



Congress - Courts Keeping the Balance



Congress and the Courts balance each other. Congress makes laws, but the Courts interpret them. The Supreme Court decides if a law fits the meaning of the Constitution.

When you go to a baseball game there are several umpires on the field and behind home plate. These umpires did not make the rules for playing the game of baseball, but they are given the duty to decide what the rules mean in a special case. They are like judges. They interpret the rules as they see their original meaning. They are the last word. Judges in our court system are like these umpires. They interpret the rules. The court applies the rules of the Constitution to the nation's business.

Congress can pass "necessary and proper laws." But what is necessary? What is proper? The Supreme Court may need to decide in special situations.

Congress cannot interfere with the freedoms spelled out in the Bill of Rights. It can't punish a person for something that was not a crime when he did it. Any citizen can go to a court to protect his civil liberties. The citizen may even go to the Supreme Court to get a final verdict.

Sometimes, the Constitution does not cover a law that the people want. The people can then vote directly by states to add a special section to the Constitution. This is called an amendment. Back in 1895, the Supreme Court would not let Congress put a tax of two cents a dollar on everyone's wages, (money people earned). So later, an income tax amendment was added to the Constitution.

QUESTIONS:

- 1. Write in your own words how the Supreme Court checks Congress.*
- 2. What happens when the people want a law that is not covered by the Constitution?*
- 3. What amendment would you like to see added to the constitution? Support your opinion with concrete facts and reasoning.*



Congress - President Keeping the Balance



Our government has three branches. This keeps any one part from having too much power. Sometimes people think a President is very powerful. But people must realize that Congress always keeps a watchful eye on a President's decisions. The President has special ways to check Congress and Congress has special ways to check the President.

The President checks Congress when he vetoes a bill. Congress can check him if a 2/3 majority votes to override his veto.

The President decides what money is needed for each government department. He prepares a budget and shows it to Congress. But Congress holds the purse strings and can vote "yes" or "no" on the money spent. If citizens are concerned about the money issues, they should write both the President and their congressmen.

The President is checked in foreign policy (dealing with other countries) too. When a President makes a treaty (bargain) with another country, it doesn't really start until 2/3 of the Senate (67 members) approve it.

If the President feels Congress is being too big of a problem so that he can't get things done, he can call a news conference or go on television and talk directly to the people. Truman (a Democrat) had problems with the 80th Congress (which had mainly Republican members). He rode all over the nation by train telling the people how little this Congress had done. The people listened and voted some new congressmen into office.

http://www.trumanlibrary.org/whistlestop/study_collections/1948campaign/large/docs/index.php

Congress gives the President large amounts of power in time of emergency. They have no other choice. All the same, members of Congress don't like the President to "walk over" them. If these senators and representatives feel slighted, look out, Mr. President! Congress can cut off money, start an investigation, and be as stubborn as a donkey or as strong as an elephant—like the party symbols show!

Some Presidents get along with Congress better than others. These Presidents call in legislative leaders from Capitol Hill to talk about problems and new programs. But sometimes the President's party is divided, or the other party controls Congress. A struggle develops between Congress and the President. Sometimes this lasts a long time. Other times, both sides decide to compromise and work toward common goals.

QUESTIONS:

- 1. How does Congress check the President's veto?*
- 2. Who holds the nation's "purse strings"?*
- 3. How can the President check a Congress?*
- 4. How does the Senate check the President on treaties?*
- 5. How can the President check Congress to keep a bill from becoming a law?*