

ACTIVITY: Separation of Powers – Who’s Got the Power

Based on an activity developed by the National Constitution Center.

Introduction & Group Work

Divide students into mixed ability groups of 4-5 and distribute copies of Articles I, II, and III of the Constitution and of the student worksheet *Who’s Got the Power?* Ask students to complete the worksheet by reading the text of the Articles to determine which branch of government possesses each of the 15 powers on the worksheet.

Once all groups have completed the worksheet, review the correct answers (see *Answer Key*) and remind students that the Founding Fathers separated important powers among the three branches of government in order to prevent any of the branches from becoming too powerful and therefore harming the rights and well-being of citizens.

Explain to students that each branch of government also has the ability to check the powers of the other two branches, meaning that each branch can limit the actions of the other two branches. If you have additional class time, have students reconvene with their groups to find examples of each branch’s powers in recent news events. Students can use newspapers, news magazines, and news websites to find examples of recent events that illustrate the different powers included in *Who’s Got the Power?*

Separation of Powers ROLE PLAYING

1. After students have participated in the *Separation of Powers* activity, they will be ready to put what they have learned about the system of checks and balances to the test. Divide students into three mixed-ability groups; each group will represent one of the three branches of government.
2. Distribute one of three student worksheets to each group (*You Be The President*, *You Be The Congress*, or *You Be The Supreme Court*). Each worksheet includes a summary of the branch's powers, a list of how it can check other branches' powers, and a specific role-playing scenario with directions.
3. You are welcome to adapt the scenarios to more real-world or current event topics. The main goal is to have each group articulate how the branch they represent would accomplish their goals with the powers they possess and then also the possible responses each would have to the actions taken by the other branches in each of their scenarios.
4. Provide each group with 10-15 minutes to read the worksheet and prepare the role-playing scenario. Students will need to familiarize themselves with their branch's goal and brainstorm actions that they can take to accomplish this goal.
5. After students have prepared their scenarios, bring the three groups together for the role-playing exercise. Begin by having members of the executive branch present their scenario, including their goal and the actions they plan to take in order to accomplish this goal. Repeat this step for the legislative and judicial groups.
6. Provide the groups with 15-20 minutes to brainstorm how they would prevent the other two branches of government from accomplishing their goals through checking their powers. Ask each group to write down at least three specific actions it would take.
7. Bring the three groups together again. Begin by having members of the executive branch present the ways in which they would attempt to prevent the legislative and judicial branches from accomplishing their goals. Repeat this step for the legislative and judicial groups.
8. Conclude the exercise by leading a brief discussion about how the separation of powers and system of checks and balances makes it difficult for a single branch of government to abuse its power.

Who's Got The Power?

Directions: Working together as a group, complete the chart below by identifying which branch of government possesses each of the powers.

Use Articles I, II and III of the Constitution to help you.

Power	Branch of Government (legislative, executive or judicial?)
Introduces laws	
Declares laws unconstitutional	
Signs bills into law	
Coins money	
Nominates Supreme Court justices	
Declares war	
Vetoes bills	
Interprets/Makes meaning of laws	
Serves as commander-in-chief of the army and navy	
Issues a pardon	
Overrides a presidential veto	
Borrows money on behalf of the United States	
Makes treaties	
Impeaches/Removes the president	

Who's Got The Power?
Answer Key

Power	Branch of Government (legislative, executive or judicial?)
Introduces laws	legislative
Declares laws unconstitutional	judicial
Signs bills into law	executive
Coins money	legislative
Nominates Supreme Court justices	executive
Declares war	legislative
Vetoes bills	executive
Interprets/Makes meaning of laws	judicial
Serves as commander-in-chief of the army and navy	executive
Issues a pardon	executive
Overrides a presidential veto	Legislative
Borrows money on behalf of the United States	Legislative
Makes treaties	Executive
Impeaches/Removes the president	Legislative

You Be The President!

As president, or the head of the executive branch, you have the power to:

- Propose laws to the Congress (the legislative branch);
- Sign bills into law;
- Veto bills from becoming laws;
- Negotiate treaties with foreign countries;
- Make executive appointments (to the Cabinet; to the Supreme Court; to federal agencies like the F.B.I.; etc.); and
- Grant pardons to federal offenders.

You can check the powers of the Congress by:

- Proposing new legislation; and
- Vetoing bills from becoming laws.

You can check the powers of the Supreme Court by:

- Appointing judges who share your political viewpoints; and
- Enforcing the Court's decisions.

You Be The President!

Directions for Part One: Read the role-playing scenario below and familiarize yourself with your branch of government's goal. Then, brainstorm a list of actions/steps that your branch has the power to take in order to accomplish your goal. An example is provided for you.

Scenario/Goal:

After a spontaneous trip to your favorite restaurant, McDonald's, you decide that, maybe, just maybe, the secret to world peace can be found in a Big Mac, French fries, and a vanilla milkshake. With a burst of energy, you sprint back to the White House and head straight for the Oval Office. Inside, you begin brainstorming a series of actions you can take to make McDonald's a more prominent part of your presidency.

Actions to Accomplish Your Goal:

- *You propose a law to the Congress requiring every school to replace the Pledge of Allegiance with the "Big Mac Song" ("Two all-beef patties, special sauce, lettuce, cheese, pickles, onions on a sesame seed bun.")*

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Directions for Part Two: Think about the goals that the other two branches of government have presented to you. Given the ways in which you can check their powers, brainstorm a list of actions/steps you would take to check each branch's power and make it difficult for each branch to accomplish its goal.

Actions to Check the Congress' Goal:

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Actions to Check the Supreme Court's Goal:

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You Be the Congress!

As a member of the Congress, or the legislative branch, you have the power to:

- Introduce new laws;
- Override a presidential veto;
- Coin money;
- Borrow money on behalf of the United States;
- Appropriate money to the executive branch (the president);
- Declare war; and
- Impeach or remove the president.

You can check the powers of the president by:

- Overriding a presidential veto on a bill;
- Impeaching or removing the president; and
- Approving presidential appointments to the Supreme Court, the Cabinet, and federal agencies (like the F.B.I.).

You can check the powers of the Supreme Court by:

- Confirming judiciary appointments to the Court;
- Impeaching or removing justices; and
- Proposing new amendments to the Constitution.

You Be the Congress!

Directions for Part One: Read the role-playing scenario below and familiarize yourself with your branch of government's goal. Then, brainstorm a list of actions/steps that your branch has the power to take in order to accomplish your goal. An example is provided for you.

Scenario/Goal:

After much prolonged debate, you and some of your fellow members of the Congress have decided that seatbelts should be removed from all cars because they tend to wrinkle your new suits and don't really protect you all that much anyway. You begin brainstorming actions you can take to accomplish this goal within a year's time.

Actions to Accomplish Your Goal:

- *You introduce a bill that bans seatbelts from all cars sold in the United States after 2011.*
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Directions for Part Two: Think about the goals that the other two branches of government have presented to you. Given the ways in which you can check their powers, brainstorm a list of actions/steps you would take to check each branch's power and make it difficult for each branch to accomplish its goal.

Actions to Check the President's Goal:

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Actions to Check the Supreme Court's Goal:

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You Be The Supreme Court!

As a member of the Supreme Court, or the highest court in the judicial branch, you have the power to:

- Declare laws unconstitutional; and
- Interpret/Make meaning of laws.

You can check the powers of the president by:

- Declaring executive acts unconstitutional.

You can check the powers of the Congress by:

- Declaring laws unconstitutional.

You Be The Supreme Court!

Directions for Part One: Read the role-playing scenario below and familiarize yourself with your branch of government's goal. Then, brainstorm a list of actions/steps that your branch has the power to take in order to accomplish your goal. An example is provided for you.

Scenario/Goal:

You and your fellow Supreme Court justices have decided that you are sick and tired of the ways in which the president and members of the Congress abuse their authority. From now on, you have decided, if either the president or members of the Congress take actions that are not specifically permitted by the Constitution, you will declare the actions unconstitutional. For example: The president and any congressperson can mail business-related correspondence for free, a privilege called "franking." You believe it is time to stamp out this abuse of authority and force them to adhere to the principles of the Constitution.

Actions to Accomplish Your Goal:

- *You rule in favor of Cliff Clavin in Clavin v. United States (2011), a case in which a disgruntled postal worker sues the U.S. government for theft of stamps.*

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Directions for Part Two: Think about the goals that the other two branches of government have presented to you. Given the ways in which you can check their powers, brainstorm a list of actions/steps you would take to check each branch's power and make it difficult for each branch to accomplish its goal.

Actions to Check the President's Goal:

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Actions to Check the Congress' Goal:

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