*Discussion Starter for High School Through Lifelong Learners*

**Separation of Powers: What is It?**

*From Abstract Concept to Real-Life Impacts*

**Topic I: What are the Three Branches of Government?**

1. What is the job description of each branch?
2. Why did the Framers make the Legislative and Executive branches elected, but not the Judicial Branch?
3. Why is the independence of the judiciary a strength in the way separation of powers works?

**Topic II: What are Checks and Balances?**

1. What do we mean when we refer to the separation of powers as a system of checks and balances?
2. In general, how do the three branches check and balance each other in the law-making process?
3. Within the Judicial Branch, it seems that there is an internal system of checks. It’s called the appellate process. Explain how this process acts as a check that is unique to the judiciary.

**Topic III: The Genius of the Separation of Powers as the Structure of Our Government**

1. How does the concept of separation of powers help us understand the genius of our system of government?
2. How does the separation of powers – with all of the tensions, time, and struggle involved in the process – make our government more stable? How does it make government more responsive to the people?

**Topic IV: Role of the Judiciary as the Guardian of the Constitution**

1. What do we mean when we say that the federal courts are the guardians of the Constitution?
2. Can you give an example of when there have been stresses and strains among any of the three branches of government and the Third Branch has acted as the guardian of the Constitution?
3. How does the independence of the judiciary help stabilize government when there are stresses and strains among the three branches?