

*Constitutional Law:*  
**Separation of Powers**

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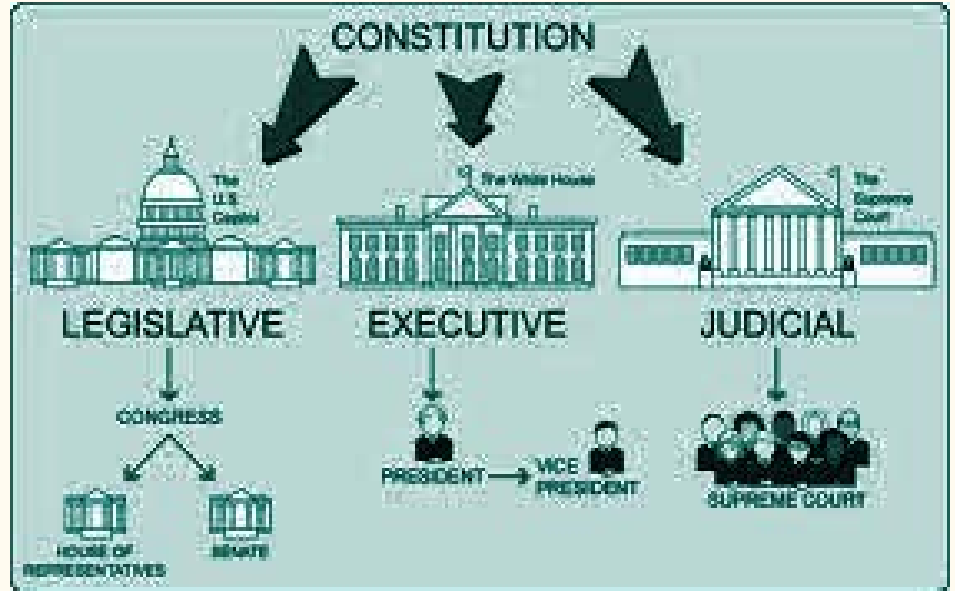
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# Overview

- The Constitution and Separation of Powers
- Why Separation of Powers?
- Three Branches
  - Executive
  - Legislative
  - Judicial
- Interactions

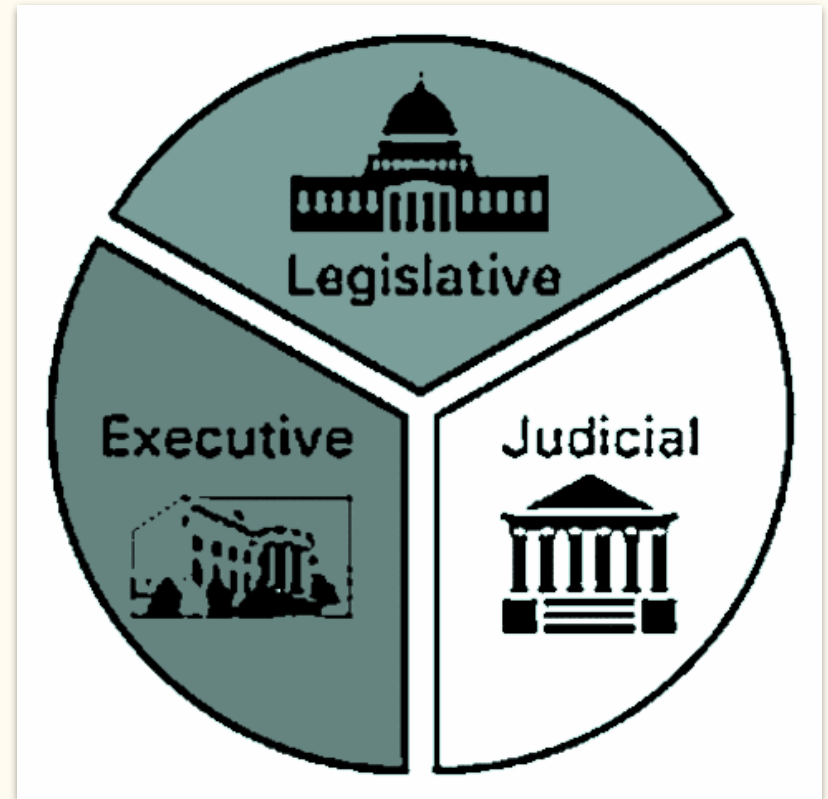
# The Constitution and Separation of Powers

- The Constitution creates a national government.
- The national government's power is divided among three branches:
  - The Legislative Branch (Article 1)
    - Make the law
  - The Executive Branch (Article 2)
    - Enforce the law
  - The Judicial Branch (Article 3)
    - Interpret the law



# Why Separation of Powers?

- “Accumulation of all powers—legislative, executive, and judiciary—in the same hands... [is] the very definition of tyranny.”
- Yet, the three powers are bound together, but “separate and distinct.”



# Three Branches

Branch	Power/ Constitutional Basis	How/ Who Attains the Power
<b>Legislative</b>	Make laws <i>Article 1</i>	<b>Congress</b> <i>2-year terms for members of House of Representatives; 6-year terms for Senators</i>
<b>Executive</b>	Enforce laws <i>Article 2</i>	<b>President, Vice President, Cabinet, Department Heads and Staff</b> <i>Elected every 4 years for President</i>
<b>Judicial</b>	Interpret laws <i>Article 3</i>	<b>Courts</b> <i>Appointed by President</i>

# The Legislative Branch

- This branch is made up of **Congress** (the Senate and House of Representatives) and special agencies and offices that provide support services to Congress.
- The legislative branch has sole authority to:
  - Drafting proposed laws;
  - Confirming or rejecting presidential nominations for heads of federal agencies, federal judges, and the Supreme Court;
  - Having the authority to declare war; and
  - Investigatory powers over other branches

# The Executive Branch

- The executive branch's key roles include:
  - **President** - The president is the head of state, leader of the federal government, and Commander in Chief of the United States armed forces.
  - **Vice President** - The vice president supports the president. If the president is unable to serve, the vice president becomes president. The vice president also presides over the U.S. Senate and breaks ties in Senate votes.
  - **The Cabinet** - Cabinet members serve as advisors to the president. They include the vice president, heads of executive departments, and other high-ranking government officials. Cabinet members are nominated by the president and must be approved by the Senate.
- The executive branch also includes executive departments, independent agencies, and other boards, commissions, and committees.

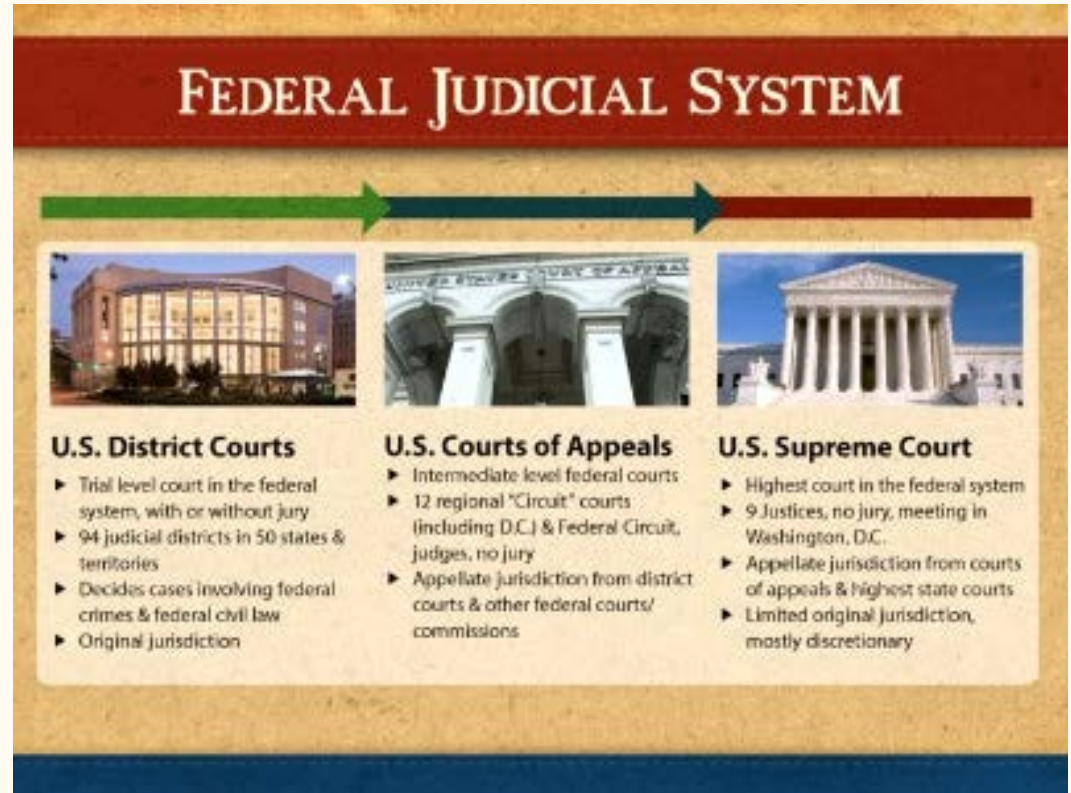
# The Executive Branch





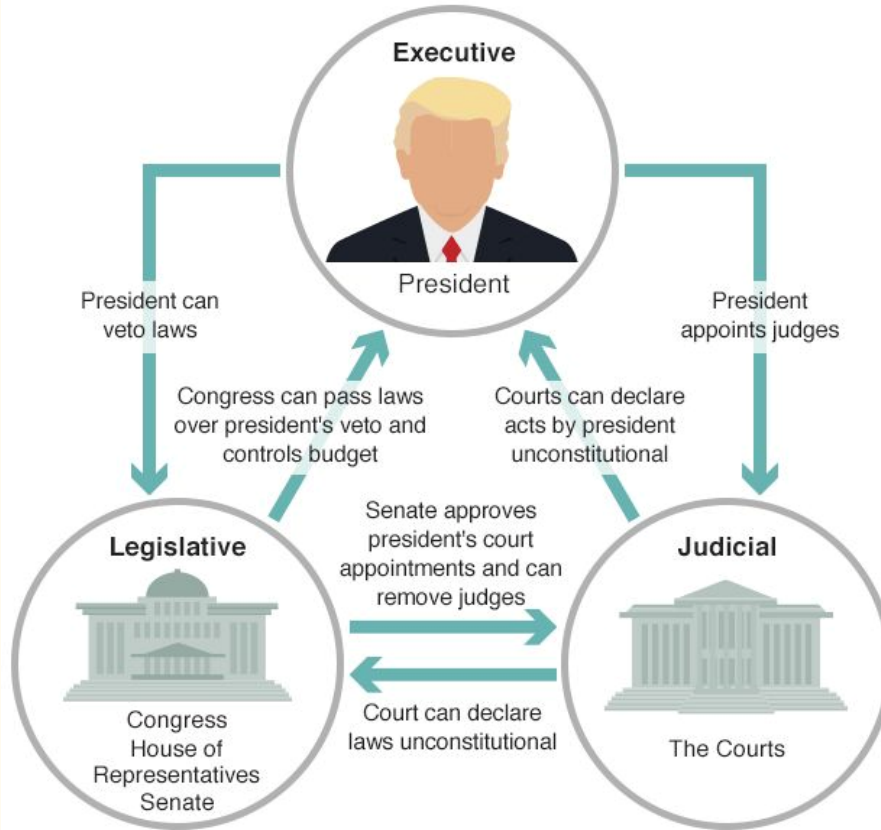
# The Judicial Branch

- The judicial branch includes the **Supreme Court** and other **federal courts**.
- It evaluates laws by:
  - Interpreting the meaning of laws
  - Applying laws to individual cases
  - Deciding if laws violate the Constitution



# Checks

## Checks and balances on the US government



Questions?

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