

Objective:

The Three Branches of Government

Name:

Class/Period:

Date:

Essential Question:

1. Explain the key differences between the three branches of government
2. How do we elect the President?
3. How do we change the Constitution? Why is change necessary?

Organize your notes (headings, questions, big ideas, key words)

Notes:

The Legislative Branch: Congress

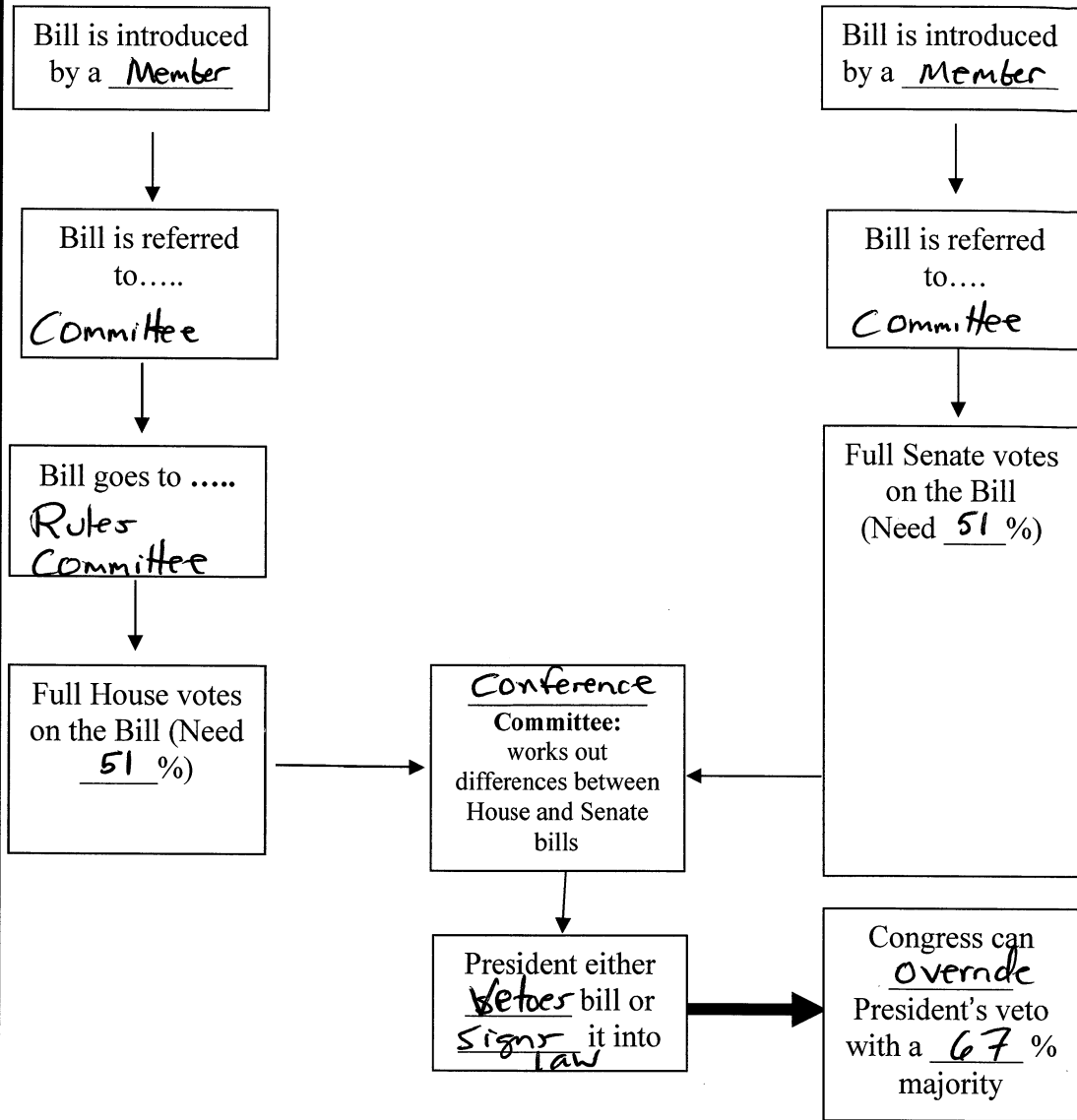
- Purpose: Make laws
- Place in Constitution: Article I
- Structure: Bicameral (2 Houses)

Category	House of Representatives	Senate
Members	435	100
Term	2 yrs.	6 yrs.
Qualifications	25 yrs old	30 yrs old
Purpose	Represent a <u>portion</u> of a state	Represent <u>ENTIRE</u> state
<u>Initial</u> Method of Election	Direct	Indirect
Misc.	"Lower House"	"Upper House"

Specific Powers for Each House

- House of Representatives
  - Power to impeach
  - Only branch elected by the people ... therefore:
    - Revenue bills (taxing, spending, borrowing) must start here
    - "No Taxation without representation"
  - Reapportionment
    - Census: population headcount every 10 years changes House membership
- Senate
  - Trial for impeachment
  - Initially chosen by State Legislatures (NOT people)
    - 17<sup>th</sup> Amendment gave power to people (1913)
  - Confirmation ("advise and consent") Power
    - Approves judges, executive appointments, treaties

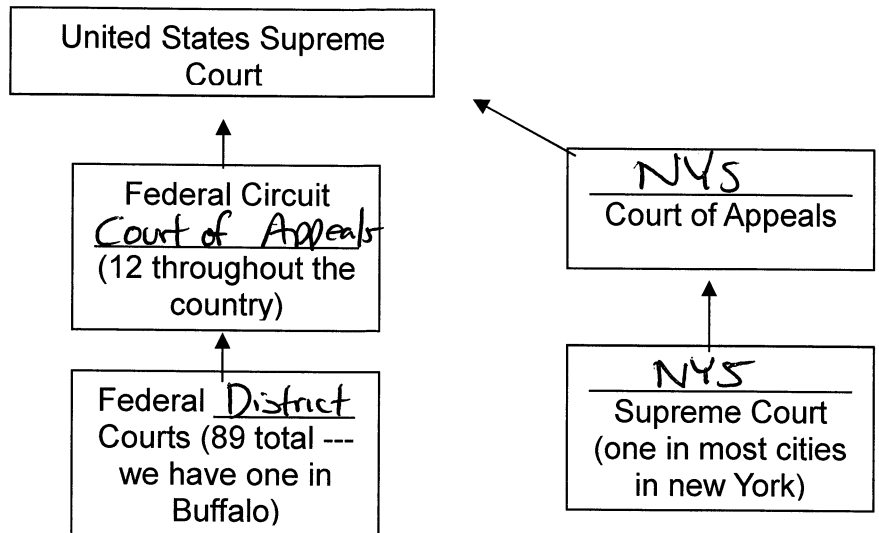
## How a Bill Becomes a Law



<p>What is an interest group?</p> <p>What are some examples of interest groups?</p> <p>How do interest groups work?</p> <p>What is a PAC? How do they try to influence lawmakers?</p> <p>Why are interest groups criticized? In what ways are they a <u>positive</u> thing for our system of government?</p>	<p>An organization that pressures elected officials to enact legislation favorable to its causes</p> <p>American Bar Association      Greenpeace National Rifle Association      American Federation of Teachers</p> <p>Lobbying: influencing lawmakers through testimony or research or private meetings</p> <p>Political Action Committee - "check book" for interest groups - gives \$ to elected officials for their campaigns</p> <p>-Favors those with money (businesses + corporations) → So many interest groups that all Amer. have voice heard in govt.</p>
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## The Judicial Branch: the Supreme Court

- Purpose: Interpret law
- Place in Constitution: Article 3
- Fast Facts:
  - Appellate, not trial court
  - 9 justices on Supreme Court
  - Only branch not elected by people
  - Judges serve for life!
  - Does not hear every case
  - Impacts YOU!
- Structure



- Judicial branch = "independent" (free from political pressure)
  - Judges are appointed (not elected) and serve for life (cannot be pressured)
- Major Power: Judicial Review
  - The power to declare laws or actions Unconstitutional
  - Source: Marbury v. Madison (1803)

## The Executive Branch: The Presidency

- Purpose: To enforce law
- Structure: 1 person BUT a massive number of agencies to support him/her
- Qualifications: 35 years old, Natural Born citizen
- Salary: \$ 400,000
- Assassinated: 4
- Died in Office: 4
- Impeachment: 2
- Youngest: JFK (43)
- Oldest: Donald Trump (70)

## Powers / "Hats" of the President

- "Hats" = ways to Categorize President's powers
- Commander-in-Chief
  - Leader of the nation's armed forces
  - Can take strong action within the US to fight any security threats
- Chief Executive
  - Appoints executive branch officials and judges
  - Issues Executive Orders (directives to executive branch agencies like the EPA or Defense Department)
  - Grants pardons and reprieves (forgiveness)
- Chief Diplomat
  - Negotiates treaties
  - Appoints ambassadors
- Chief Legislator
  - Signs or vetoes bills passed by Congress
  - PROPOSES legislation for Congress to consider
- Chief of State
  - represents the United States; ceremonial duties

## The Electoral College

- Method of electing the President
  - The Electoral College is an indirect election: the people vote for someone who then chooses the official in power
- Candidates must win electoral votes by winning the popular vote of EACH STATE
  - Winner-take-all: a candidate wins ALL of that state's electoral votes if they get 51% of the popular vote
  - National popular vote does not matter!
- 538 = total number of electoral votes
  - Based on amount of Representatives in Congress
  - 100: Senate
  - 435: House of Representative
  - 3: District of Columbia
- 270 = number of electoral votes to win Presidency (51% of 538)
- Battleground / Swing State: a state that tends to go back and forth between Democrats and Republicans each election (ex: OH, FL, VA, IA)
- Reasons for Electoral College
  - Federalism: give states a voice
    - Must get Small and large states to win
  - Technology of the times: slow communication made nationwide election impossible
  - Fear of letting Common People have a voice in choosing such a powerful person!

- Criticisms of the Electoral College
  - Undemocratic: peoples' voice does not matter on national level
    - Ex: Democrat in Texas; Republican in NY
    - Bush v. Gore (2000): Supreme Court ended up choosing a President!
  - "safe" states get ignored for "swing" states
  - Need a constitutional amendment to change it!

## Changing the Constitution

- The Preamble to the Constitution: "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."
  - What: intro paragraph to the Constitution
  - Why: Tells us the purposes for which govt. was created by the people
  - So What: Meaning of phrases have Changed over time (ex: establish justice)
- The Constitution is one of the most flexible governments on earth.
  - It has lasted longer than any other government (more than 230 years!) by being able to adapt to a changing society!
- Amendment: Physically alter the document by adding text to it!
  - Process:
    - Step 1: Proposal: need 2/3rds vote of Congress
    - Step 2: Ratification: need 3/4th vote of States
  - Many amendments have expanded rights to people who were excluded when the Constitution was written! (ex: women, African-Americans)
- Elastic: (or "necessary and proper" clause)
  - Creates implied powers
    - National government can perform these powers even though they are NOT enumerated (listed) in the Constitution
    - Ex: "Power to raise army and navy" = power to create Air Force
  - "The Congress shall have Power - To make all Laws which shall be Necessary + Proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the national govt." (Article I, Section 8, Clause 18)
- Unwritten Constitution are customs, traditions, and precedents not actually written into the Constitution
  - President's Cabinet (Secretary of State, Defense, Treasury, Education, etc.)
  - Political Parties
  - Congressional Committees
  - Two-terms as President (until 22<sup>nd</sup> Amendment)

