

Name _____

Checks and Balances: Can One Branch of Government Override the Others?

Open-Ended Response Answer Key

1. In this scenario, the judicial branch would likely become involved. If someone challenges the law's constitutionality, a federal court, including the Supreme Court, could review the law. Their decision would determine whether the law should stand or be declared unconstitutional, resolving the conflict.
2. Answers may vary. Some may argue that the judicial branch plays the most critical role because it has the power of judicial review, which allows it to declare laws and actions unconstitutional, thereby ensuring the other branches adhere to the Constitution. Others may emphasize the importance of Congress, as it has the power to make and change laws, including the ability to impeach the President or judges.
3. One example is the Watergate scandal, where the executive branch under President Richard Nixon was involved in illegal activities. The checks and balances system allowed Congress to investigate and hold hearings, leading to the impeachment of President Nixon. This event demonstrated the system's ability to hold the executive branch accountable.
4. Compromise is essential to ensure that laws are passed and government functions. For example, the passing of the Affordable Care Act (Obamacare) required compromise between Congress and the President. The complex legislation needed adjustments and negotiations to secure enough votes for passage, highlighting the role of compromise in the legislative process.

