

# The 20 Most Popular Topics

## 1. Incumbency Advantage

- a. It is the single most important factor in congressional elections (more so for H than S).
- b. Use of “pork barrel politics”, “casework”, and “franking privilege”.
- c. It is easier for incumbents to raise money than challengers.

## 2. Federalism

- a. System of government with shared power between national (central) and state (regional) governments.
- b. In the event of conflict between the two, the national prevails over the state.
- c. Fiscal (block, categorical) + mandates help national get states to act.
- d. The Necessary and Proper Clause (*McCulloch v. Maryland*), Commerce Clause (*Gibbons v. Ogden* -- GOCO), Civil Rights Act of 1964, categorical grants and federal mandates have increased the power of the national.
- e. The procedure of amending the Constitution illustrates the federal structure of American government (so does Electoral College).
- f. Federalism decentralizes political conflict, provides interest groups with multiple points of access, and creates opportunities for experimentation and diversity of public policy.
- g. Federalism allows interest groups to delay or even thwart majority support of a policy.

## 3. Selection of Supreme Court Justices

- a. Appointed by the president and confirmed by a majority vote of the Senate.
- b. Illustrates system of checks and balances.
- c. Selection based on impressive credentials with regard to racial, ethnic, and gender.
- d. Presidents with a philosophy of judicial restraint look for candidates who use precedent and the Framers’ original intent to decide cases.
- e. Presidents with a philosophy of judicial activism look for candidates who believe the Supreme Court must correct injustices when other branches or the states fail to do so. [I disagree with this term and definition. I think it is better to compare original intent with “living constitution”. The later meaning that justices interpret the document as it applies to today’s issues. Please see the video clip of Scalia and Breyer.]

## 4. The Electoral College

- a. The winning ticket must receive a majority of the votes in the Electoral College, not by a majority of the popular vote.
- b. Winner-take-all system in which the candidate who wins a plurality of the votes in a state wins all of that state’s electoral voters (except for Maine & Nebraska).
- c. WTA system makes it difficult for 3<sup>rd</sup> Party candidates to succeed.
- d. Encourages presidential candidates to focus on the largest, most competitive (“swing”) states.
- e. Election is thrown to the House if no candidate wins a majority of electoral votes. Each state has one vote.
- f. Benefits the small states.

## 5. African American Voting Patterns

- a. Support Democratic presidential candidates since New Deal.
- b. Tend to support the more liberal (not on social issues) Democrats.
- c. Have higher voting rates than whites if you control the effects of race and education

## **6. Voter Turnout**

- a. Lower than that of most Western democracies.
- b. Majority of U.S. electorate does not vote in nonpresidential elections (mid terms).
- c. People who vote most - better educated, wealthier, older, and women. These are all relative in terms of their polar.
- d. Cross-pressures (cross cleavages), a low level of political efficacy, and voter registration are all factors that reduce voter turnout.

## **7. Divided Government**

- a. Occurs when different parties control the presidency and Congress.
- b. Heightens partisanship, slows the legislative process, and contributes to the decline in public trust in government.
- c. Presidents attempt to overcome the problems posed by divided government by using the media to generate public support, threatening to veto objectionable legislation, and building coalitions with key interest groups.

## **8. Political Action Committees**

- a. Business PACs have dramatically increased in number since the 1970s.
- b. Support of House incumbents is particularly significant.
- c. Law limits amount of money that PACs can directly contribute to an individual candidate.
- d. Most all interest groups have a PAC.

## **9. The Veto Power**

- a. Example of checks and balances.
- b. Gives the president the power to veto (kill) a bill and Congress the power to override the presidential veto (by a 2/3 vote in each chamber).
- c. Pocket veto occurs when Congress adjourns within 10 days of submitting a bill to the president who lets the bill die by doing nothing.
- d. Presidents often use the threat of a veto to persuade Congress to modify a bill.
- e. Congress is usually unable to override a presidential veto.
- f. Most state governors can exercise a line-item veto.
- g. Congress passed the Line-Item Veto Act (1996) giving the president power to veto individual items in major appropriations bills.
- h. In the case of *Clinton v. City of New York* (1998), the SCOTUS struck down the line-item veto as an unconstitutional violation of the principle of separation of powers.

## **10. The President & The Cabinet**

- a. President appoints cabinet heads subject to confirmation by the Senate. The president can fire a cabinet head, however, without the Senate approval. [They usually just resign first.]
- b. Cabinet members often have divided loyalties. Their loyalty to the president can be undermined by their loyalty to the institutional goals of their department. Also remember, they receive funding only from Congress.
- c. Presidents often experience difficulty in controlling cabinet departments because they form iron triangles with interest groups and congressional committees. [You may want to memorize an example. See chart in textbook. That way you can think your way through any FRQ about one & also have a ready-made example.]

## **11. Presidential Primaries**

- a. Have weakened party control over the nomination process. Advocated by progressives in early 20<sup>th</sup> century, they have given more power to the people and democratized the process.
- b. Primary voters tend to be party activists who are older and more affluent than the general election.
- c. Democratic Party uses a proportional system that awards delegates based on the percentage of votes a candidate receives.
- d. Closed vs. Open
- e. Frontloading is the recent pattern of states holding primaries in February and March to capitalize on media attention and to maximize their influence in the nomination

process. Each individual party in coordination with the state determines primary schedule.

## 12. Standing Committees & The Seniority System

- a. Permanent bodies that focus on legislation in a particular area.
- b. They promote specialized policy expertise among their members.
- c. All bills are referred to standing committees, where they can be amended, passed, or killed. Most bills simply die of neglect.
- d. Standing committees are divided into subcommittees, where the details of legislation are refined.
- e. In the past, committee chairs were chosen by a seniority system in which the majority party members with the most continuous service on the committee became the chair. Although chairs are now elected, most still tend to be senior members of the majority party.
- f. The system of standing committees is particularly important in the House where the Rules Committee plays a pivotal role. The Rules Committee places a bill on the legislative calendar, determines the type of amendment allowed, and allocates the time for debate.
- g. The other types of committees - Joint, Conference, and Select.

## 13. The Federalist Papers

- a. In *Federalist No. 10*, Madison argued that political factions are undesirable, but inevitable.
- b. The excesses of factionalism could be limited by the system of republican government [citizens elect people to represent them in the government] created by the Constitution.
- c. *Federalist No. 10* refuted the widely held belief that a republican form of government would work only in a small geographically compact territory. He argued that a large republic such as the United States would fragment political power and thus curb the threat posed by both majority and minority factions.
- d. *Federalist No. 51*, by Alexander Hamilton, explains how checks and balances and is often quoted for its justification of government as "the greatest of all reflections on human nature."

## 14. The 14<sup>th</sup> Amendment

- a. Made African American citizens, thus voiding the Dred Scott decision.
- b. Its Due Process Clause forbids a state from acting in an unfair or arbitrary way (basically 4-8<sup>th</sup> Amendments).
- c. Its Equal Protection Clause forbids a state from discriminating against or drawing unreasonable distinctions between persons (applies 1-3 Amendments to all people regardless of race, ethnicity, gender, disability, age). Know strict scrutiny vs. rational basis test.
- d. Its doctrine of Selective Incorporation extends most of the requirements of the Bill of Rights to the states on a case-by-case basis. Remember Gitlow (rights get low to states) was the first incorporation case.

## 15. Political Socialization

- a. The process by which political values are formed and passed from one generation to the next.
- b. The family is the most important agent of political socialization. Children usually have the same party affiliation as their parents. Be ready to enumerate other agents.

## 16. Critical Election

- a. Takes place when groups of voters change their traditional patterns of party loyalty.
- b. Triggers a party realignment in which the minority party displaces the majority party, thus ushering in a new party era.
- c. Critical elections happened in 1800, 1860, 1896, and 1932.

### **17. The Selection of Supreme Court Cases**

- a. Most cases on SCOTUS docket are derived from the High Court's appellate jurisdiction.
- b. Nearly all appellate cases now reach the Supreme Court by a writ of certiorari.
- c. The Rule of Four requires four of the nine justices must agree to hear a case.
- d. Court refuses to hear most of the lower court appeals.

### **18. The Mass Media**

- a. Plays key role in affecting which issues the public thinks are important. These issues usually reach the government's policy agenda.
- b. Horse-race journalism refers to the media's tendency to focus on polls, personalities, and sound bites rather than an in-depth analysis of key issues.
- c. Since candidates can appeal to voters through the media, parties have weakened.

### **19. The Articles of Confederation**

- a. Established a decentralized system of government with a weak central government that had limited powers over the states.
- b. Created a unicameral Congress that lacked the power to levy taxes or regulate interstate trade.

### **20. The Role of State Legislatures**

- a. Originally, the legislatures elected the U.S. Senators from their state. The 17<sup>th</sup> Amendment provided for the direct election of U.S. Senators by the voters.
- b. Determine the boundary lines of congressional districts through redistricting.
- c. Can ratify constitutional amendments by a vote of  $\frac{3}{4}$  of the states (legislatures).
- d. Remember that (b) and (c) illustrate federalism.

## **Top 10 Acts of Congress**

1. Civil Rights Act of 1964
2. The Voting Rights Act of 1965
3. The Clean Air Act (1970)
4. The War Powers Resolution (1973)
5. The Budget & Impoundment Control Act of 1974
6. The Federal Election Campaign Act (1974)
7. Americans with Disabilities Act (1990)
8. Welfare Reform Act (1976)
9. No Child Left Behind Act (2001)
10. USA Patriot Act (2001)

# Top 30 Supreme Court Cases

## Classic Marshall Court Cases

1. *Marbury v. Madison*
2. *McCulloch v. Maryland*
3. *Gibbons v. Ogden*

## 1<sup>st</sup> Amendment: Establishment Clause

4. *Engel v. Vitale*
5. *Lemon v. Kurtzman*

## 1<sup>st</sup> Amendment: Free Exercise Clause

6. *Reynolds v. U.S.*
7. *Oregon v. Smith*

## 1<sup>st</sup> Amendment: Free Speech

8. *Schenck v. U.S.*
9. *New York Times v. Sullivan*
10. *Roth v. U.S.*
11. *Tinker v. Des Moines ISD*
12. *Texas v. Johnson*

## 14<sup>th</sup> Amendment: Selective Incorporation

13. *Barron v. Baltimore*
14. *Gitlow v. New York*

## 14<sup>th</sup> Amendment: Due Process

15. *Weeks v. U.S.*
16. *Mapp v. Ohio*
17. *Gideon v. Wainwright*
18. *Miranda v. Arizona*

## 14<sup>th</sup> Amendment: Equal Protection Cases

19. *Dred Scott. Sandford*
20. *Plessy v. Ferguson*
21. *Regents of the University of California v. Bakke*
22. *Grutter v. Bollinger*

## The Right to Privacy

23. *Griswold v. Connecticut*
24. *Roe v. Wade*

## Apportionment Cases & Campaign Finance

25. *Baker v. Carr*
26. *Wesberry v. Sanders*
27. *Reno v. Shaw*
28. *Buckley v. Valeo*

## Executive Privilege

29. *Korematsu v. U.S.*
30. *United States v. Nixon*