

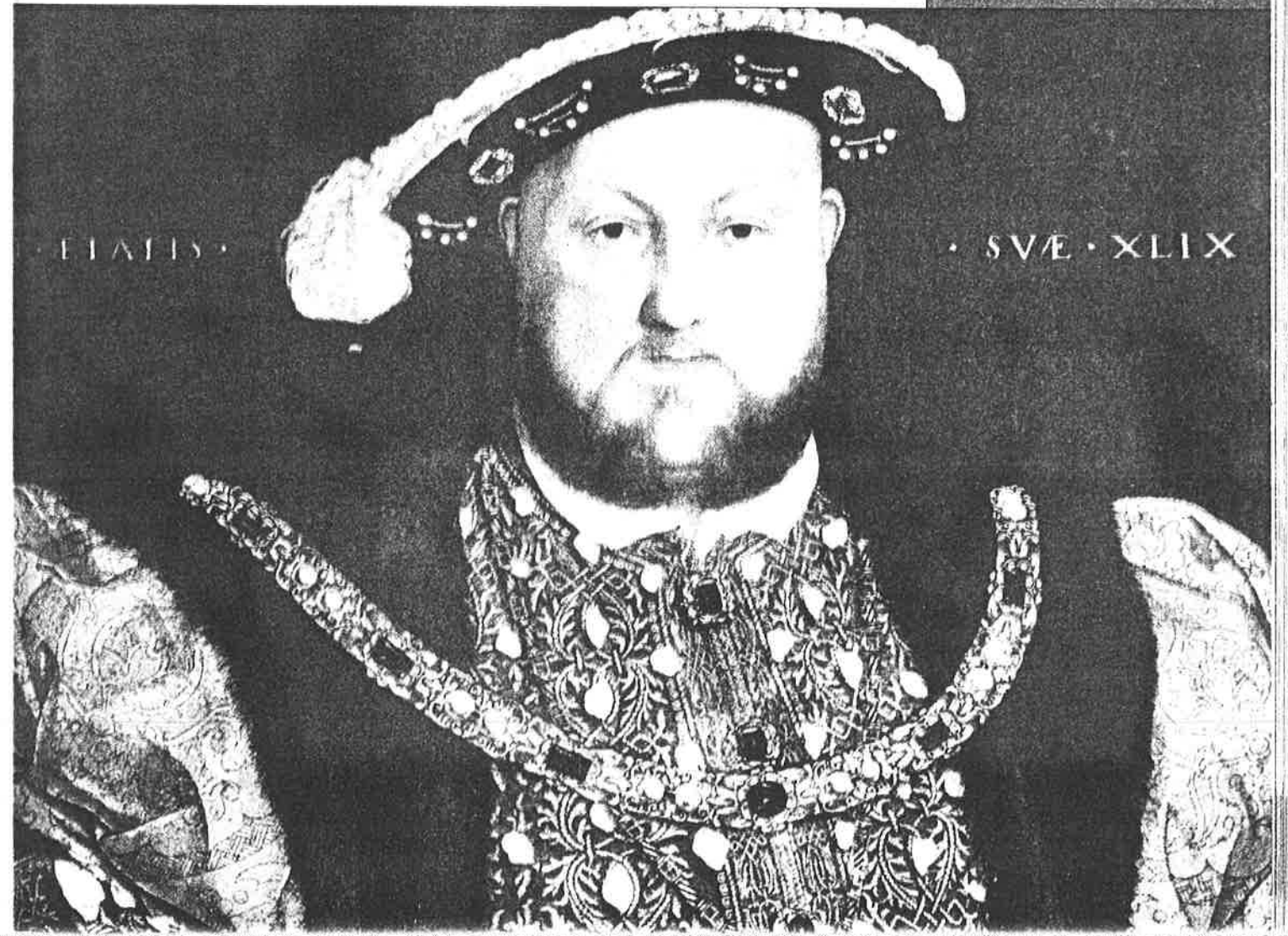
How can we organize government to prevent the abuse of power?

LESSON PURPOSE

Constitutional governments are designed to protect the people from abuses of government power. In this lesson you learn how people might organize government to make the abuse of power less likely.

When you finish this lesson, you should be able to explain the ideas of separation of powers and checks and balances, know the Founders' reasons for creating a system that limits governmental power, and list some powers of the three branches of government.

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TERMS TO UNDERSTAND



bill
checks and balances
executive branch
judicial branch
legislative branch
separation of powers

How might people organize a government to prevent the abuse of power?

Constitutional governments are organized in such a way that one person or group cannot get enough power to dominate the government. Two common ways to do this are

Separate the powers of government.

Divide the powers of government among different branches, or parts. Doing so prevents any one person or group from having all the power.

Balance the powers among the branches of government.

Divide the powers of government in such a way that no one branch controls the other branches. Give each branch methods to check the use of power by the other branches.



Why did the Founders believe that all governments need limits on their power?

How does separation of powers work?

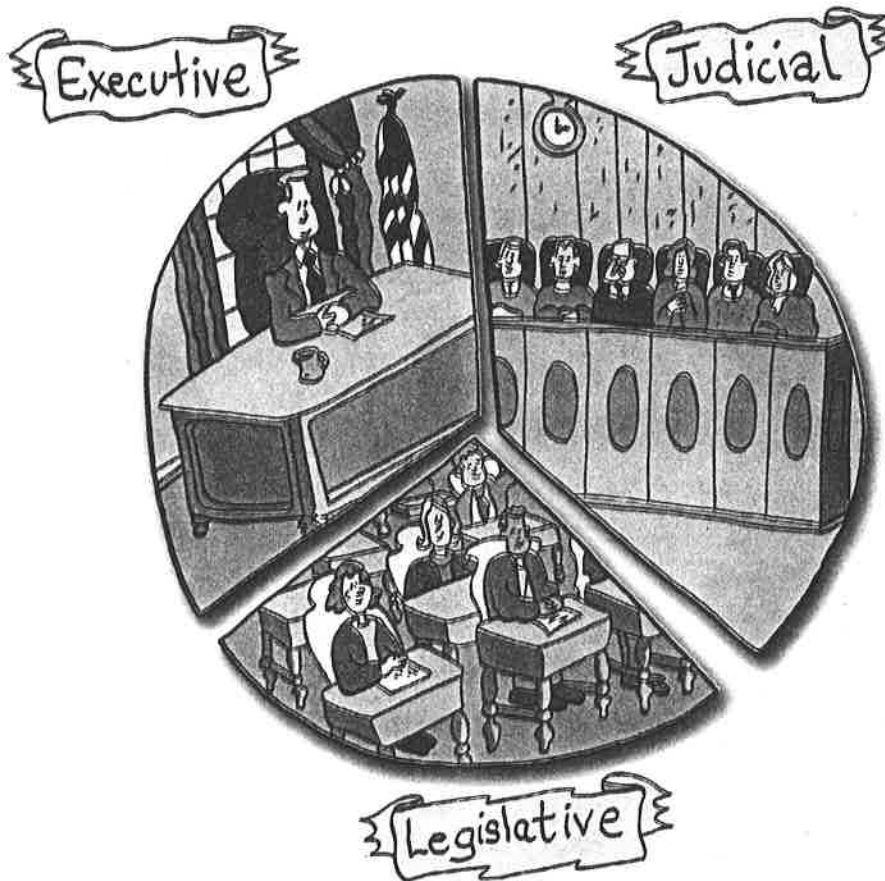
A study of constitutional governments shows that they are often divided into three different groups or branches. The power of government is not given to any one branch. Instead, some of the power is given to each branch. This is called **separation of powers**. For example, we divide our government into the following three branches:

- the **legislative branch** has the power to make laws
- the **executive branch** has the power to carry out and enforce laws

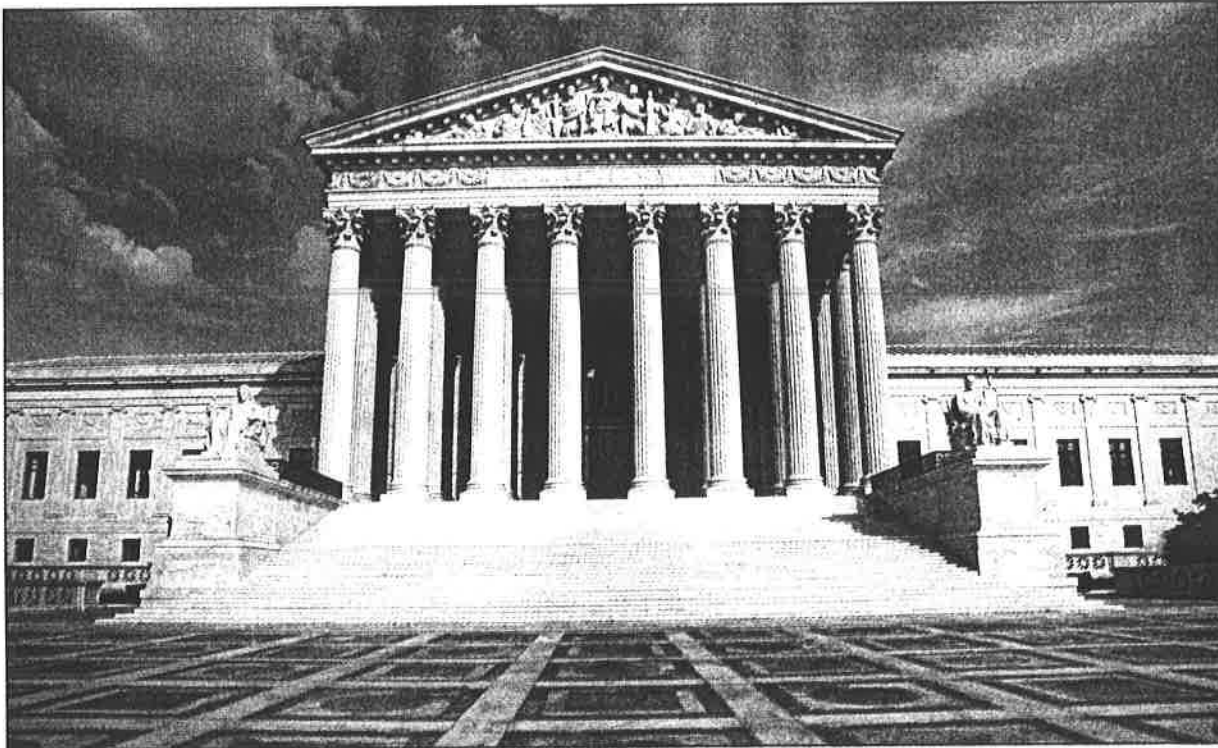
- the **judicial branch** has the power to manage conflicts about the meaning, application, and enforcement of laws.

How does a system of checks and balances work?

The phrase **checks and balances** means that the powers of the different branches of government are balanced. No one branch has so much power that it can completely dominate the others. Although each branch of government has its own special powers, the powers are checked because some powers are shared with the other branches.



Why are the powers of government separated and balanced?



Which branch of government has the final say about whether a law is constitutional?

According to our Constitution, Congress is the legislative branch. It has the power to make laws. The power of Congress is divided between two houses, the House of Representatives and the Senate. Each house can check the power of the other by refusing to pass a law proposed by the other house.

In addition, our Constitution gives the executive and judicial branches ways to check and control the power of Congress to make laws. For example:

- A **bill** is a proposed law. When Congress passes a bill, the president must sign it before it can become law. The president has the right to refuse to sign a bill. If this happens, the bill cannot become a law unless Congress votes again and passes the bill by a two-thirds majority of both houses.

- The U.S. Supreme Court can check the power of Congress. The Court can declare a law to be in violation of the Constitution and, therefore, invalid.

There are similar ways to check the powers of the president and U.S. Supreme Court. You will learn more about the system of checks and balances in a later lesson.

This system of separation of powers and checks and balances helps ensure that government power is limited. Because constitutional governments are organized in complicated ways, getting things done may take time. Although it might seem strange, this is often considered an advantage. Many people think that these complications make it more likely that when government does finally make a decision, it will be a well thought out one.

LESSON REVIEW

- 1 How does a system of separation of powers work?
- 2 What are the three branches of our government and what power does each hold?
- 3 How does a system of checks and balances work? Give some examples.
- 4 The separation and sharing of powers means that government cannot reach decisions quickly. Why might this be an advantage? Why might it be a disadvantage?

ACTIVITIES

- 1 Read Articles I, II, and III of the U.S. Constitution. Then, examine the constitution of your state.

Create two charts that illustrate the process of checks and balances, one for your state government and one for the U.S. government. Share your charts with the class.

- 2 Find newspaper or newsmagazine articles that illustrate our system of separation of powers and checks and balances. Use the articles to create a bulletin board for your classroom.