Power With Limits

Read how the federal branches check one another

8.C.4.2.D "Analyze the system of checks and balances, explaining the Framers' rationale for establishing such a system and describing how each branch of government can limit the power of other branches."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline why the Framers divided power, then circle actions that limit another branch and label each one C for Congress, P for the president, or J for the courts.

Who Has the Final Say?

1. Imagine Congress passes a law requiring factories to report chemicals released into rivers. The Framers of the Constitution did not want one group to make, carry out, and judge every government decision. They had seen how concentrated power could threaten freedom. They divided federal power among Congress, the president, and the courts. Each branch has its own job, but each can also check another branch. This system makes officials defend decisions and gives other branches ways to stop abuses, even when they disagree about a policy.

2. In the river example, Congress writes and passes the reporting bill, but the president can veto it, sending it back with objections. That check forces lawmakers to reconsider. Congress can still make the bill a law by overriding the veto with a two-thirds vote in both houses. After a law takes effect, the president's agencies carry it out. Congress can question agency leaders in public hearings about how the law is enforced. Hearings do not cancel a presidential decision, but they can expose problems and lead Congress to change a law or funding.

3. Suppose a factory challenges the river law in court. In a case before it, a federal court can rule that a law violates the Constitution and refuse to enforce it. Courts can also review actions by the president's agencies and block unconstitutional ones. Judges do not choose themselves: the president nominates federal judges, and the Senate must confirm them. These checks do not guarantee agreement or speed. Instead, they keep any one branch from having the final word on every issue, while giving each branch a way to question another's power.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why did the Framers divide federal power among branches? Explain how one check in the passage serves that purpose.

2. How can the president limit Congress's power over the river bill, and how can Congress respond?

3. How can Congress check the way the president's agencies enforce a law? What can this check not do by itself?

4. How can a court limit Congress's river law? How do the president and Senate limit who serves as a federal judge?

3 YOUR TURN

Your own words

Suppose the president orders a federal agency to ban peaceful gatherings in a national park. In three or four sentences, explain how Congress and the courts could each check this action and why those checks matter.

ANSWER KEY

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GRADE 8 · 8.C.4.2.D

PART 1 · READ AND MARK

Underline why the Framers divided power, then circle actions that limit another branch and label each one C for Congress, P for the president, or J for the courts. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why did the Framers divide federal power among branches? Explain how one check in the passage serves that purpose.	**They wanted to prevent concentrated power from threatening freedom. For example, a presidential veto makes Congress reconsider a bill rather than letting it act alone.**
2	How can the president limit Congress's power over the river bill, and how can Congress respond?	**The president can veto the bill. Congress can override the veto with a two-thirds vote in both houses.**
3	How can Congress check the way the president's agencies enforce a law? What can this check not do by itself?	**Congress can question agency leaders in public hearings. Hearings can expose problems, but they do not cancel a presidential decision.**
4	How can a court limit Congress's river law? How do the president and Senate limit who serves as a federal judge?	**In a case, a court can rule that the law violates the Constitution and refuse to enforce it. The president nominates federal judges, and the Senate must confirm them.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Congress could hold hearings and question agency leaders about the ban. If someone challenges the order in court, a court could review it and block it if it violates the Constitution. These checks matter because the president should not have the final word on a decision that may limit people's freedom.

Accept other accurate explanations of the checks described in the passage. For Part 3, students should make clear that a court reviews the order through a case and would block it only if it is unlawful.