**Court Shorts: Separation of Powers  
Distance Learning Discussion Starter Questions**

**Government Structure and the Separation of Powers** 1**.** Name the three branches of government in the order they are presented in the Constitution and give the job description of each.

2. Some people describe the branches of government as a three-legged stool that stabilizes the government. What is meant by that? What would happen if one leg of the stool were not functioning?

1. In the video, the judges tell the story of Texas v. Johnson, a case in which a young man burned the American flag. Specifically, describe the role of each branch in this case as outlined in the video.

**Checks and Balances in the Separation of Powers**4. Among the three branches there is a system of checks and balances. What does that mean?

1. In Texas v. Johnson, how did each branch exercise a check on another branch?

* How did the judicial branch exercise its check?
* How did the legislative branch exercise its check?
* How did the executive branch exercise its check?

1. How did the system of checks and balances shape the ultimate outcome? What would have happened if only one branch had an impact on the outcome?

**Critical Thinking About the Separation of Powers**7. Why is the concept of separation of powers described in the video as the genius of the American system?

1. Why do you think the Framers of the Constitution made the legislative and executive branches elected, but not the judicial branch?
2. In the flag-burning case – and in general – how does the separation of powers give the ultimate power to “We the people?”
3. How do the concept of separation of powers and judicial independence intersect and have an impact on each other?