nation during one calendar year. **group benefits** Incentives, e.g. mementos (calendars, mugs, etc.) or financial benefits (insurance discounts, etc.), given to people who join a group. These benefits are often unrelated to the primary purposes and goals of the group.

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**H - L honeymoon** Period shortly after an election, especially a presidential election, during which the winning candidate enjoys a surge in public and political support. **House Rules Committee** Committee in the House of Representatives that creates a "rule" for each bill to be debated on the floor. The rule establishes the time and extent of debate and what, if any, amendments can be offered. **ideologue** Individual with strong philosophical or ideological leanings. Generally unwilling to budge to compromise or work with others with differing views.

**initiative** A public policy question that is initiated by the people, usually by petition, and decided by the people at the ballot box. **interest group** A group of like-minded individuals united in the pursuit of a common goal or set of goals. In the political arena, an interest group seeks its goals through the legislative and / or legal processes.

**impeachment** Process by which members of the Executive Branch or the Judiciary are formally charged with crimes that could be grounds for removing them from office. A trial follows impeachment to determine the fate of the impeached individual. **implied powers** Powers not explicitly stated in the Constitution but which are suggested or implied by the "general welfare," "necessary & proper," and commerce clauses in the Constitution.

**joint committee** A committee with members from both the House and Senate. Such committees are generally advisory or oversight committees, not legislative (law-making) committees. **judicial branch** Branch of government that hears and settles legal disputes. **laissez faire** A "hands-off" approach to the economy characterized by minimal governmental interference in or regulation of the businesses and economic transactions.

**lame duck** A political office holder who, because of term-limits, retirement or defeat, will not be returning to office after the end of his or her present term of office. Presidents serving in their second terms are not eligible to run for a third term and are, therefore, "lame duck" Presidents. **legislative branch** Branch of government with the authority to make a change the laws of the land **liberalism** Classical liberalism is based on the notion that individuals are the sole legitimate source of governmental authority. Modern day liberalism rests on the positive use of government to promote individual rights and equality. **libertarianism** Philosophical perspective based on the premise that the legitimate sphere of government does not extend beyond the protection of individuals from harming one another.

**line-item veto** A veto which is used to reject only specific items or parts of legislation passed by the Congress. The Congress attempted to give the President line-item veto authority in 1995; however, the Supreme Court ruled the effort unconstitutional because it transferred legislative authority from the Legislative Branch to the Executive Branch. It had been the hope of the Congress that the President would use the line-item veto to remove or lower excessive spending measures from legislation passed by Congress. **lobby/lobbying** The practice of attempting to



persuade members of Congress to support or oppose particular policies or pieces of legislation. This practice is called "lobbying" because such efforts are traditionally conducted in the "lobbies" or rooms and hallways just off the House and Senate chambers. **lobbying** The practice of talking with members of Congress to persuade them to support a particular position or piece of legislation. Often conducted in the "lobbies" just off the House and Senate chambers. **lobbyist** Someone who engages in lobbying (see above). A lobbyist is generally an individual whose full-time work is representing a particular interest or set of interests in the legislative process.

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**M - N** **BACK TO TOP** **majority leader** Individual elected to lead a party in the House or Senate that holds the most seats in the body. **mandatory spending** Spending that is largely out of the control of the Congress. Primarily "entitlements" which are paid to people on a formula basis regardless of how much money is available. **media bias** Occurs when the media (individually or collectively) reports something that is inaccurate or one-sided because of ideology, political favoritism, reliance on limited (not treating both sides equally), or other factors. Bias can show up in coverage (or lack thereof) or in the content and analysis of stories. **mediating institution** An institution which stands between and connects people with the government. Examples include the media, political parties and interest groups. **minority leader** Individual elected to lead a party in the House or Senate that does not hold the majority of seats in the body. **monetary policy** Policies aimed at controlling inflation and unemployment through manipulation of the money supply and interest rates. Primarily established by the Federal Reserve Board **nonprobability sampling** Non-random selection of respondents for a survey. Problematic because the group of people chosen to respond to the survey is not likely to be representative of the larger population. **"necessary & proper" clause** Provision in the Constitution which strongly suggests that the national government has powers other than those explicitly stated in the Constitution.

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**O - R** **Office of Management and Budget (OMB)** Federal agency that compiles and reviews budget figures on the President's behalf.

**open primary** Election held for the purposes of choosing the nominee for a particular political party in which voters of any party are eligible to vote. **open rule** Rule in the House of Representatives which allows for any number of amendments to be made to a bill being considered on the floor.

**original jurisdiction** Authority to hear a case for the first time in a particular geographic area or sphere of the law. Courts of original jurisdiction are generally trial courts in which decisions are made by juries **"pack journalism"** The tendency of journalists and news outlets to cover the same stories. Driven by the fear of being "scooped" by other reporters or news outlets **party platform** An official statement and proclamation of the beliefs, values and policy positions of a political party. Specific statements or positions in a platform are sometimes called "planks," e.g. the "abortion plank" of a party's platform **patronage** Practice of rewarding jobs in official governmental posts to one's political allies after an electoral victory. **payroll tax** Paid in equal amounts (7.65%) by employers and employees to fund Social Security and Medicare. Also known as FICA.

**permissive federalism** View that, because the national government is supreme, the states only have those powers which the national government permits them to exercise. **pocket veto** If the Congress adjourns before ten days have passed since the passage of a bill, the President can allow the legislation to die simply by failing to sign it. **political action committee (PAC)** Arm of an interest group legally permitted to give money to political candidates competing for federal elective office. **political party** A team of office seekers and their supporters, generally unified by a common ideology, philosophy, set of values and political beliefs, usually outlined in a party platform. **popular sovereignty** Notion that political power or the power to govern is derived from the people. As such, the people retain the right to rescind any grant of power to the government.

**pork-barrel** Spending that is primarily for the benefit of particular local interests in a member of Congress's district and not obviously in the interests of the nation as a whole. **power of the purse** The authority to create and raise taxes and to authorize the spending of the money raised through them. **president pro tempore** Acting president of the United States Senate in the absence of the Vice President who is the constitutionally authorized President of the body. **progressive tax** Tax collected at increasingly higher rates or percentages as income level increases. **public interest group (or PIG)** A group that exist for the express purpose of pursuing public interests that would not otherwise be pursued. Examples include Common Cause (a group that promotes campaign finance reform) and Public Citizen (a broad consumer advocacy group). **random sampling** The selection of individuals to participate in a public opinion poll (or other kind of study) in a way that is unbiased. **Reaganomics** Economic strategy promoted by Ronald Reagan during his time in office based on the supposition that cutting taxes would make individual taxpayers more productive and more wealthy. Consequently, the taxes paid by wealthy individuals, although collected at a lower percentage, would be equal to or greater than before the tax cuts.

**recall** Mechanism authorized in some states by which voters may remove an individual from office in the middle of his or her term. There is no provision for a recall at the national level. **referendum** A public policy decision referred to the people by a legislative body. Used only at the state level. **regressive tax** Tax collected at increasingly lower rates or percentages as income level increases. **republic** Form of government in which decisions are made by representatives who are chosen by the people. **rider** An attachment to a piece of legislation that is generally unrelated to the rest of the bill. **Rule of Four** Decision rule used by the Supreme Court in deciding which cases to hear. If four of the nine Justices agree to do so, the Court will hear a case.

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## S - T

**safe seat** A congressional seat that is very likely to be held by the incumbent (current occupant of the seat) after the next election.

**sampling error** Error that arises as a matter of chance in the process of selecting individuals for participation in a public opinion poll or other study.

**separation of powers** The division governmental authority and powers and assigning them to distinct branches.

**shared powers** Powers which are held and exercised by more than one level of government.

**socialism** Philosophy and form of government based on the notion that the governmental authority ought to be used to promote fair and equal socioeconomic outcomes in terms of education, wealth and other important ways. Socialistic governments generally own or exercise substantial control over sectors of the economy that impact large portions of the population and maintain significant wealth and income redistribution programs.

**soft money** Political contributions not regulated by federal campaign finance laws. It is money given directly to political parties for the purposes of "party building." It is not to be used on or given directly to candidates in support of election efforts.

**Speaker** Individual selected by the House to preside over the proceedings of the House in formal session. The Speaker of the House is almost always a member of the majority party.

**Split-ticket voting** The practice of casting votes for candidates of different political parties on the same ballot, e.g. casting a vote for the Democratic presidential candidate while voting for the Republican congressional candidate.

**standing** The legal right to bring a suit before a court. To have standing, an individual must show that he or she has been harmed in a real way, not merely that he or she *might* be harmed in the future. **standing committees**

Permanent legislative committees in the House and Senate with established issue and policy jurisdictions. **stare decisis** Literally "let the decision stand." General practice followed by the Supreme Court of adhering to previous decisions when it makes new ones. **subcommittee** Smaller, more specialized committees which are organized and operate under the authority standing committees. **subsidy** An economic benefit given by the government to an individual, business or group that engages in behavior deemed beneficial by policy makers. Subsidy payments can take the form of direct cash payments, tax credits or tax deductions. **surplus** Amount by which available funds exceed spending during a fiscal year. **term limits** A legal prohibition against running for a political office after holding it for a prescribed number of years or terms. For example, Presidents cannot serve more than two and a half terms (ten years). **three-fifths compromise** Compromise between the Northern and Southern states at the Constitutional Convention stipulating that slaves would be counted as 3/5 of a person for purposes of representation and taxation. **treason** Crime committed against one's country. Espionage or spying for an enemy nation is treasonous. **treaty** Legally binding agreement between two nations. United States treaties are generally negotiated by the President and must be ratified by the Senate. **trustee** A representative who bases his or her decision not on public opinion but on what he or she believes is right or best. **"two presidencies"** The distinction between the President's roles in domestic and foreign policy making. Presidents generally have more discretion in the foreign policy arena.

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## U - Z

**universe** Group of people about which a survey research is trying to generalize when conducting a public opinion poll.

**veto** Latin for "I forbid." The Constitution authorizes the President to reject any bill passed by both houses of Congress if he disapproves of it for any reason.

**veto override** If the President vetoes a bill, the Congress may override the veto by a two-thirds majority vote in both houses. The bill would then become law, the President's objections notwithstanding.

**Watergate** Hotel that was home to the Democratic Party's campaign headquarters which were broken into by operatives of the Richard Nixon campaign. The resulting scandal known as "Watergate" led to Nixon's



resignation.

**whip** Political party official in a legislative body charged with the duty of encouraging party members to vote with their parties on key pieces of legislation.

*writ of habeas corpus* Documented legal justification for holding an individual prisoner. The Constitution provides that an individual suspected of a crime cannot be held without a *writ of habeas corpus*.

*writ of mandamus* A judicial order directing a government official to perform a duty of his or her office.



## Historical Documents