

ViewPoint: United States Government Structure (Federal)

United States Government Structure

The structure of the government of the United States flows outward from the Constitution. Each branch of government has its own specific role, as demonstrated in this diagram. It is important, to recognize the primary function of each branch:

- The **Legislative Branch** *enacts* law.
- The **Judicial Branch** *interprets* law.
- The **Executive Branch** *enforces* law.

Constitution

The structure of the government of the United States emanates from the Constitution. No law enacted by the Legislative Branch (Congress) and no rule or regulation created by the Executive Branch (the President, through administrative agencies) may violate the Constitution. The Judicial Branch has the power to determine the constitutionality of actions taken by the other branches.

Judicial Branch

The Judicial Branch interprets laws created by the other branches.

Executive Branch

The Executive Branch enforces the law through administrative agencies and military powers.

Legislative Branch

The Legislative Branch enacts, or creates, laws. The Congress (made up of the Senate and House of Representatives) is the functioning body of the federal Legislative Branch.

Opinions (Judicial Branch)

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Opinions

The **Judicial Branch** issues court opinions. Opinions are also called cases. An opinion details why a court decided what it decided. There are three kinds of opinions.

- The *Majority Opinion* is the one that is considered law.
- A *Concurring Opinion* agrees with the result of the majority (the outcome), but for a different reason.
- A *Dissenting Opinion* disagrees with the Majority, and has no legal effect.

Examples of well known cases include:

The diagram illustrates the structure of the United States Government. At the center is the Constitution, which branches into the Executive, Legislative, and Judicial branches. The Judicial Branch is further divided into Administrative Regulations & Decisions, Opinions, and Statutes. An arrow points from the Opinions sub-segment to the text box on the left.

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Examples of well known cases include:

- *Marbury v. Madison* - Established the Supreme Court's right to rule on the constitutionality of the actions of the other two branches (Executive and Legislative)
- *Brown v. Topeka Board of Education* - Ruled that the concept of "Separate but Equal" was not valid
- *Roe v. Wade* - Held that a woman has a right to an abortion

Administrative Regulations & Decisions (Executive)

Administrative agencies are **Executive** in nature. While Congress (the Legislative Branch) controls the funding for and creation of administrative agencies, once they exist, it is the Executive Branch that controls those agencies. The Legislative Branch (Congress) can not order an administrative agency to do anything, but sometimes implements pressure by limiting funding for certain agencies. Administrative Rule and Regulations are created by those agencies.

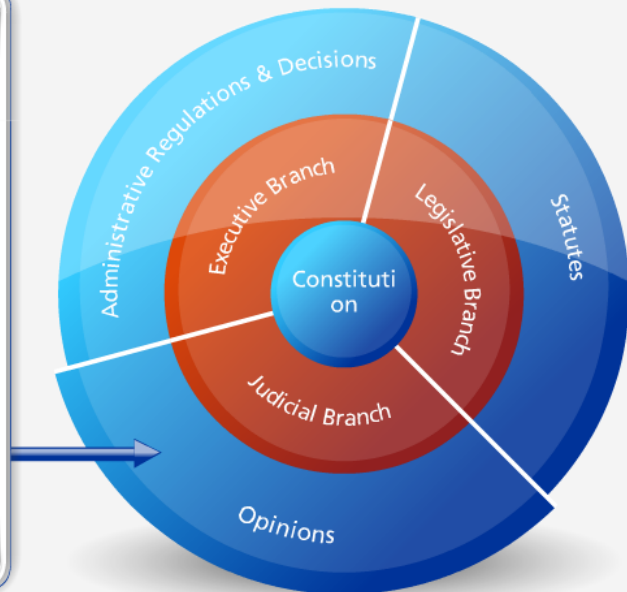
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Statutes (Legislative Branch)

Statutes are the laws created by the United States Congress (**Legislative Branch**). They are collected in a set of books called the United States Code (U.S.C.) However, the Judicial Branch has the power to invalidate any law that is in violation of the U.S. Constitution.

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