

Three Branches of Government

Federal Government

Leaders of the United States wanted to protect individual freedoms and prevent the government from abusing its power. They believed they could do this by having three separate branches of government: the executive, the legislative and the judicial. This separation is described in the first three articles of the United States Constitution.

Executive Branch

The President is the head of the executive branch, which makes laws official. The President is elected by the entire country and serves a four-year term. The President approves and carries out laws passed by the legislative branch. He appoints or removes cabinet members and officials. He negotiates treaties, and acts as head of state and commander in chief of the armed forces.

The executive branch also includes the Vice President and other officials, such as members of the cabinet. The cabinet is made up of the heads of the 15 major departments of the government. The cabinet gives advice to the President about important matters.

The Cabinet

- Secretary of State
- Secretary of the Treasury
- Secretary of Defense
- Attorney General
- Secretary of the Interior
- Secretary of Agriculture
- Secretary of Commerce
- Secretary of Labor
- Secretary of Health and Human Services
- Secretary of Homeland Security
- Secretary of Housing and Urban Development
- Secretary of Transportation
- Secretary of Education
- Secretary of Energy
- Secretary of Veterans' Affairs

Legislative Branch

The legislative branch is made up of the two houses of Congress—the Senate and the House of Representatives. The most important duty of the legislative branch is to make laws. Laws are written, discussed and voted on in Congress.

There are 100 senators in the Senate, two from each state. Senators are elected by their states and serve six-year terms. The Vice President of the United States is considered the head of the Senate, but does not vote in the Senate unless there is a tie. The Senate approves nominations made by the President to the Cabinet, the Supreme Court, federal

courts and other posts. The Senate must ratify all treaties by a two-thirds vote.

There are 435 representatives in the House of Representatives. The number of representatives each state gets is based on its population. Representatives are elected by their states and serve two-year terms. The Speaker of the House, elected by the representatives, is considered the head of the House.

Both parties in the Senate and the House of Representatives elect leaders. The leader of the party that controls the house is called the majority leader. The other party leader is called the minority leader.

Judicial Branch

The judicial branch oversees the court system of the United States. Through court cases, the judicial branch explains the meaning of the Constitution and laws passed by Congress. The Supreme Court is the head of the judicial branch. Unlike a criminal court, the Supreme Court rules whether something is constitutional or unconstitutional—whether or not it is

permitted under the Constitution.

On the Supreme Court there are nine justices, or judges: eight associate justices and one chief justice. The judges are nominated by the President and approved by the Senate. They have no term limits. The Supreme Court is the highest court in the land. Its decisions are final, and no other court can overrule those decisions.

State Government

Each state has its own constitution based on its unique history, needs, philosophy, and geography. A state's constitution is similar to that of the national Constitution; however, the laws made in individual states cannot conflict with the national Constitution or national laws. The United States Constitution is "the supreme law of the land."

Just like that of the national government, each state's constitution separates power between three branches -- legislative, judicial, and executive. Also, instead of a president, each state elects a governor.

State-Executive Branch

The Governor is the head of the executive branch of Arkansas state government. The Governor, like the President on the federal level, is elected and serves a four-year term. The Governor approves and carries out laws passed

by the legislative branch. He appoints or removes cabinet members and officials. The executive branch also includes the Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, State Auditor and the State Land Commissioner.

State-Legislative Branch

The state legislative branch, like the federal, is made up of two houses—the Senate and the House of Representatives. The most important duty of the legislative branch is to make laws. Laws are written, discussed and voted on in the state legislature.

There are 35 senators in the Arkansas Senate. Senators. The Lieutenant Governor is the head of the Senate, but

does not vote in the Senate unless there is a tie. The Senate approves nominations made by the Governor.

There are 100 representatives in the House of Representatives. The number of representatives and senators is based on the state's population. The Speaker of the House, elected by the representatives, is considered the head of the House.

State-Judicial Branch

The Arkansas judicial branch is made up of five court systems: the Arkansas Supreme Court, Arkansas Court of Appeals, Circuit Courts, District Courts and City Courts. At the top level is the Arkansas Supreme Court where there are seven justices, or judges: six associate justices and one chief justice. The Arkansas Supreme Court was created in 1836. The Court established, as one

of its early goals, a standard of fairness and speedy dispatch in its deliberations and opinion process. Parties are entitled, under the Arkansas Constitution, to one appeal with either the Supreme Court or Court of Appeals. Each Supreme Court Justice is elected statewide for an eight-year term in office. State Supreme Court Justices have no term limits.