

Separation of Powers

The separation of powers is a system of checks and balances in each of our three equal branches of government that upholds freedoms in our country. These are the Legislative, Executive and Judicial branches. Without this separation, power would be unequally balanced and would allow one party or individual to have ever growing amounts of control over the citizens of this country. Each of us, as citizens, has the responsibility to hold our elected officials responsible for running the government as James Madison had envisioned when he wrote the Federalist Papers, so that it may endure for generations to come.

The first, and subsequently most important branch, is the Legislative branch, which consists of the House of Representatives and the Senate. Both parts of the Legislative branch are made up of elected representatives. One hundred members of the Senate, giving two votes to every state, ensures equal representation of all states, no matter the size. For example, the large state of Texas has two seats, held by Ted Cruz and John Cornyn, while the very small state of Rhode Island also has two seats, held by Jack Reed and Sheldon Whitehouse. The 435 members of the House are divided proportionally by population, giving equal representation to the populous of the country. For example, Texas has thirty-six seats in the House, while a low population state, such as Wyoming, has one. These together give equal representation in two forms. For example, Texas and California get more seats in the House for their very large populations, while Wyoming and Alaska comfortably have equal say in the Senate. In addition to providing direct representation of the people, this branch is responsible for making laws and amending the Constitution, similar to a bill that is currently under examination to amend the

Internal Revenue Code of 1986 to benefit homeschooling families. The Legislative branch can also override a veto with a two thirds majority, such as when Congress overrode Obama's veto to pass the 9/11 bill, checking the President's power. Finally, the combined House and Senate have the ability to impeach, and possibly remove, the President or any member of the Judiciary, as happened in 1803 to John Pickering, a judge from New Hampshire. It is our job as citizens to hold all of our representatives accountable by voting at the ballot box.

The Executive branch contains the President and a multitude of agencies. For example the FBI, CIA, NASA, EPA, and the USDA. The President, being elected by the people through the Electoral College, is the leader of the country, but has checks on his power by the other two branches of government. One of the President's greatest powers that he possess is the ability to veto bills drafted by Congress to prevent them from becoming law. This happened to the 1986 Clean Water Act with Reagan's pocket veto. Additionally, the President has the power to make executive orders, such as Lincoln's Emancipation Proclamation, as long as they are not declared unconstitutional by the courts.

The final branch of government is the Judicial branch. The primary job of the Judicial branch is to interpret the Constitution and ultimately decide whether the actions done or laws passed are constitutional and therefore just. This process guides the making and executing of laws, creating an important third leg to the government stool. Although the Judicial branch does not directly create or enforce laws, it holds incredible power in maintaining civic freedoms. For example, the Obergefell v. Hodges decision effectively legalized gay marriage in all fifty states.

The Judicial branch also gives the government a sense of malleability as opinions and interpretations can change over the years, such as the eventual reversal of the Dred Scott v. Sandford case of 1857.

The separation of powers is responsible for splitting up the process of ruling into three entities and allowing all three to check each other, so that one may not corruptly rise above another, threatening the freedom and sovereignty of the country as a whole. It is our greatest responsibility to vote for every position and representative so that our system endures. The civic responsibility of voting is often ignored or taken for granted, when in reality, our simple votes are the strongest tool maintaining accountability in our government.