

Checks and balances in the american government

[Politics](#)



Checks and Balances in the American Government The terminology " checks and balances" emerged from the idea that in a democratic constitution, the protection of the civil liberties of every individual in the society must be ensured. And to achieve this, checks and balances must be done, so that the functions and powers of one institution in the government will not overlap or be taken advantage of by another government institution.

This distinction and assignation of political powers is reflected in the political structure of the American government. The division of the government into three branches-the executive, legislative, and judiciary branches-is one way through which American society makes sure that their rights are respected, and the appointed individuals to represent the government will accomplish their responsibilities in accordance to what was mandated by the Constitution.

Checks and balances work within the government in an overlapping and interdependent manner. The judiciary branch is the decision-making body that implements the American Constitution, and is not wholly liable to both executive and legislative branches of the government. It works with the legislative branch to the extent that the Congress proposes and passes bills which then become laws, which will then be utilized and implemented by the Judiciary. The executive branch, headed by the President, governs the American political society, overseeing that the political systems departments and agencies are functioning and servicing the citizenry. It is accountable to both judiciary and legislative branches in that the President and the agencies are responsible in ensuring that no anomalies or irregularities in the political processes happen. Lastly, the legislative branch of the government ensures that the society will benefit most from the government by providing them

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with laws that take care of the welfare of the citizenry. Checks and balances is protected when the legislative branch function independently from the influence of the executive branch of the government.

An example of an oversight of checks and balances within the government is reflected in the 'lack of transparency' shown by the present Bush administration and the Republican-led Congress. According to Waxman (2006), the seemingly " Republican-controlled Congress" allows the incumbent administration to propose bills and hopefully enact these by becoming laws, laws that are in line with the administration's political platform or agenda (24). Apart from these supposed collusion between the executive and legislative branches of the government, further observations of this irregular relationship was the decision to torture the Abu Ghraib prisoners without the Congress's knowledge about the said 'memorandum' approved by the Administration and the Justice Department (Nation, 2004: 3). Once again, an overlapping of functions between the two branches and deliberate lack of transparency demonstrated the apparent neglect of the government for checks and balances.

Another example of checks and balances pertains to the implementation of a law that poses as a potential threat to the civil rights of the citizenry. The Patriot Act, while it provides security against terrorist threats, is a subtle way of invading the citizenry's privacy, as what was evident in the claim that the new Act allows " a broadening of police power with no national security justification" (Nation, 2005: 3).

Works cited

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