



Doctrine Separation of Powers in America
or
Doctrine Checks and Balances in America

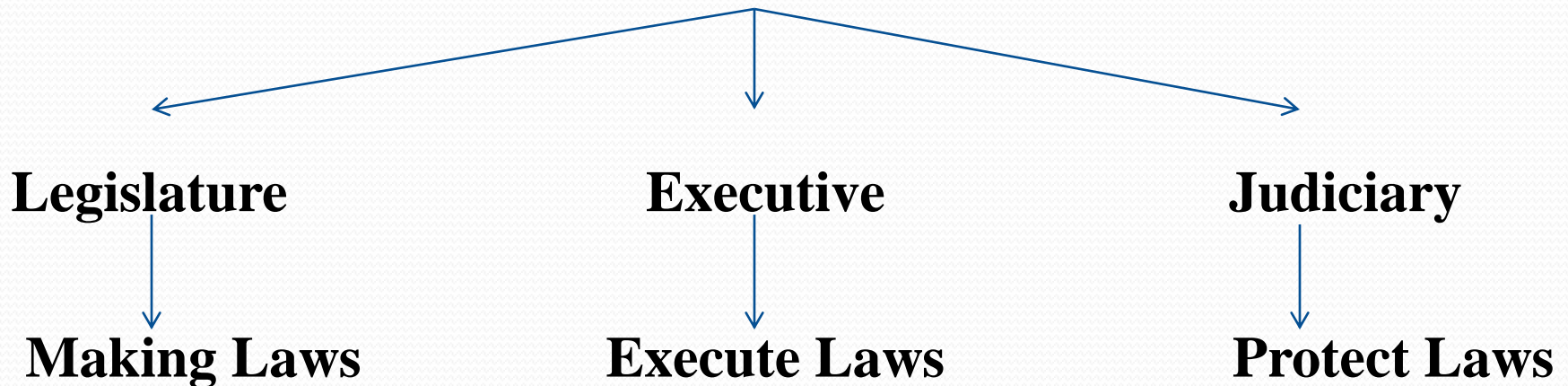
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Doctrine Separation of Powers in America Or Doctrine Checks and Balances in America

Separation of powers

The Principal or system vesting in separate branches the executive, legislature and judicial powers of a government.

Government



Separation of Powers

- One organ of the government should not interfere in other organ of the government.
- One organ of the government should not exercise the other function assigned to any other organs.
- The intent of separation of powers is to provide a checks-and-balances system for branches.



Baron de Montesquieu (1689-1755) Separation of Powers

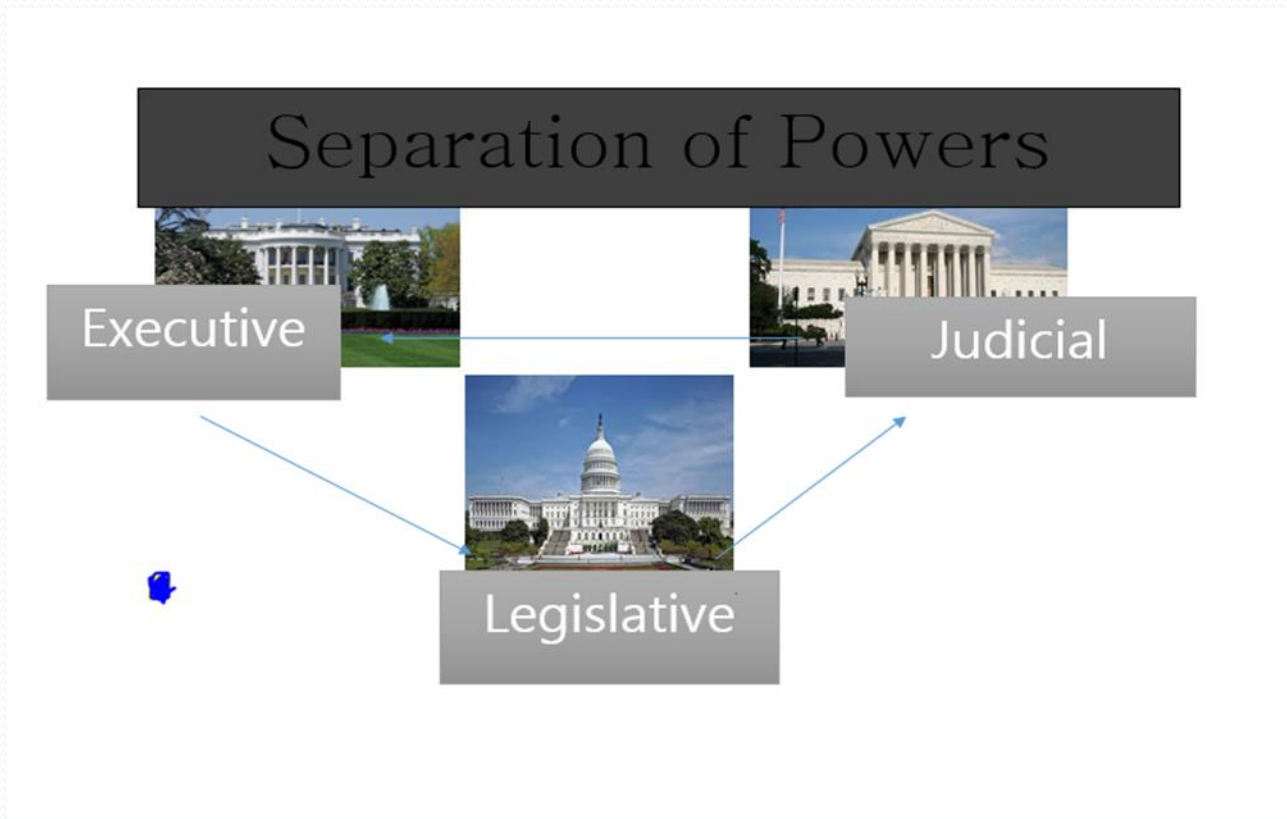
- ◆ French political philosopher
- ◆ *The Spirit of the Laws* – proposed in this book to divide political authority into three branches; executive, legislative and judicial.
- ◆ His book has many supporters in England and in the Americas.
- ◆ This book will later inspire the writers of the Constitution to include “Separation of Powers” in their document.

Checks and Balances

The system of checks and balances in government was developed to ensure that no one branch of government would become too powerful.

So, we can say this doctrine Separation of Power as well as doctrine of Checks and Balances.

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Three Branches of Government

1 What branch can declare laws unconstitutional?



Legislative
(makes laws)

Senate

House of Representatives

2 To whom do cabinet members report?



Executive
(carries out laws)

President

Vice President

Cabinet

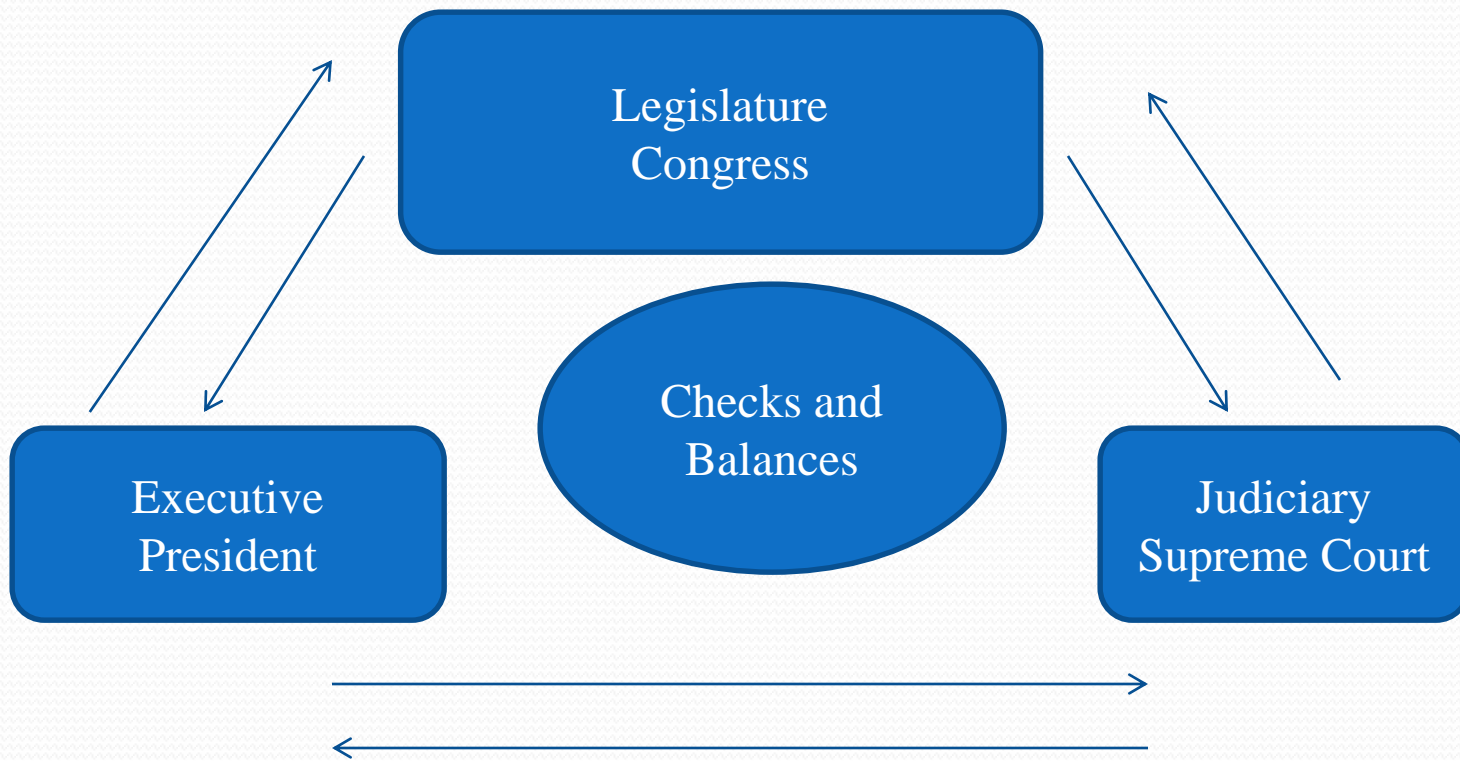
3 What branch of government initiates and approves laws?



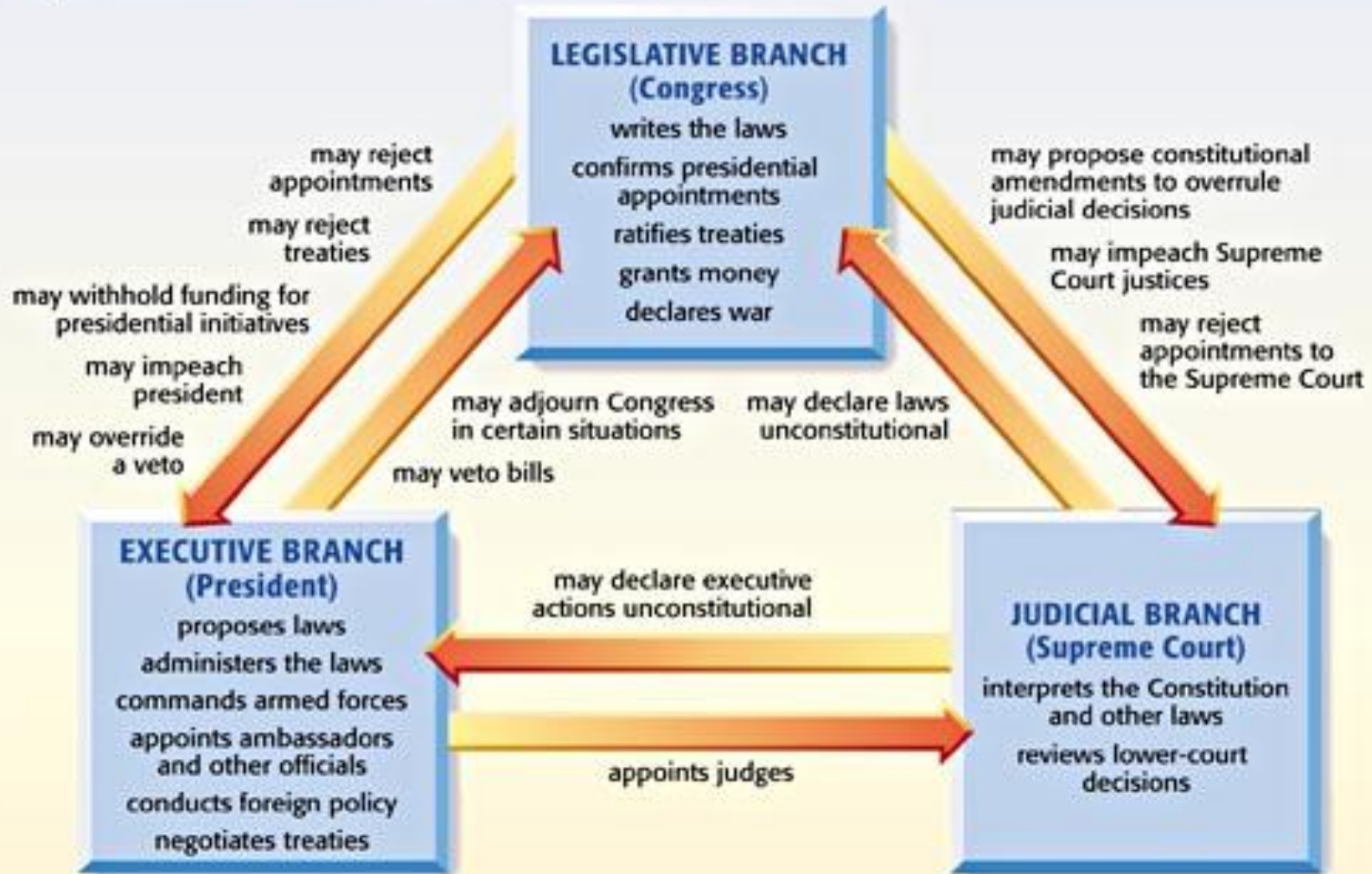
Judicial
(evaluates laws)

Supreme Court

Other Federal Courts



Separation of Power and Checks and Balances



Legislative Checks on Executive

- Ratify Treaties
- Confirm Appointments
- Impeachment power
- Hold money

Executive Checks on Legislature

- Veto Power
- Adjourn Congress in certain situation

Legislative checks on Judiciary

- Impeachment Power
- Reject appointments
- Constitutional Amendments

Judicial checks on Legislature

- Judicial Review

Executive checks on Judiciary

- Appointments of Judges

Judicial checks on Executive

- Judicial Review



THANK YOU