


# Unit Resources - Glossary Terms from "The Constitution and Civil Liberties"

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Glossary Terms from:  

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Show As Flash Cards

## **alien**

a person who was born in a different country and is not a citizen of the country in which she now lives

## **amend**

to change

## **anarchy**

a situation of confusion and wild behavior in which the people in a country, group, organization, etc., are not controlled by rules or laws

## **article**

a separate part of a legal document that deals with a single subject

## **assemble**

to gather together as a group

## **associate**

to join a group of people with the same interest or cause

## **bicameral**

an adjective describing a legislative body composed of two chambers

## **bill of attainder**

legislative act that inflicts punishment without a court trial

## **bright-line rule**

a rule that provides an unambiguous criterion or guideline, especially in law

## **censorship**

the suppression of information before it is expressed

## **checks and balances**

system of overlapping the powers of the legislative, executive, and judicial branches to permit each branch to check the actions of the others

**civil disobedience**

a form of protest in which people deliberately but nonviolently violate the law as a means of expressing their opposition to some particular law or public policy

**civil liberty**

the right of people to do or say things that are not illegal without being stopped or interrupted by the government

**clear and present danger test**

the doctrine used by the Supreme Court to determine when limitations can be placed upon First Amendment rights

**competing rights**

two or more conflicting rights

**double jeopardy**

part of the Fifth Amendment stating that no person can be put in jeopardy of life or limb twice; once a person has been tried for a crime, he or she cannot be tried again for the same crime

**due process**

doctrine that holds that the government must act fairly and in accord with established rules in all that it does

**economic right**

the right to participate in all elements related to the production of goods and services

**enumerated powers**

those delegated powers of the national government that are spelled out, expressly, in the Constitution; also called the expressed powers

**Establishment Clause**

part of the First Amendment of the Constitution that guarantees the separation of church and State

**ex post facto law**

law applied to an act committed before its passage

**exclusionary rule**

ruling stating that evidence gained as the result of an illegal act by police cannot be used against the person from whom it was seized

**Federal Communications Commission (FCC)**

a federal agency that regulates the media

**Federalist Papers**

a collection of 85 essays written by Alexander Hamilton, James Madison, and John Jay to the New York public in support of ratification of the U.S. Constitution

**Free Exercise Clause**

the second part of the constitutional guarantee of religious freedom; guarantees to each person the right to believe whatever he or she chooses to believe in matters of religion

**grand jury**

a group of people brought together to analyze evidence prior to a formal charge being issued

**hate speech**

speech, writing, or symbolism that threatens, attacks, or insults, especially when encouraging violence against a group based upon a characteristic such as race, religion, gender, sexual identity or orientation, national origin, or disability

**human nature**

the ways of thinking, feeling, and acting that are common to most people

**indictment**

formal complaint before a grand jury that charges the accused with one or more crimes

**judicial review**

the power of a court to determine the constitutionality of a governmental action

**Lemon test**

a test used in freedom of religion cases that pertain to the Establishment Clause

**libel**

false and malicious use of printed words

**limited government**

basic principle of American government, which states that government is restricted in what it may do, and each individual has rights that government cannot take away

**offensive speech**

speech, writing, or symbolism that insults or is considered morally or socially inappropriate

**Pentagon Papers**

a group of stolen Defense Department documents with information pertaining to the Vietnam War; the papers were the subject of the "New York Times v. United States" Supreme Court case.

**personal right**

a right that pertains to an individual's legal status or individual condition

**petition**

to make a formal written request to an official person or organization

**police power**

authority of each state to act to protect and promote the public health, safety, morals, and general welfare of its people

**political right**

the right to participate in the activities of government

**popular sovereignty**

a government that exists only with the consent of the governed

**prior restraint**

idea that government cannot curb ideas before they are expressed

**probable cause**

reasonable grounds, a reasonable suspicion of crime

**procedural due process**

concept that holds that the government must employ fair procedures and methods

**ratify**

approve

**religious exemption**

act of allowing citizens who feel that following a law would violate their conscience based upon the teachings of their religion to request immunity from punishment for refusing to follow the law

**republicanism**

the principles or theory of republican government; governed by elected representative and an elected leader rather than by a king or queen

**right**

something that a person is or should be morally or legally allowed to have, get, or do

**right to privacy**

the right to have one's personal information kept out of public scrutiny; this right is not explicitly defined in the Constitution, but some amendments provide protection for some aspects of privacy

**rule of law**

concept that the government and its officers are always subject to the law

**search warrant**

court order authorizing a search

**sedition speech**

speech, writing, or symbolism that encourages people to overthrow the government

**self-incrimination**

the giving of testimony that will likely subject one to criminal prosecution

**separation of church and state**

the principle dividing religion and government by barring the government from promoting any religion or prohibiting anyone from practicing their religion; also called the Wall of Separation

**separation of powers**

basic principle of American system of government that the executive, legislative, and judicial powers are divided among three independent and coequal branches of government

**shield law**

law which gives reporters some protection against having to disclose their sources or reveal other confidential information in legal proceedings

**slander**

false and malicious use of spoken words

**social contract**

an actual or hypothetical agreement among the members of an organized society or between a community and its ruler that defines and limits the rights and duties of each

**substantive due process**

concept that holds that the government must create fair policies and laws

**symbolic speech**

expression by conduct; communicating ideas through facial expressions, with body language, or by carrying a sign or wearing an armband

**unalienable right**

a right that is impossible to take away or give up

**writ of habeas corpus**

court order that prevents unjust arrests and imprisonments