



The Sons of Liberty

A.P. Government and

Politics

Study Guide

Topic One—“Introducing Government in America”

“Government & Politics”

1. government---
2. public goods---
3. politics---
4. political participation---
5. single-issue groups---

“The Policymaking System”

1. policymaking system--
2. linkage institutions---
3. policy agenda---
4. political issue---
5. policymaking making institutions---
6. public policy---

“Democracy”

1. democracy---
2. republic---
3. majority rule---
4. minority rights---
5. representation---
6. pluralist theory---
7. elite & class theory---
8. hyperpluralism theory---
9. policy gridlock---
10. individualism---

Topic 2 – “The Constitution”

“The Constitution & The Origins of the Constitution”

1. Constitution---
2. French & Indian War---
3. *Common Sense* ---
4. Declaration of Independence ---
5. Natural rights ---
6. Consent of the of governed ---
7. Limited government ---
8. Jefferson’s American Creed ---
9. The American Revolutionary War was a “Conservative” revolution ---

“The Government That Failed”

1. Articles of Confederation ---
2. Shay’s Rebellion ---
3. Annapolis Meeting, 1786 ---

“Making a Constitution: The Philadelphia Convention”

1. U.S. Constitution
2. Human nature/ *Leviathan* / Thomas Hobbes ---
3. Factions ---

“The Agenda in Philadelphia”

1. New Jersey Plan ---
2. Virginia Plan ---
3. Connecticut Compromise ---
4. Electoral college ---
5. Three-fifths Compromise ---
6. Charles Beard/ *Economic Interpretation of the Constitution* ---
7. Writ of habeas corpus

“The Madisonian Model”

1. Separation of Powers ---
2. Checks and balances ---
3. Federal system of government ---
4. Republic ---

“Ratifying the Constitution”

1. Federalists ---
2. Anti-Federalists ---
3. *Federalist Papers* ---
4. Bill of Rights ---
5. Ratification process ---

“Constitutional Change”

1. Formal amendments ---
2. Equal Rights Amendment (ERA) ---
3. Informal amendments ---
4. *Marbury v. Madison* ---
5. Judicial review ---

“Understanding the Constitution”

1. “*Democratization of the Constitution*”

Topic 3 – “Federalism”

“Federalism/ Defining Federalism”

1. *United States v. Lopez*---
2. federalism---
3. unitary---
4. confederation---
5. intergovernmental relations---
6. decentralization of power---
7. Candy Lightner---

“Constitutional Basis of Federalism”

8. supremacy clause---
9. supremacy “ladder”---
10. Tenth Amendment---
11. Eleventh Amendment/*sovereign immunity*---
12. Four key events that have spoken to national supremacy---
13. *McCulloch v. Maryland*---
14. enumerated powers---
15. implied powers (elastic clause)---
16. *Gibbons v. Ogden*---
17. Commerce clause/*Printz v. United States*---
18. full faith and credit---
19. extradition---
20. privileges and immunities---
21. interstate compacts---

“Intergovernmental Relations Today”

22. dual federalism (“layer cake”)---
23. cooperative federalism (“marble cake”)---
24. New federalism---
25. fiscal federalism---
26. categorical grants---
27. project grants---
28. formula grants---
29. block grants---
30. mandates---

“Understanding Federalism”

31. Identify (as many as you can) **advantages** of a federal system---
32. Identify (as many as you can) **disadvantages** of a federal system-

Topic 4 – “Civil liberties and Public Policy”

“The Bill of Rights—Then and Now” & “Freedom of Religion”

1. Bill of Rights---
2. Civil liberties---
3. First Amendment---
4. *Baron v Baltimore*---
5. Incorporation Doctrine (selective incorporation) ---
6. *Gitlow v New York*---
7. Fourteenth Amendment---
8. Freedom of Religion/establishment/free exercise clauses---
9. *Lemon v Kurtzman*/3-pronged test---
10. *Engel v Vitale*---
11. *School District...v Schemp*---
12. *Employment Division v Smith*---

“Freedom of Expression”

1. prior restraint---
2. *Near v Minnesota*---
3. *Schenck v United States*/"falsely shouting fire in a crowded theater"---
4. Smith Act, 1941---
5. *Dennis v United States*---
6. “Gag orders”---
7. *Shield laws*---
8. *Roth v United States*---
9. *Miller v California*/classifying obscenity---
10. libel---

11. *New York Times v Sullivan*---
12. Symbolic speech/*Texas v Johnson*---

“Commercial Speech”

1. commercial speech---
2. Federal Communications Commission---
3. Freedom to Assemble (read “You are Judge”—Nazis march in Skokie) ---
4. Right to Associate/*NAACP v Alabama*---

“Defendant’s Rights”

1. probable cause---
2. search warrant/unreasonable searches & seizures---
3. exclusionary rule/*Mapp v Ohio*---
4. exclusionary rule *exceptions*---
5. Fifth Amendment/self-incrimination---
6. *Miranda v Arizona*---
7. Right to council/6th Amendment/*Gideon v Wainwright*---
8. plea bargaining---
9. Eighth Amendment/cruel & unusual punishment---
10. *Gregg v Georgia*/the death penalty---

“The Right to Privacy”

1. *Griswold v Connecticut*/right to privacy---
2. *penumbras* --- (“shadows” of unstated liberties)
3. *Roe v Wade*/Blackmun/trimester doctrine---
4. *Webster v Reproductive Health Services (St. Louis Mo.)*---
5. *Planned Parenthood v Casey* (Pennsylvania) ---

Important Supreme Court Cases to KNOW:

Barron v. Baltimore (1833)---

Engel v. Vitale (1962)---

Gideon v. Wainwright (1963)---

Gitlow v. New York (1925)---

Gregg v. Georgia (1976)---

Lemon v. Kurtzman (1971)---

Mapp v. Ohio (1961)---

Miller v. California (1973)---

Miranda v. Arizona (1966)---

Roe v. Wade (1973)---

Schneck v. United States (1919)---

Texas v. Johnson (1989)---

Topic Five---“Civil Rights & Public Policy”

“Civil Rights & Public Policy”

1. civil rights---
2. Racial discrimination---
3. Gender discrimination---
4. Discrimination based on age, disability, sexual orientation---

“Racial Equality: Two Centuries of Struggle”

5. equality of opportunity---
6. equality of results---
7. Fourteenth Amendment/expansion of equality---
8. equal protection of the laws---
9. inherently suspect---
10. intermediate standard---
11. reasonableness standard---

“Race, the Constitution, & Public Policy”

12. *Scott v. Sandford*---
13. Civil War Amendments:
 - 13th---
 - 14th---
 - 15th---
14. Jim Crow Laws---

15. *Plessey v. Ferguson*---
16. NAACP---
17. *Brown v. Board of Education*---
18. de jure segregation---
19. de facto segregation---
20. Civil Rights Act of 1964---
21. suffrage---
22. poll taxes---
23. White primaries---
24. Twenty-fourth Amendment---
25. Voting Rights Act of 1965---
26. *Shaw v. Reno*---
27. AIM---
28. Cesar Chavez---
29. *Korematsu v. United States*---

“Women, the Constitution,& Public Policy”

30. Nineteenth Amendment---
31. coverture---
32. Seneca Falls Declaration---
33. Equal Rights Amendment (ERA)---
34. Betty Friedan/”*The Feminine Mystique*”---
35. *Reed v. Reed*---
36. Title IX of the Education Act of 1972---
37. comparable worth---
38. 1964 Civil Rights Act/Sexual Harassment---

“Newly Active Groups Under the Civil Rights Umbrella”

39. “graying of America”---
40. American with Disabilities Act, 1990 (ADA)---
41. *Bowers v. Hardwick*---
42. Mathew Shepard---

“Affirmative Action”

43. affirmative action---
44. *Regent’s of the University of California v. Bakke*---
45. reverse discrimination---
46. *Grutter v. Bollinger*---
47. *Gratz v. Bollinger*---

Important Supreme Court Cases to Know

1. *Brown v. Board of Education* (1954)
2. *Dred Scott v. Sandford* (1857)
3. *Korematsu v. United States* (1944)
4. *Plessy v. Ferguson* (1896)
5. *Regents of the University of California v. Bakke* (1978)
6. *Minersville School District v. Gobitis* (1940)
7. *West Virginia State Board of Education v. Barnette* (1943)
8. *Betts v. Brady* (1942)
9. *Gideon v. Wainwright* (1963)
10. *Guinn v. United States* (1915)
11. *Smith v. Allwright* (1944)
12. *Sweatt v. Painter* (1950)

Topic Six—“Public Opinion and Political Action”

“The American People”

1. public opinion---
2. demography---
3. census---
4. melting pot---
5. minority-majority---
6. Simpson-Mazzoli Act (1986)
7. political culture---
8. reapportionment---

“How Americans Learn About Politics: Political Socialization”

9. political socialization---
10. Identify the FOUR agents of political socialization---
- 11.

“Measuring Public Opinion and Political Information”

12. sample---
13. George Gallup---
- random sampling---
14. sampling error---
15. random-digit-dialing---
16. Identify FOUR criticisms of polling---

“What Americans Value: Political Ideologies”

17. political participation---
18. “conventional” participation/FOUR examples---
19. “unconventional” participation/THREE examples---
20. participation & class inequality---

Topic Seven---“The Mass Media & the Political Agenda”

“The Mass Media Today”

“The Development of Media Politics”

1. Mass media---
2. media events---
3. press conferences---
4. investigative journalism---
5. watchdog---
6. print media---
7. broadcast media---
8. “yellow journalism”---
9. Wm Randolph Hearst & Joseph Pulitzer---
10. Cable News Network---
11. Federal Communications Commission---
12. “equal time rule”---
13. “right-of-reply”---
14. “fairness doctrine”---
15. narrowcasting---

“Reporting the News”

“The News and Public Opinion”

1. gatekeeper---
2. beats---
3. trial balloons---
4. embedded reporting---
5. sound bites---
6. scorekeeper---
7. talking head---
8. Associated Press---
9. Freedom of Information Act---
10. visuals---
11. Telecommunications Act of 1996---
12. “liberal bias”---

“The Media’s Agenda-Setting Function”

“Understanding the Mass Media”

1. policy agenda---
2. policy entrepreneurs---

Topic Eight---“Political Parties”

“The Meaning of Party”

“Party in the electorate”

1. political party---
2. party competition---
3. *the party in the electorate*---
4. *the party as an organization*---
5. *the party in government*---
6. linkage institutions---
7. party image---
8. party identification---
9. ticket-splitting---

“The Party Organizations: From the Grass Roots to Washington

“T Party in Government: Promises & Policy”

1. “grassroots”---
2. party machines---
3. patronage/Boss Tweed/Richard Daley---
4. closed primaries---
5. open primaries---
6. blanket primaries---
7. national convention---
8. national committee---
9. national chairperson---
10. coalition---

“Party Eras in American History”

1. party eras---
2. critical election---
3. party realignment---
4. First Party System: 1796-1824---
5. Jackson & the Democrats v. Whigs: 1828-1856---
6. The Two Republican Eras: 1860-1928---
7. The New Deal Coalition: 1932-1964---
8. The Era of Divided Party Government: 1968-Present
9. party dealignment---

“Third Parties: Their Impact on American Politics”

“Understanding Political Parties”

1. third parties---
2. Strom Thurmond’s States’ Righters/1948---
3. George Wallace’s American Independents/1968---
4. Ralph Nader/Green Party/2000---
5. Ross Perot/Independent Party/1992---
6. Winner-take-all system---
7. proportional representation---
8. single-member districts---
9. plurality vote v. majority vote---

Topic Nine—“Nominations and Campaigns”

“The Nomination Game”

1. nomination---
2. campaign strategy---
3. national party convention---
4. presidential caucuses---
5. presidential primaries---
6. McGovern-Fraser Commission---
7. superdelegates---
8. frontloading---
9. the Howard Dean “scream”---
10. Identify FIVE criticisms of the nomination process---
11. Identify TWO proposals to replace the current caucus/primary system---
12. party platform---

“The Campaign Game” & Money & Campaigning”

13. direct mail---
14. Define/Explain the SIX components of the Federal Election Campaign Act, 1974---
 - Federal Election Commission:
 - Presidential Election Commission:
 - Matching Funds:
 - Public Financing:
 - Required Full Financial Disclosure:
 - Limit of Individual Contributions:
15. soft money---
16. *Buckley v. Valeo* (1976)---
17. Define/Explain the McCain-Feingold Act, 2002---
 - soft money contributions:
 - amounts individuals could contribute:
 - “issue ads”:
 - *McConnell v. Federal Election Commission* (2003):
18. political action committees (PACs)---

Topic 10---“Elections and Voting Behavior”

“How American Elections Work” & “A Tale of Three Elections”

1. legitimacy---
2. referendum---
3. initiative---
4. California prop 209---
5. Summarize the important features of the election of 1800---
6. Summarize the important features of the election of 1896---
7. Summarize the important features of the election of 2004---

8. election of 2000---

“Whether To Vote: A Citizen’s First Choice”

9. suffrage---
10. political efficacy---
11. civic duty---
12. voter registration---
13. Motor Voter Act, 1993---
14. Identify SIX demographic features that influences whether one votes or not:

“How Americans Vote: Explaining Citizens’ Decisions”

15. mandate theory of elections---
16. THREE elements that go into HOW voters decide to vote---

“The Last Battle: The Electoral College” & “Understanding Elections & Voting Behavior

17. electoral college---
18. retrospective voting---
19. prospective voting---

Topic 11 - “Interest Groups”

“The Role of Interest Groups”

“Theories of Interest Group Politics”

“What Makes an Interest Group Successful?”

1. interest group/1st Amendment---
2. pluralist theory---
3. elite theory---
4. hyperpluralist theory---
5. subgovernments---
6. Top-Five interest groups—w/political clout---
7. Olsen’s law of large groups---
8. free-rider problem---
9. Charles Keating/campaign contributions---
10. single-issue group---

“The Interest Group Explosion”

“How Groups Try To Shape Policy”

1. *Encyclopedia of Associations*---
2. *Washington Information Directory*---
3. FOUR basic strategies used by interest groups to affect policy---
 - **Lobbying**---
 - Four ways lobbyists help members of Congress---
 - **electioneering**--
 - Political Action Committees---
 - 527s---
 - Five reasons PACs give money to candidates---
 - **litigation**---
 - *amicus curiae* briefs---
 - class-action law suits---
 - **going public**---

“Types of Interest Groups”

“Understanding Interest Groups”

1. economic interests---
2. labor interests---
3. union shop---

4. right-to-work law---
5. business interests---
6. environmental interests---
7. equality interests---
8. consumers and public interests---

Topic 12 – “Congress”

“The Representatives & Senators”

“Congressional Elections”

1. incumbents---
2. franking privilege---

3. “safe districts”---
4. “marginal districts”---

5. casework---

“How Congress is Organized to Make Policy”

“Congressional Leadership”

1. bicameral legislature---
2. House Rules Committee---
3. closed rule---
4. open rule---
5. restrictive rule---
6. discharge petition---
7. filibuster---
8. cloture---
9. Speaker of the House---
10. majority leader---
11. majority whip---
12. minority leader---
13. minority whip---
14. President of the Senate---
15. President pro tempore---
16. Senate majority leader---
17. Senate majority whip---
18. Senate minority leader---
19. Senate minority whip---
20. Standing committees---
21. Joint committees---
22. Conference committees---
23. Select committees---
24. legislative oversight---
25. committee chairs---
26. seniority system---
27. Congressional Caucuses---
28. Congressional staff---
29. Personal staff---
30. Committee staff---
31. Staff agencies---
32. Government Accountability Office---
33. Congressional Budget Office

“The Congressional Process”

“Understanding Congress”

1. bill---
2. how a bill becomes law—(Know the handout)
3. “Pork-barrel” legislation---
4. “riders”---
5. “earmarks”---
6. How Congressmen/women vote:
 - Attitudinal view of representation---
 - Organizational view of representation---
 - Representational view of representation---

Topic 13 – “Presidency”

“The Presidents”

“Presidential Powers”

1. Twenty-second Amendment---
2. impeachment---
3. Watergate---
4. Nixon’s Articles of Impeachment---
5. Clinton’s Articles of impeachment---
6. Twenty-fifth Amendment---
7. Presidential powers---
8. Executive privilege---
9. Imperial Presidency---
8. *Pentagon papers*---

“Running the Government: the Chief Executive”

1. Budgeting and Accounting Act, 1921---
2. cabinet---
3. The Executive Office of the President---
4. National Security Council (NSC)---
5. Council of Economic Advisors (CEA)---
6. The Office of Management & Budget (OMB)---
7. (Pyramid) hierarchical organization---
8. (Circular) wheel-and-spoke organization---
9. Ad hoc organization---

10. The First Lady---

“Presidential Leadership of Congress: The Politics of Shared Power”

“The President & National Security Policy”

1. veto---
2. pocket veto---
3. line-item veto---
4. Presidential rescissions, 1996---
5. *Clinton v. City of New York* (1998)---
6. “boll weevils”---
7. Presidential coattails---
8. electoral mandate---
9. Presidential “honeymoon” period---

10. President as Chief Diplomat---
11. President as Commander-in-Chief---
12. War Powers Resolution, 1973---
13. Legislative Veto---
14. President as “Crisis” manager---

“Power from the People: The Public Presidency”

“The President and the Press”

“Understanding the Presidency”

1. Presidential Approval ---
2. “Great Communicator”---
3. mobilizing the public---
4. press secretary---
5. lame duck---
6. divided government---
7. Helen Thomas, News icon---

Topic 14—“The Judiciary”

1. **Judicial Review—**
(since 1789--100 federal laws found unconstitutional)
2. **Strict-constructionist approach—**
3. **Activist approach---**
4. ***Federalist No. 78*---**
5. **1789-Civil War---**
(National Supremacy & Slavery)
 - “necessary and proper”
 - *Marbury v. Madison* 1803
 - *McCulloch v. Maryland* 1819
 - *Gibbons v. Ogden* 1824
 - “John Marshall has made his decision; now let him enforce it!”
 - *Dred Scott v. Sandford* 1857
 - nullification doctrine

End of the Civil War—the New Deal---

(Government & the economy)

- political rights & property rights were inextricably connected
- doctrine that stated that the Fourteenth Amendment—passed to declare newly freed African slaves as American citizens—also protected private property and the corporation from “unreasonable regulation by state governments
- “no state shall “deprive any person of life, liberty, or property without due process of the law”—once it was clear that a “person” could be a firm or a corporation—business and industry started flooding the courts with cases challenging various regulations

- Judicial activism was born in the 1880s & 1890s—of 900 state laws held to be in conflict with the federal Constitution since 1789, about 800 were overturned after 1870
- *Slaughterhouse Cases* 1873

The New Deal-Present—

(Government and Personal liberty)

- FDR's court-packing scheme and the “switch in time that saved nine”—Justice Owen Roberts
- FDR appointed NINE judges during his presidency
- Chief Justice Earl Warren (former Gov of California)—begins an “activist” period
- *Brown v. The Board of Education of Topeka, Ks* 1954
- Although it seemed the states' rights were gone—
 - *Gun-Free School Zones Act, 1990/regulating interstate commerce, struck down by the court
 - **Printz v. United States* 1997

6. Structure of the Federal Court System—

- The Constitution only requires that there be a Supreme Court—no mention of how many justices
 - All other federal courts & their jurisdictions were created by Congress
 - Constitutional Courts—are courts set up via Article 3
 - *nominated by the Pres/confirmed by Senate
 - *cannot be fired/salaries cannot be reduced while in office
 - *serve during “good behavior”—can be impeached/removed only
 - Supreme Court—8 Associate Justices, one Chief Justice
 - *Both original Jurisdiction & Appellate Jurisdiction
 - Federal District Courts—94 with at least one in each state, District of Columbia, Puerto Rico, The Virgin Islands, Guam, the Northern Mariana Islands
 - *originally created by the Judiciary Act, 1789
 - *Original Jurisdiction Only
 - *nearly 700 Justices
- (Two little known multi-judge panels:
- *The Foreign Intelligence Surveillance Court—created by Congress in 1978 to combat terrorism at home and abroad
 - *composed of 11 federal district court judges,

appointed to seven-year term by the Chief Justice

*meets in secret/power to issue secret search

warrants aimed at suspected spies/members of
terrorists organizations

*The Alien Terrorist Removal Court—created by

Congress in 1996 to decide whether persons

Identified as “alien terrorists” should be deported

*made up of five district judges, appointed by the

Chief Justice for five-year terms)

- Federal Courts of Appeals—one court in each of 11 regions/circuits, including the areas mentioned above

*Appellate Jurisdiction Only

*179 Justices

- Legislative Courts—set up by Congress for some specialized purpose/judges have fixed terms/can be fired/can have their salaries reduced

- Senatorial Courtesy—

- “Litmus Test”—

- Jurisdiction:

*ORIGINAL---where cases logically begin

Supreme Court has original jurisdiction in the

Following circumstances; (SOLICITOR GENERAL—

3rd Ranking member of the office of the Department

of Justice—decides what cases the government will

appeal from the lower courts/personally approves

every case the government presents to the Supreme

Court)

1. two or more states (Az v Ca longest running)
 2. The United States and a state
 3. Foreign Ambassadors/diplomats
 4. A state and a citizen of a different state
- (Remember: the Supreme Court has both original and appellate jurisdiction)

***Appellate Jurisdiction---hears appeals only**

7. **Civil law—**
(rules defining relationships among private citizens—“common law)
8. **Criminal Law--**
(rules defining offenses that are considered offenses against society as a whole—murder, rape, robbery, etc—and warrant punishment by and for society)
9. **Writ of Certiorari—**
(“send up the case”)
10. **Rule of Four—**
(In order for the sup ct to agree to hear a case, FOUR justices agree to hear the case)
11. **Getting to Court---lot’s of Time & Money**
(the Sup Ct rejects 96% of cases asking to be heard)
 - \$\$\$\$\$
 - **Clarence Gideon filed as a pauper**
(in forma pauperis)
 - **Interest grps help with costs NAACP, ACLU, etc.....**
 - **Fee shifting—**
 - **Standing--legal concept that refers to who is entitled to bring a case.**
 1. **must be an actual controversy between real adversaries—no hypothetical cases**
 2. **You must show that you’ve been Harmed by the law or practice about**
Which you are complaining. It is not
Enough that you don’t like what gov, Corp, labor groups do—you must be
actually harmed
 3. **Merely being a taxpayer does not**
Ordinarily entitle you to challenge
The Constitutionality of a federal
Gov action. You may not like how your tax dollars are being spent—but you must
show how it harms you. (you can vote other reps in!)
12. **Sovereign immunity—**
(you cannot sue the government without its consent)

- 13. Class-action suits—
(a case brought into court by a person on behalf of
not only of himself or herself, but for all other
persons in similar circumstances)**

- **Brown v Board of Education**

Topic 15 —“The Federal Bureaucracy”

“The Bureaucrats”

1. bureaucracy---
2. patronage---
3. Pendleton Civil Service Act---
4. civil service---
5. merit principle---
6. Hatch Act---
7. Office of Personnel Management (OPM)---
8. GS (General Schedule) rating---
9. Senior Executive Service (SES)---

“How Bureaucracies are Organized”

1. independent regulatory agencies---
2. the Federal Reserve Board (FRB)---
3. National Labor Relations Board (NLRB)---
4. Federal Communications Commission (FCC)---
5. Federal Trade Commission (FTC)---
6. Securities & Exchange Commission (SEC)---
7. government corporations---
8. independent executive agency---
9. General Services Administration (GSA)---
10. National Science Foundation (NSF)---
11. National Aeronautics & Space Administration (NASA)---

“Bureaucracies as Implementors”

1. policy implementation---
2. standard operating procedures (SOP)---
3. administrative discretion---
4. street-level bureaucrats---
5. The Voting Rights Act, 1965--
(Case study—p. 488-489)

“Bureaucracies as Regulators”

“Understanding Bureaucracies”

1. regulation---
2. Equal Employment Opportunity Commission (EEOC)---
3. Environmental Protection Agency (EPA)---
4. Command-and-control policy---
5. *Munn v. Illinois*, 1877---
6. deregulation---
7. Civil Aeronautics Board/deregulation of the airlines, 1978---
8. Executive orders---
9. Iron Triangles---

Topic Sixteen—“The Federal Courts”

“The Nature of the Judicial System”

“The Structure of the Federal Judicial System”

1. criminal law---
2. Civil Law---
3. plaintiff---
4. defendant---
5. standing to sue---
6. class action suits---
7. justiciable disputes---
8. *amicus curiae* briefs---
9. brief--
10. Thurgood Marshall---
11. constitutional courts---
12. legislative courts---
13. original jurisdiction---

14. appellate jurisdiction---
15. district courts---
16. courts of appeals---
17. Supreme Court---

“The Politics of Judicial Selection”

“The Backgrounds of Judges & Justices”

1. serve “during good behavior”---
2. senatorial courtesy---
3. “blue slip”---
4. “litmus test”---
5. judicial elections---

“The Courts as Policymakers”

1. “rule of four”---
2. *writ of certiorari*---
3. solicitor general---
4. opinion of the Court (majority opinion)---
5. concurring opinion---
6. dissenting opinion---
7. per curiam opinion---
8. *stare decisis*---
9. precedent---
10. original intent (strict constructionists)---
11. judicial activism (broad constructionists)---
12. judicial implementation (three steps)---

“The Courts and the Policy Agenda”

“Understanding the Courts”

1. *Marbury v. Madison*---
2. judicial review---
3. “court-packing plan” (FDR)---
4. “switch in time that saved nine”---
5. *United States v. Nixon*, 1974---
6. *Bush v. Gore*, 2000---
7. judicial restraint---
8. political questions---