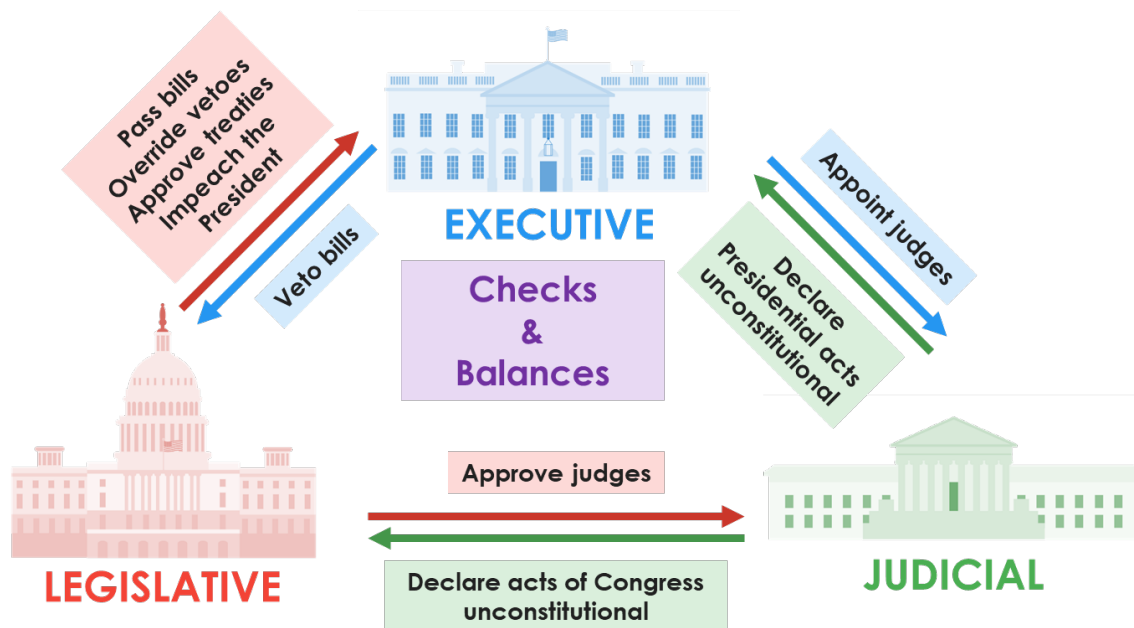


The U.S. Constitution establishes **three separate but equal branches** of government: the **legislative**, the **executive**, and the **judicial**.

- ▶ The **separation** of the branches of government creates a system of **checks and balances** to **keep a branch from being too powerful**.
- ▶ Under **checks and balances**, each branch has its **own authority**, but also **depends on the other branches** for the government to function.



CFU

What check and balance is presented in the following case? Explain.

United States v. Nixon (1974): During the Watergate scandal, the Supreme Court ruled that President Richard Nixon had to turn over secret White House tapes to the special prosecutor investigating the case.

- A The judicial branch checking the power of the executive branch.**
- B The executive branch checking the power of the judicial branch.**

In your own words, explain the balance of powers as established in the U.S. Constitution.

- 1 Read the case.
- 2 Analyze how the case exemplifies checks and balances. (write)

1. War Powers Act (1973): Congress passed the War Powers Act. This legislation requires the President to notify Congress within 48 hours of deploying troops and limits the duration of military engagements without congressional authorization.

2. Marbury v. Madison (1803): In this landmark Supreme Court case, the concept of judicial review was established. Chief Justice John Marshall declared that the Supreme Court had the authority to review and invalidate laws that were deemed unconstitutional.

Compare and Contrast both articles about the veto process. Answer the statements. (write sentence # for each article)

Article 1

¹The power of the President to prevent a bill from becoming a law is the veto. ²The president has ten days, excluding Sundays, to sign a bill passed by Congress. ³A regular veto occurs when the President returns the legislation to the house in which it originated, usually with a message explaining the rationale for the veto. ⁴This veto can be overridden only by a two-thirds vote in both the Senate and the House. ⁵If this occurs, the bill becomes law over the President's objections.

Article 2

¹The Framers of the Constitution gave the President the power to veto acts of Congress to prevent the legislative branch from becoming too powerful. ²The veto allows the President to “check” the legislature by reviewing acts passed by Congress and blocking measures he finds unconstitutional, unjust, or unwise. ³Congress’ power to override the President’s veto forms a “balance” between the branches for the lawmaking power.

	Statement	Sentences	
		Article 1	Article 2
1	Describes a veto.		
2	Explains how to override a veto.		
3	Addresses checks and balances.		
4	Indicates the time allocated to the president before a bill is signed.		

Skill Closure

- 1 Read the case.
- 2 Analyze how the case exemplifies checks and balances. (write)

1. On August 5, 1789, the Senate rejected for the first time a presidential nominee. At the urging of Georgia senator James Gunn, the Senate failed to confirm Benjamin Fishbourn, President George Washington's nominee to serve as federal naval officer for the Port of Savannah.

2. The Impeachment Process: The Constitution grants Congress the power to impeach and remove the President, Vice President, and other federal officials from office for "high crimes and misdemeanors."

Concept Closure

Below is Ajla's completed assignment .
Do you agree with her answers? Explain and correct.

The legislative branch interprets laws, but the Senate in the judicial branch confirms the President's nominations for legislative positions, and the judicial branch can impeach any of those judges and remove them from office.

Summary Closure

What did you learn today about analyzing the balance of power of the three branches of government?

Word Bank

legislative
executive
judicial
checks and
balances

Read the case U.S. v. Alvarez.

Determine how it exemplifies checks and balances. (write)

1. The _____ branch passed the Stolen Valor Acts of 2005, punishing those who misrepresent that they have received high military honors.
2. The _____ branch ruled in 2012 that the Act was unconstitutional because it infringed on the right of free speech protected by the First Amendment.
3. The _____ branch, the Pentagon, and the President, established a government-funded national database of medal citations to enable verification of military honors.
4. The _____ branch, responded with legislation that sought to remedy the constitutional problems in the 2005 legislation. The Stolen Valor Act of 2013 narrowed the original legislation, so not to infringe on free speech protected by the First Amendment.