

Separation of powers and checks and balances

[Finance](#)



Separation of Powers and Checks and Balances s al Affiliation Introduction

The founding fathers were familiar with the state's theory that the accumulation of power by one individual or State's body was the ultimate threat to autonomy. The founding fathers projected that Congress would be the major branch of the State. However, James Madison feared that the Congress would have excess power, and this would compromise the national liberty (Lesson 3: Congress, 2015). To solve this issue he and other leaders decided to divide the legislature into distinct branches. Separation of power was an initiative accepted by all the American founding fathers (Dong, 2005). It offers a system of shared power referred to as Checks and balances. Separation of powers was meant to balance the State's power so as to promote liberty.

Initially, the founding father had projected that the Congress would be the major branch of the State. The Congress offered an apparent guiding to the various outlooks and ambition of the voters. Its role in guiding the citizens is viewed as one of the reasons that its roles and accountabilities are included in the Article 1 of the constitution (United States et al., 2013). However, James Madison felt that the Congress would be given excess power and to solve this they separated the legislature into various branches (Lesson 3: Congress, 2015). The branches have diverse ways of election, and they also have several standards. The branches are also somehow linked to the nature of their general functions.

Legislative

The legislative branch is tasked with endorsing the laws of the state and fitting the funds necessary to control the State (Nelson & Donovan, 2012).

The Legislative division is split into the Chamber of Representative and the

<https://assignbuster.com/separation-of-powers-and-checks-and-balances/>

Senate. For a bill to be declared a law, it has to go through the two chambers.

The House of Delegates

The house of representative consists of 435 elected members and they are divided among the 50 States. It also consists of six non-voting members, representing the District of Columbia, the Commonwealth of Puerto Rico and four other areas of the US. It is led by the Speaker who is elected by the members (United States et al., 2013). Election of the members takes place after every two years, and the candidates should be twenty-five years of age (Nelson & Donovan, 2012). It has several powers that include the authority to initiate revenue bill. It also has the authority to indict federal officials.

The Senate

It has 100 senators, and they are elected by people of each state that they represent. Unlike the representative, the senators must be thirty years old. The Senate is led by the Vice President of the State. It is tasked with confirming the president's appointments that need consent. They also ratify treaties (Nelson & Donovan, 2012). However, the house of representative should also approve the Vice President's appointment. The house should also approve agreements involving foreign trade.

Conclusion

Separation of power was meant to balance powers among the government's bodies so as to promote liberty. Initially, the Congress was projected as the major branch of the State, however, to balance its power the legislature was divided into two branches. They included the House of Delegates and the Senate, and this allowed the separation of power. The separation of the government allowed checks and balances. For instance, a bill had to pass <https://assignbuster.com/separation-of-powers-and-checks-and-balances/>

through the two branches for it to become law. Both branches also had to approve the Vice Presidency appointments, and this showed division and balancing of power between the two branches.

References

Dong, T. (2005). Understanding power through Watergate: The Washington collective power

dynamics. Lanham, MD: University Press of America.

Lesson 3: Congress. (2015, July 1). Retrieved October 29, 2015.

Nelson, R., & Donovan, S. (2012). The Congress: A look at the legislative branch. Minneapolis,

Minn: Lerner Publications.

United States., In Thomas, K. R., In Eig, L. M., United States., & Library of Congress. (2013).

The Constitution of the United States of America: Analysis and interpretation : analysis of cases decided by the Supreme Court of the United States to June 28, 2012.