



## PRINCIPLE OF AMERICAN DEMOCRACY

Name:

Section:

### Constitutional Democracy

**Annapolis Convention** – A convention held in September 1786 to consider problems of trade and navigation, attended by five states and important because it issued the call to Congress and the states for what became the Constitutional Convention.

**Antifederalists** – Opponents of ratification of the Constitution and of a strong central government, generally.

**Articles of Confederation** – The first governing document of the confederated states drafted in 1777, ratified in 1781, and replaced by the present Constitution in 1789.

**Bicameralism** – The principle of a two-house legislature.

**Connecticut Compromise** – Compromise agreement by states at the Constitutional Convention for a bicameral legislature with a lower house in which representation would be based on population and an upper house in which each state would have two senators.

**Constitutional Convention** – The convention in Philadelphia, May 25 to September 17, 1787, that debated and agreed upon the Constitution of the United States.

**Constitutional democracy** – A government that enforces recognized limits on those who govern and allows the voice of the people to be heard through free, fair, and relatively frequent elections.

**Constitutionalism** – The set of arrangements, including checks and balances, federalism, separation of powers, rule of law, due process, and a bill of rights, that requires our leaders to listen, think, bargain, and explain before they act or make laws. We then hold them politically and legally accountable for how they exercise their powers.

**Democracy** – Government by the people, both directly or indirectly, with free and frequent elections.

**Direct democracy** – Government in which citizens vote on laws and select officials directly.

**Federalists** – Supporters of ratification of the Constitution and of a strong central government.

**Majority** – The candidate or party that wins more than half the votes cast in an election.

**Majority rule** – Governance according to the expressed preferences of the majority.

**New Jersey Plan** – Proposal at the Constitutional Convention made by William Paterson of New Jersey for a central government with a single-house legislature in which each state would be represented equally.

**Plurality** – Candidate or party with the most votes cast in an election, not necessarily more than half.

**Popular consent** – The idea that a just government must derive its powers from the consent of the people it governs.

**Representative democracy** – Government in which the people elect those who govern and pass laws; also called a *republic*.

**Shays's Rebellion** – Rebellion led by Daniel Shays of farmers in western Massachusetts in 1786-1787, protesting mortgage foreclosures. It highlighted the need for a strong national government just as the call for the Constitutional Convention went out.

**Statism** – The idea that the rights of the nation are supreme over the rights of the individuals who make up the nation.

**The Federalist** – Essays promoting ratification of the Constitution, published anonymously by Alexander Hamilton, John Jay, and James Madison in 1787 and 1788.

**Theocracy** – Government by religious leaders, who claim divine guidance.

**Three-fifths compromise** – Compromise between northern and southern states at the Constitutional Convention that three-fifths of the slave population would be counted for determining direct taxation and representation in the House of Representatives.

**Virginia Plan** – Initial proposal at the Constitutional Convention made by the Virginia delegation for a strong central government with a bicameral legislature dominated by the big states.

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## The Living Constitution

**Checks and balances** – Constitutional grant of powers that enables each of the three branches of government to check some acts of the others and therefore ensure that no branch can dominate.

**Direct primary** – Election in which voters choose party nominees.

**Divided government** – Governance divided between the parties, especially when one holds the presidency and the other controls one or both houses of Congress.

**Executive order** – Directive issued by a president or governor that has the force of law.

**Executive privilege** – The power to keep executive communications confidential, especially if they relate to national security.

**Impeachment** – Formal accusation by the lower house of legislature against a public official, the first step in removal from office.

**Impoundment** – Presidential refusal to allow an agency to spend funds that Congress authorized and appropriated.

**Initiative** – Procedure whereby a certain number of voters may, by petition, propose a law or constitutional amendment and have it submitted to the voters.

**Judicial review** – The power of a court to refuse to enforce a law or a government regulation that in the opinion of the judges conflicts with the U.S. Constitution or, in a state court, the state constitution.

**Marbury v. Madison** - A landmark case in United States law and the basis for the exercise of judicial review in the United States, under Article Three of the United States Constitution. The case resulted from a petition to the Supreme Court by William Marbury, who had been appointed as Justice of the Peace in the District of Columbia by President John Adams shortly before leaving office, but whose commission was not delivered as required by John Marshall, Adams's Secretary of State. When Thomas Jefferson assumed office, he ordered the new Secretary of State, James Madison, to withhold Marbury's and several other men's commissions. Marbury and three others petitioned the Court to

force Madison to deliver the commission to Marbury. The Supreme Court denied Marbury's petition, holding that the statute upon which he based his claim was unconstitutional.

**Natural law** – God's or nature's law that defines right from wrong and is higher than human law.

**Recall** – Procedure for submitting to popular vote the removal of officials from office before the end of their term.

**Referendum** – Procedure for submitting to popular vote measures passed by the legislature or proposed amendments to a state constitution.

**Separation of powers** – Constitutional division of powers among the legislative, executive, and judicial branches, with the legislative branch making law, the executive applying and enforcing the law, and the judiciary interpreting the law.

**Writ of mandamus** – Court order directing an official to perform an official duty.

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