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Most powerful branch of our government

By Nancy Murphy Amid the relentless 24/7 news cycle, it's hard to put this year's election events in a deeper historical and philosophical context. Go to the website to view the video. To explore how the presidency and practice of politics have changed since the early days of the republic, Worldview Stanford interviewed Jack Rakove, the William Robertson Coe Professor in History and American Studies. A historian of the American Revolution and the origins of the United States Constitution, he is the author of a Pulitzer Prize-winning book about James Madison. This interview is part of Wide Angle: Election 2016, a Stanford media series that offers academic, nonpartisan perspectives on the forces shaping elections. What can history teach us about the 2016 election? Historians are very nervous about the idea of learning lessons from the past. It seems a little counterintuitive because the wisdom of common sense is that we study the past to learn the lessons that we can somehow apply to the present. Many, perhaps most, historians would say something quite different -- that the reason we study history is partly to understand the origins of the present. You can't be an informed person in any complete sense of the term if you don't know how the past led to the present or how the present evolved out of the past. But when it comes to lessons, many historians think that the real value of learning history is not to synthesize too easily or too casually or too deliberately. It's really to try to appreciate the differences. It is a difficult lesson to grasp, but it means that when operating in the present, you want to do your best to understand the present on your own terms, being historically informed about its origins, but not allowing history to be trampled on in some crude or coarse or simplistic way about how to visualize events or developments in one's life. How have the perceptions of the presidency changed since the early days of the Republic? I have come to think that of all the institutions we have, particularly the cause of the repeated deadlock in Congress, the presidency has become the most important of all. In part, we live in a dangerous world. For better or worse, we need a vigorous state of national security, and that creates all sorts of difficulties. Decision-making has to be done in some way when Congress itself is paralyzed. I think one of my great concerns is that, if I look at the last three presidencies, it seems to me that there has been a concerted effort to delete the individual Presidents, but its net effect may also be to delete the very nature of power. Going back to 2000, I wrote a lot supporting a national popular election. My initial logic, originally my strongest logic, was that a person, a vote is the basic norm of modern democratic political justice, and votes should be have a different weight depending on the accident of where it happens to be fused. The founders of the Republic created a representative political system based on give-and-take and compromise. Given the current levels of blocking and polarization, are we in danger of losing this capacity? —History Professor Jack Rakove The founders of the Republic have created a representative political system based on giving and having and compromising. Given the current levels of blocking and polarization, are we in danger of losing that capacity? When I think about how the framers of the Constitution, or say the founders more generally, thought about politics, the person I think about most often and with the utmost depth is James Madison. One of the things that really fascinated Madison was the whole topic of deliberation. By deliberation, he really meant a calm, patient and increasingly informed discussion in which representatives would be in Congress. They would be accountable locally to their districts, so locally responsible for expressing their interests and concerns. To use a very popular term in the 18th century, they should have a deep sympathy for their constituents. When Madison tried to imagine what the new Congress would look like, she rightly anticipated that for a long time, it would be composed primarily of amateur lawmakers. Most members of Congress would only serve a mandate or two, and in fact this was historically true practically for the first century of the Republic. The pattern of deliberation is that I'd show you. In fact, I'd be educated in the workplace. Education would involve deliberation. This would be a process of information and information acquisition by others. Now, for many reasons, we've abandoned that system. In a world facing daunting challenges -- many of which are global in scope and impact -- are America's political institutions still up to the task? The world faces a number of challenges in 2016. Two of the most obvious are the consequences of globalisation and its impact on the economy and the consequences of terrorism. These, of course, are deeply disturbing phenomena, but if you're a historian like me and you have a long-term vision, these aren't really such new things. The world economy has been globalising since at least the 16th century, probably earlier. Terrorism in different forms dates back to the religious wars of the 16th century. Nor is it an entirely new phenomenon, as are other religious conflicts at other points in time. The only issue that I think is more important and that would be the most serious test of the capacity of institutions around the world is obviously climate change, which with him the spectrum of enormous damage to our own habitat, the kind we can't really imagine. Our ability to think rationally about the sources and consequences of climate change is and influenced by a highly partisan policy, which in the 21st century does not even take data in support of climate change seriously. Many segments of the electorate find it difficult to accept the reality of the data, although 98% of the scientific community seems to agree that the overall model holds up. For me, it leads to a really interesting question and goes back to the preamble to the Constitution: Ensuring the blessings of freedom for ourselves and our posterity. I have often asked the question: what does it mean to talk about posterity? If we talk about posterity in terms of climate change, we are talking about posterity in a really cosmic and large-scale sense of the term. Which branch of government is most powerful? The U.S. government is designed with checks and balances to ensure that no branch can become more powerful than another. Although that may be the case, it is still possible that one branch of our government may still be more powerful than the others. Equality of power in our government has changed steadily throughout the life of the United States. Although these changes have occurred, we have not yet made all branches equal and inequality is due to meet the needs of time. For example, in 1938 our country was facing a depression and nothing was being done. Thus, Roosevelt took the strength to give more power to the executive branch, and then helped the country crawl out of the hole that had dug. After the country did not need the reform laws and the size of the government roosevelt had put in place, things were then scaled down and put into a more stable balance. Although there have been attempts to make everything the same, the legislative branch now holds the majority of power, and it is the most powerful branch that our government has. There are only a few things that keep the legislative branch out of control, namely its size and the implicit powers it has given to the other branches. Currently, the United States Congress consists of two chambers, the Senate and the House of Representatives. Where the senate is made up of a hundred people, fifty for each state. And the House of Representatives consists of four hundred and sixty-five publicly elected officials. With so many conflicting ideologies, because of geography and other factors, it's hard to please enough people to sway in deci.... half of paper the supreme court, but the Senate. So it means that Congress is a very powerful branch of our government. In conclusion, The Legislative Branch is the most powerful branch of the U.S. government not only because of the powers conferred on it by the Constitution, but also because of the implicit powers that Congress has. There is also ability to triumph over controls and balances that limit their power. The only thing that really keeps the legislative branch behind from getting all the power, is the large number of people involved in the process and their difference and ideologies, and that Congress is divided into multiple chambers, with public opinion and elections affecting half the branch of government. Therefore, The Legislative Branch is the most powerful branch of the U.S. government. The three branches of the U.S. government are the legislative, executive, and judicial branches. According to the doctrine of the separation of powers, the United States Constitution distributed the power of the federal government among these three branches, and built a system of checks and balances to ensure that no branch could become too powerful. Separation of powersThe Enlightenment philosopher Montesquieu issued the phrase political trias, or separation of powers, in his influential 18th-century work Spirit of the Laws. His concept of government divided into legislative, executive, and judicial branches that acted independently of each other inspired the framers of the U.S. Constitution, who vehemently opposed concentrating too much power on every governing body. In the Federalist Papers, James Madison wrote of the need for the separation of powers to the democratic government of the new nation: The accumulation of all powers, legislative, executive, and judicial, in the same hands, whether it be one, few, or many, and whether hereditary, self-appointed, or elected, can rightly be pronounced the very definition of tyranny. Legislative branchAccording to Article I of the Constitution, the legislative branch (the United States Congress) has the primary power to make the laws of the country. This legislative power is further divided into the two chambers, or chambers, of Congress: the House of Representatives and the Senate.Members of Congress are elected by the people of the United States. While each state gets the same number of senators (two) to represent it, the number of representatives for each state is based on the state's population. Therefore, while there are 100 senators, there are 435 elected members of the House, plus six other non-voting delegates representing the District of Columbia, Puerto Rico, and other U.S. territories. To pass a piece of legislation, both chambers must pass the same version of a majority bill. Once that happens, the bill goes to the president, who can sign it into law or reject it using the veto power assigned in Constitution.In the event of a regular veto, Congress can override the veto by a two-thirds vote in both chambers. Both the veto power and the ability of Congress to override a veto are examples of the system of checks and balances desired by the to prevent any branch from earning too much Article II of the Constitution states that the executive branch, with the president as its leader, has the power to enforce or enforce the laws of the nation. In addition to the President, who is the commander-in-chief of the armed forces and head of state, the executive branch includes the vice president and cabinet; the State Department, the Department of Defense and 13 other executive departments; and various other federal agencies, committees and committees. Unlike members of Congress, the president and vice president are not directly elected by the people every four years, but through the electoral college system. People vote to select a list of voters, and each voter commits to cast their vote for the candidate who gets the most votes from the people they represent. In addition to signing (or vetoing) legislation, the president can influence the country's laws through various executive actions, including executive orders, presidential memoranda, and proclamations. The executive branch is also responsible for conducting the nation's foreign policy and diplomacy with other countries, although the Senate must ratify any treaty with foreign nations. Judicial branchArticle III decreed that the nation's judiciary, in order to enforce and interpret laws, should be conferred on a supreme court, and in lower courts as Congress can occasionally authorize and establish. The Constitution did not specify the powers of the Supreme Court or explain how the judicial branch should be organized, and for a time the judiciary took a second place in the other branches of government. But everything has changed with Marbury v. Madison, a key case in 1803 that established the supreme court's power of judicial control, by which it determines the constitutionality of executive and legislative acts. Judicial review is another key example of the system of checks and balances in action. Members of the federal judiciary - which includes the Supreme Court, 13 U.S. Courts of Appeals and 94 federal courts - are appointed by the president and confirmed by the Senate. Federal judges hold their seats until they resign, die, or are removed from office through impeachment by Congress.Implicit powers of the three branches of governmentIn addition to the branch-specific powers listed in the Constitution, each branch has claimed some implicit powers, many of which can overlap at times. For example, presidents have claimed the exclusive right to do foreign policy, without consultation Congress.In turn, Congress has enacted legislation that specifically defines how the law should be administered by the executive branch, while the courts they interpreted the laws in ways that Congress did not mean, drawing accusations of legislating from the bench. The powers conferred on Congress by the Constitution long after the Supreme Court prostrated in the McCulloch v. case of 1819. Maryland that the Constitution fails to specify every power granted to Congress.Since then, the legislative branch has often assumed additional implicit powers under the necessary and correct clause or the elastic clause included in Article I, Section 8 of the Constitution.Checks and BalancesIn developing a government that must be administered by men over men, the great difficulty is this: it is necessary first to allow the government to control the governed; and secondly, to force him to control himself, james madison wrote in the Federalist Papers. To ensure that all three branches of government remain in balance, each branch has powers that can be controlled by the other two branches. Here are the ways in which the executive, judicial, and legislative branches keep in line with each other: The president (head of the executive branch) serves as commander-in-chief of the military, but Congress (legislative branch) learns about funds for the military and votes to declare war. In addition, the Senate must ratify all peace treaties. Congress has the power of the stock exchange, as it controls the money used to fund any executive action. The president appoints federal officials, but the Senate confirms those appointments. Within the legislative branch, each chamber of Congress acts as a check on possible abuses of power by the other. Both the House of Representatives and the Senate must pass a bill in the same form for it to become law. Once Congress has passed a bill, the president has the power to veto that bill. In turn, Congress can override a regular presidential veto by a two-thirds vote in both chambers. The Supreme Court and other federal courts (judicial branch) may declare presidential laws or actions unconstitutional, in a process known as judicial review. In turn, the president controls the judiciary through nominating power, which can be used to change the direction of federal courts. By passing amendments to the Constitution, Congress can effectively control supreme court decisions. Congress can impeach members of both the executive branch and the judiciary. Sources Separation of Powers, The Oxford Guide to the United States Government. Branches of government, USA.gov. Separation of powers: an overview, National Conference of State Legislatures. Legislatures.