

NAME _____

DATE _____

LAW CH 2-2 NOTES

Division and Balance of Governmental Powers

GOALS

- Describe the system of _____ and _____ in the U.S. government
- Explain how the power to govern is divided between the _____ and state governments

Oldest Written Constitution

- The oldest written constitution currently in use is _____
- The concept of _____ was taken from a French Nobleman's writing (Baron Montesquieu)
- In the 1700's he conceptualized of the administrative powers of the state being divided between _____ branches
- He believed that each should have _____ of a level roughly _____ to the other branches (_____) and also have the power to control the accumulation of power in the others (_____)

A SYSTEM OF CHECKS AND BALANCES

Legislative branch

- At the federal level is the _____
 - When the constitution was drafted, _____ representation at the congressional level was a concern
 - States with _____ populations did not want to lose their independence and sovereignty under the articles of confederation
 - States with _____ populations feared they would be dominated by smaller pop. States (there were a lot _____ less populated states) if they all had the same # of votes.
- The solution was to create
 - _____ – with two members from each state
 - _____ – seats allocated to states based on population.
- Senate could _____ any action of the house, and vice versa
 - For example: a bill passed in the house for new taxes has to have a majority vote from _____ to be passed.
 - The _____ has the power to impeach any civil officer of the US – including the _____ or VP

- For treason, bribery, or other high crimes and misdemeanors
- BUT – the _____ has the sole power to try all impeachment cases – requires a _____ for conviction
- The people (us) vote for all representative of house (2yr), senate (6yr) and exec office. (4y)

Executive branch

- Headed by _____ and _____
- Elected by a _____ of the people
- _____ – we vote for electors who are pledged to support candidates selected by political parties
- Since they are not elected directly by the people, _____ vote doesn't help them win.

Judicial branch

- Headed by the _____
- The SC decides on the _____ of a statute passed by the Legislative Branch and signed by the President as head of the Executive Branch

Changing the Constitution

- A major _____ is the power of constitutional _____.
(change or alteration)

Sovereignty of the states

- _____ amendment – states can govern their own citizens within their own _____
- Acts as a shield from _____ power of the federal government

Limiting states' powers (14th)

- States cannot abridge on _____ rights

Powers of the federal government

- Only fed govt can: form _____, establish _____ offices, _____ money, tax imports and exports
- Exclusive power over _____ commerce

SELECTED FEDERAL REGULATORY AGENCIES (p. 34)