



PRINCIPLE OF AMERICAN DEMOCRACY

Vocabulary Set

Name:

Federalism and Ideology

Section:

American Federalism

Devolution revolution – The effort to slow the growth of the federal government by returning many functions to the states.

Federalism – Constitutional arrangement in which power is distributed between a central government and subdivisional governments, called *states* in the United States. The national and the subdivisional governments both exercise direct authority over individuals.

Dual federalism (layer cake federalism) – Views the Constitution as giving a limited list of powers—primarily foreign policy and national defense—to the national government, leaving the rest to the sovereign states. Each level of government is dominant within its own sphere. The Supreme Court serves as the umpire between the national government and the states in disputes over which level of government has responsibility for a particular activity.

Cooperative federalism – Stresses federalism as a system of intergovernmental relations in delivering governmental goods and services to the people and calls for cooperation among various levels of government.

Marble cake federalism – Conceives of federalism as a marble cake in which all levels of government are involved in a variety of issues and programs, rather than a layer cake, or dual federalism, with fixed divisions between layers or levels of government.

Competitive federalism – Views the national government, 50 states, and thousands of local governments as competing with each other over ways to put together packages of services and taxes. Applies the analogy of the marketplace: we have some choice about which state and city we want to “use”, just as we have choices about what kind of telephone service we use.

Permissive federalism – Implies that although federalism provides “a sharing of power and authority between the national and state governments, the state’s share rests upon the permission and permissiveness of the national government.”

“Our federalism” – Championed by Ronald Reagan, presumes that the power of the federal government is limited in favor of the broad powers reserved to the states.

Unitary system – Constitutional arrangement that concentrates power in a central government.

Confederation – Constitutional arrangement in which sovereign nations or states, by compact, create a central government but carefully limit its power and do not give it direct authority over individuals.

Express powers – Powers the Constitution specifically grants to one of the branches of the national government.

Implied powers – Powers inferred from the express powers that allow Congress to carry out its functions.

Necessary and proper clause – Clause of the Constitution (Article 1, Section 8, Clause 3) setting forth the implied powers of Congress. It states that Congress, in addition to its express powers has the right to make all laws necessary and proper to carry out all powers the Constitution vests in the national government.

Inherent powers – The powers of the national government in foreign affairs that the Supreme Court has declared do not depend on constitutional grants but rather grow out of the very existence of the national government.

Commerce clause – The clause in the Constitution (Article 1, Section 8, Clause 1) that gives Congress the power to regulate all business activities that cross state lines or affect more than one state or other nations.

Federal mandate – A requirement the federal government imposes as a condition for receiving federal funds.

Concurrent powers – Powers that the Constitution gives to both the national and state governments, such as the power to levy taxes.

Full faith and credit clause – Clause in the Constitution (Article 4, Section 1) requiring each state to recognize the civil judgments rendered by the courts of the other states and to accept their public records and acts as valid.

Extradition – Legal process whereby an alleged criminal offender is surrendered by the officials of one state to officials of the state in which the crime is alleged to have been committed.

Interstate compact – An agreement among two or more states. Congress must approve most such agreements.

National supremacy – Constitutional doctrine that whenever conflict occurs between the constitutionally authorized actions of the national government and those of a state or local government, the actions of the federal government will prevail.

Preemption – The right of a federal law or a regulation to preclude enforcement of a state or local law or regulation.

Centralists – People who favor national action over action at the state and local levels.

Decentralists – People who favor state or local action rather than national action.

State's rights – Powers expressly or implicitly reserved to the states.

Categorical-formula grants – Congress appropriates funds for a specific purpose, such as school lunches or for building airports and highways. These funds are allocated by formula and are subject to detailed federal conditions, often on a matching basis; that is, the local government receiving the federal funds must put up some of its own dollars. Categorical grants, in addition, provide federal supervision to ensure that the federal dollars are spent as Congress wants.

Project grants – Congress appropriates a certain sum, which is allocated to state and local units and sometimes to nongovernmental agencies, based on applications from those who wish to participate. Examples are grants by the National Science Foundation to universities and research institutes to support the work of scientists or grants to states and localities to support training and employment programs.

Block grants – These are broad state grants to states for prescribed activities—welfare, child care, education, social services, preventive health care, and health services—with only a few strings attached. States have greater flexibility in deciding how to spend block grant dollars, but when the federal funds for any fiscal year are gone, there are no more matching federal dollars.

Direct orders – A technique of Congress to establish federal regulations. Direct orders must be complied with under threat of criminal or civil sanction. An example is the Equal Employment Opportunity Act of 1972, barring job discrimination by state and local governments on the basis of race, color, religion, sex, and national origin.

Cross-cutting requirements – A technique of Congress to establish federal regulations. Federal grants may establish certain conditions that extend to all activities supported by federal funds, regardless of their source. The first and most famous of these is Title VI of the 1964 Civil Rights Act, which holds that in the use of federal funds, no person may be discriminated against on the basis of race, color, or national origin. More than 60 cross-cutting requirements concern such matters as the environment, historic preservation, contract wage rates, access to government information, the care of experimental animals, and the treatment of human subjects in research projects.

Crossover sanctions – A technique of Congress to establish federal regulations. These sanctions permit the use of federal money in one program to influence state and local policy in another. For example, a 1984 act reduced federal highway aid by up to 15 percent for any state that failed to adopt a minimum drinking age of 21.

Total and Partial Preemption – A technique of Congress to establish federal regulations. Total preemption rests on the national government's power under the supremacy and commerce clauses to preempt conflicting state

and local activity. Building on this constitutional authority, federal law in certain areas entirely preempts state and local governments from the field. Sometimes federal law provides for partial preemption in establishing basic policies but requires states to administer them. Some programs give states an option not to participate, but if a state chooses not to do so, the national government steps in and runs the program. Even worse from the state's point of view is *mandatory partial preemption*, in which the national government requires states to act on peril of losing other funds but provides no funds to support state action.

Creative federalism – During the Great Society, the marble cake approach of intergovernmental relations.

Fiscal federalism – Through different grant programs, slices up the marble cake into many different pieces, making it even more difficult to differentiate the functions of the levels of government.

“Necessary and proper” clause – Clause in the Constitution that states that “Congress should have the power to make all laws necessary and proper for carrying into execution the foregoing powers. . . .” This clause is also known as the elastic clause as is a major and significant power of Congress, granting Congress the ability to interpret its lawmaking ability in a broad manner.

Linkage institutions – The means by which individuals can express preferences regarding the development of public policy.

Photo ops – Photo opportunities set up by the candidates. The media have been accused of simplifying complicated political issues by relying on photo ops to explain them to the public.

Sound bites – 30-second statements on the evening news shows. The media have been accused of simplifying complicated political issues by relying on sound bites to explain them to the public.

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Political Culture and Ideology

Political culture – The widely shared beliefs, values, and norms about how citizens relate to governments and to one another.

Social capital – Democratic and civic habits of discussion, compromise, and respect for differences, which grow out of participation in voluntary organizations.

Natural rights – The rights of all people to dignity and worth; also called *human rights*.

Democratic consensus – Widespread agreement on fundamental principles of democratic governance and the values that undergird them.

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

Popular sovereignty – A belief that ultimate power resides in the people.

American dream – The widespread belief that the United States is a land of opportunity and that individual initiative and hard work can bring economic success.

Capitalism – An economic system characterized by private property, competitive markets, economic incentives, and limited government involvement in the production, distribution, and pricing of goods and services.

Suffrage – The right to vote.

Monopoly – Domination of an industry by a single company that fixes prices and discourages competition; also, the company that dominates the industry by these means.

Antitrust legislation – Federal laws (starting with the Sherman Act of 1890) that tried to prevent a monopoly from dominating an industry and restraining trade.

Political ideology – A consistent pattern of beliefs about political values and the role of government.

Liberalism – A belief that government can and should achieve justice and equality of opportunity.

Conservatism – A belief that limited government insures order competitive markets and personal opportunity.

Socialism - An economic and governmental system based on public ownership of the means of production and exchange.

Libertarianism – An ideology that cherishes individual liberty and insists on minimal government, promoting a free market economy, a noninterventionist foreign policy, and an absence of regulation in moral, economic, and social life.

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