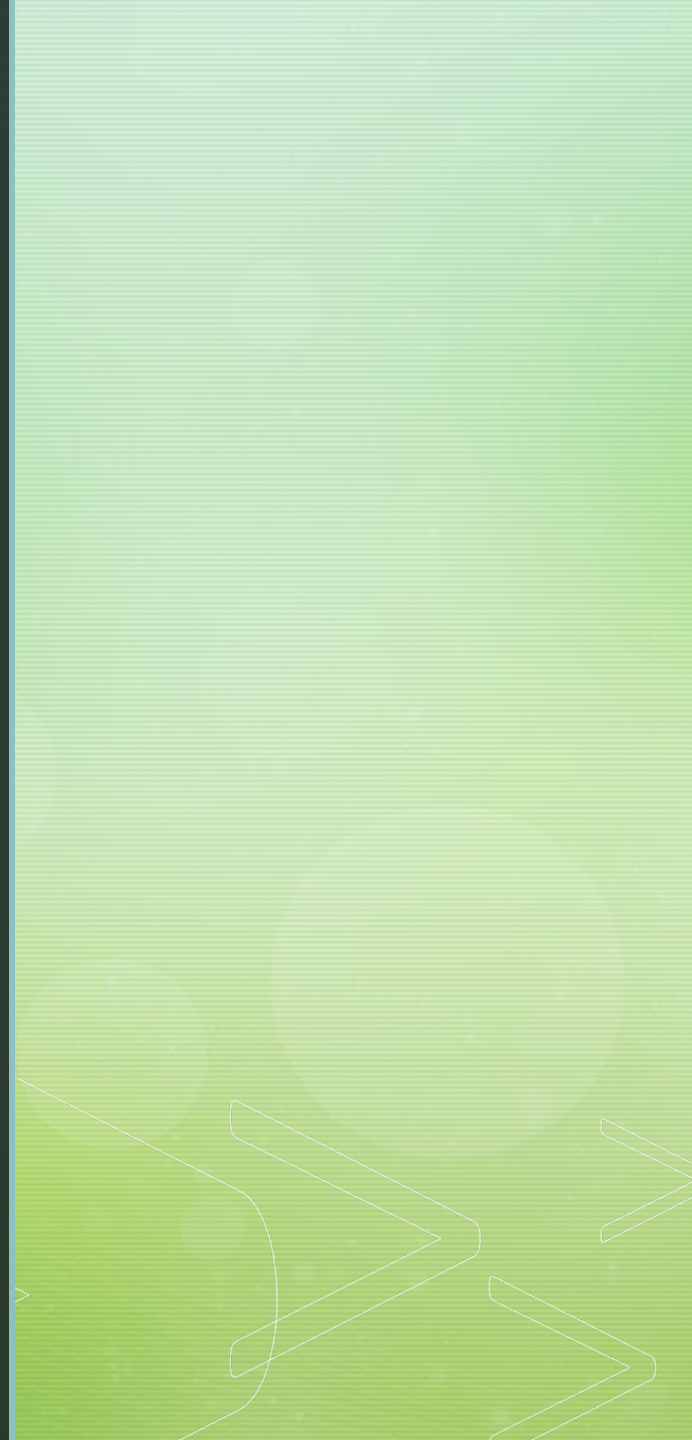


By Savannah Eccles Johnston



# Separation of Powers



# Is our system working?

American  
infrastructure is  
falling apart  
The last government  
shutdown lasted 35  
days

Brinkmanship on  
debt ceiling

When did Congress  
last pass a bill you  
really care about?



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# Aristotle's Regimes

| Self Interest     | Public Interest |
|-------------------|-----------------|
| Tyranny           | Monarchy        |
| Oligarchy         | Aristocracy     |
| Democracy (WORST) | Polity          |



# Why Doesn't Democracy Work?

1. **Socrates Problem**: mob justice/orators
2. **Majority Faction**: majority of people with a common interest adverse to the rights of others or permanent/aggregate interests of the whole.
3. **Hannibal Problem**

How is one of these problems evident today?



# James Madison's Radical New Theory:

- Representative democracy = people elect officials to make laws and other important decisions on their behalf. These officials are held accountable through regular, competitive elections and a free media.
- Representative Democracy is superior to direct democracy:
  - 1) Refine and enlarge the public view
  - 2) Extend over greater territory
- So the solution to Problem 1 and 2 = representative democracy



## Temporal Republicanism:

"...that though the **will** of the **majority** is in all cases to prevail, that **will** to be **rightful must be reasonable.**" - **Jefferson**

Madison's theory reconciles democracy (means of decision making) with liberalism (the ends of those decisions).

Is the trade-off worth it?



## What About Problem #3 – The Hannibal Dilemma?



A crisis requires a decisive leader, which eventually undermines and replaces the legislature.

How do you balance the deliberative might of a legislature with the need for the energy and dispatch of an executive/king?

Roman Republic = Constitutional Dictatorship...ultimately failed

**New Theory: 1) Separation of Powers 2) Checks and Balances**

We need both: Strong legislature to counter strong presidency

# Checks and Balances:

- 1) Oversee the administration (GAO reports, budgets)
- 2) Overlapping Powers (ex: War Powers)
- 3) Impeachment

