

Checks and Balances

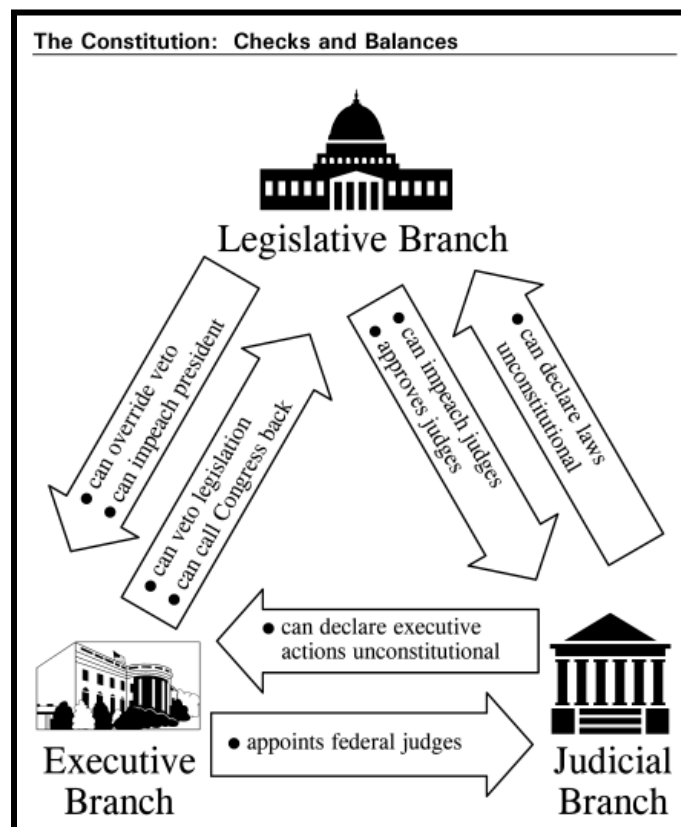
The writers of the U.S. Constitution wanted to create a strong national government. But they also wanted to make sure that one person or group did not have too much power. That is why they separated the government's power into three branches: the legislative, executive and judicial. Each branch is given specific responsibilities and specific powers. Let's review:

The legislative branch is **CONGRESS**. This branch has the power to **MAKE LAWS**

The executive branch is **THE PRESIDENT**. This branch has the power to **ENFORCE LAWS**

The judicial branch is **THE SUPREME COURT**. This branch has the power to **INTERPRET LAWS (ARE LAWS FAIR?)**

To ensure that one branch would not have more power than another, they created a system called *checks and balances*. Each branch is able to "check" the power of another branch. By checking each branch, power is balanced among them.



Use the chart above to answer the following questions:

1. How can the legislative branch check the executive branch? **OVERRIDE VETO, IMPEACH PRESIDENT**
2. How can the judicial branch check the legislative branch? **CAN DECLARE LAWS UNCONSTITUTIONAL**
3. How can the executive branch check the judicial branch? **APPOINTS FEDERAL JUDGES**
4. How can the judicial branch check the executive branch? **CAN DECLARE PRESIDENTIAL ACTIONS UNCONSTITUTIONAL**

Directions: Read each of the scenarios below. Write the branch has the power to perform this action. We will then discuss how another branch of government can “check” that branch’s power.

SCENARIO	WHAT BRANCH HAS THE POWER TO PERFORM THIS ACTION?	HOW CAN ANOTHER BRANCH “CHECK” THEIR ACTIONS?
#1 A law was recently created to allow citizens to choose their own health care plan.	LEGISLATIVE	EXECUTIVE CAN VETO THE LAW; LEGISLATIVE CAN OVERRIDE THE VETO
#2 A peace treaty is made with Iran.	EXECUTIVE	LEGISLATIVE HAS TO APPROVE THE TREATY
#3 A replacement for the Chief Justice of the Supreme Court has been chosen.	EXECUTIVE	LEGISLATIVE
#4 President Roosevelt wants to declare war on Japan after they attack Pearl Harbor in 1941.	EXECUTIVE	LEGISLATIVE HAS TO APPROVE DECLARATION (LEGISLATIVE HAS CONTROL OF \$\$\$)
#5 Bill Clinton is impeached	LEGISLATIVE	HOUSE OF REPS CHARGES THE PRESIDENT; THE SENATE HOLDS THE TRIAL

Conclusion

1. Do the three branches of government need to work together? Why or why not?

YES - IF GOV'T WANTS TO MAKE EFFECTIVE LAWS, THEY NEED TO WORK TOGETHER.

2. In what way(s) would you change the Constitution to improve the system of checks and balances?

MAKE MORE CHECKS ON THE LEGISLATIVE BRANCH, GIVE THE JUDICIAL BRANCH MORE POWER TO CHECK OTHER BRANCHES