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Lecture 10: The U.S. Government

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Content

Introduction

A. Founding Principles

1. Popular Sovereignty

2. Republicanism

3. Limited Government

4. Federalism

5. Separation of Power

6. System of Checks and Balance

7. Individual Rights

B. Government Structure

1. The Executive Branch

2. The Legislative Branch

3. The Judicial Branch

- Exercise

Introduction

The Second Continental Congress (1775-1781) not only adopted the **Declaration of Independence** in 1776 but also drafted the **Articles of Confederation**, finalized in 1777 and ratified in 1781, as America's first national framework during the Revolutionary War. Yet the Articles suffered profound weaknesses: Congress lacked authority to tax, regulate commerce, or enforce laws, depending instead on voluntary state contributions that often went unpaid; there was no executive to implement policies or judiciary to resolve disputes; amendments required unanimous state approval, paralyzing reform; and states engaged in trade wars and ignored national treaties, leading to economic turmoil, and massive war debts. Under the Articles of Confederation (ratified 1781), there was effectively only a legislative branch—a unicameral Congress of state delegates with limited powers. These flaws prompted the 1787 Constitutional Convention, where delegates forged a stronger system grounded in foundational principles like separation of powers, federalism, and checks and balance.

What are the foundational principles which shaped the structure of the U.S. government

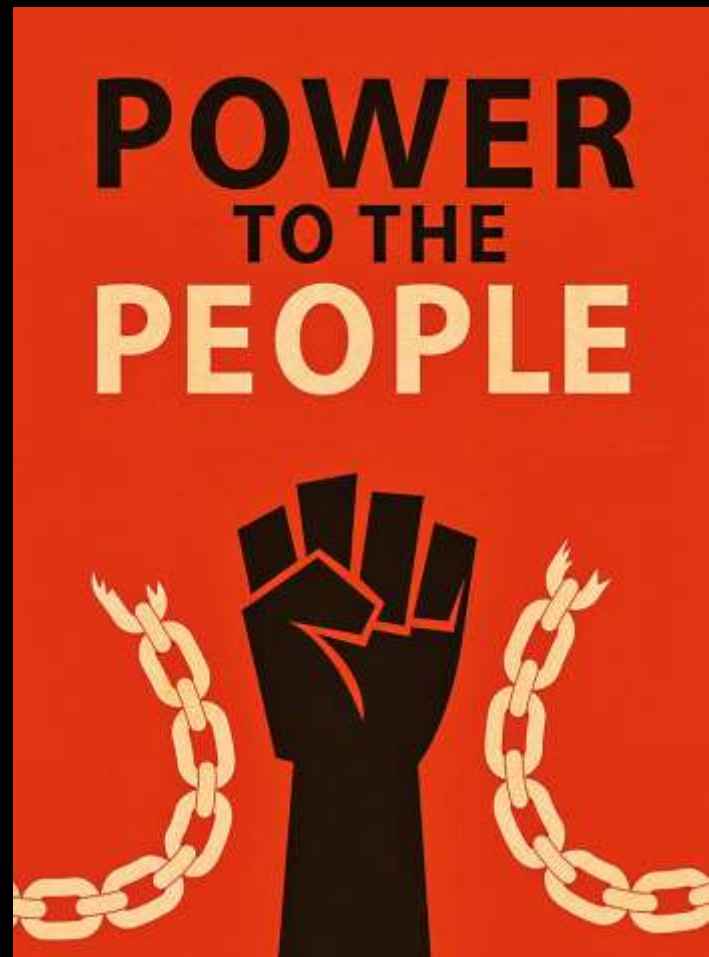
Foundational Principles: Republicanism

Republicanism, central to the U.S. founding, establishes a **representative republic** where citizens elect officials to govern on their behalf, vesting sovereignty in the people rather than a king or elite. Drawing from Enlightenment thinkers like Montesquieu and classical models, it prioritizes civic virtue—active citizen participation for the common good—over direct democracy, which founders like Madison feared could lead to mob rule or factional tyranny.



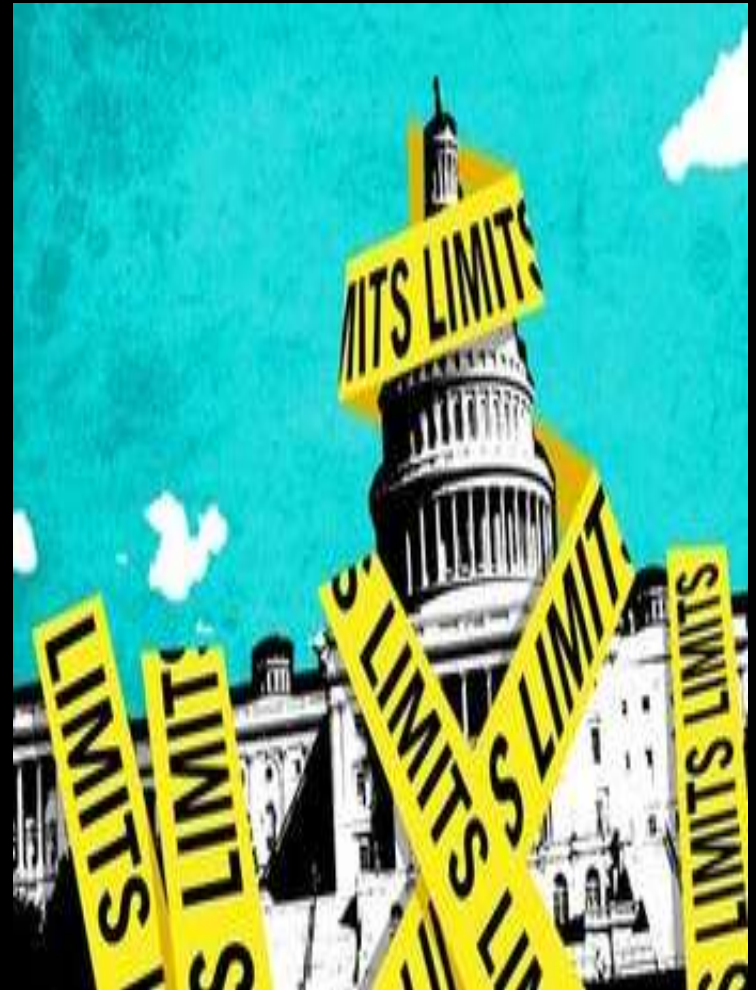
Foundational Principles: Popular Sovereignty

Popular sovereignty, a cornerstone of U.S. constitutionalism, holds that ultimate political authority resides with the people, who grant limited powers to government through their **consent**, as affirmed in the Declaration of Independence's assertion that governments "deriv[e] their just powers from the consent of the governed." Its philosophical roots trace to Enlightenment thinkers like John Locke, who argued in his *Second Treatise of Government* (1689) that legitimate rule stems from the people's natural rights and **social contract**.



Foundational Principles: Limited Government

Limited government restricts U.S. authority to only essential functions like defense, commerce, and taxation, leaving most decisions to states or individuals to safeguard freedoms from potential abuse by rulers. Founders, wary of British overreach during colonial times, drew from John Locke's idea that government exists solely by the people's consent to protect natural rights, and from Montesquieu's model of dividing power among branches. James Madison captured this in Federalist No. 51: rulers' ambitions check each other—presidents veto laws, courts overturn unjust acts, legislatures oversee executives—creating balance so no single authority dominates while still enabling national unity.



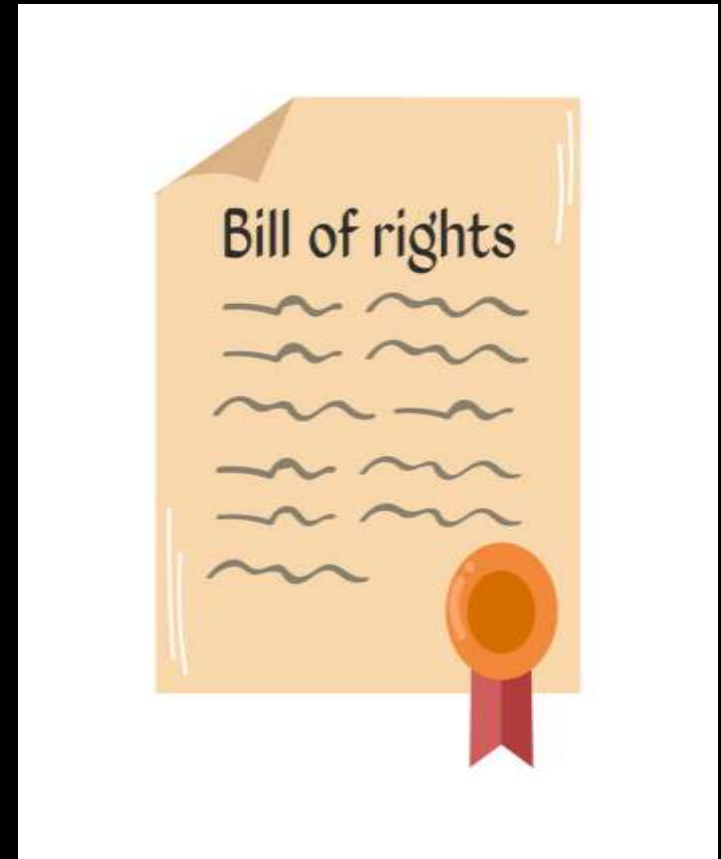
Foundational Principles: Federalism

Federalism in the U.S. government divides sovereignty between the national (federal) authority and state governments, with the Constitution granting Washington enumerated powers like defense and commerce while reserving others to states via the 10th Amendment, creating a balanced "dual sovereignty" that prevents centralized tyranny and allows local autonomy.



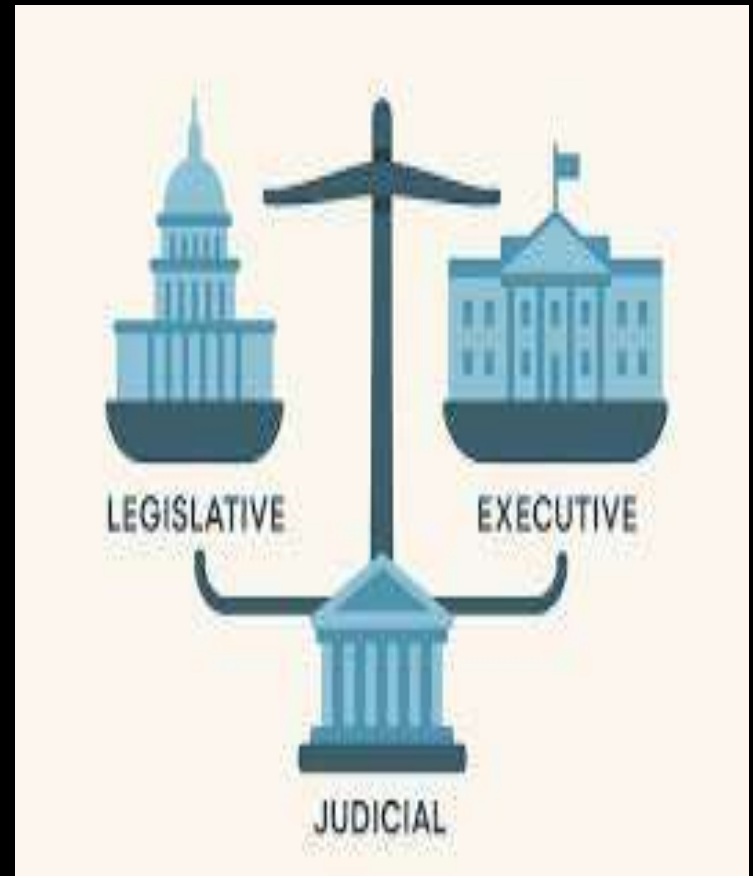
Founding Principles: Individual Rights

Individual rights guarantee personal freedoms like speech, religion, assembly, and due process against government infringement, rooted in John Locke's natural rights to life, liberty, and property—echoed in the Declaration's "Life, Liberty and the pursuit of Happiness." Framers embedded these in the Bill of Rights to limit majority rule and protect minorities, ensuring government serves individuals rather than subsuming them.



Foundational Principles: System of Separation of Powers

Separation of powers divides government into three independent branches—legislative (makes laws), executive (enforces laws), and judicial (interprets laws)—to prevent any one from dominating, as theorized by Montesquieu in *The Spirit of the Laws* (1748) and embedded in the U.S. Constitution.



Foundational Principles: System of Checks and Balance

Checks and balances is the U.S. constitutional system where each branch—legislative, executive, and judicial—holds powers to check the others and prevent tyranny.

Examples:

- Congress passes laws, but the President vetoes (the executive branch checks the legislative branch).
- A 2/3 majority of Congress can override the president's veto (the legislative branch checks the executive branch).
- President nominates judges (the executive branch checks the judicial branch), but Senate confirms/rejects (the legislative branch checks the executive branch).
- Courts strike down unconstitutional laws. (the judicial branch checks the legislative branch).
- Congress impeaches/removes President or judges (the legislative branch checks the executive and judicial branches).



**How many branches does the
U.S. government have?**

The Executive Branch

The executive branch constitutes the President as chief executive, Vice President, Cabinet (15 department heads like State and Defense), federal agencies (e.g., FBI, EPA, IRS), and roughly 4 million civilian and military personnel who execute laws nationwide. Its core powers include enforcing federal laws, conducting foreign affairs (treaties, ambassadors), commanding the armed forces as Commander-in-Chief, appointing judges and officials (with Senate consent), issuing executive orders, granting pardons, and vetoing legislation, all subject to congressional oversight and judicial checks for balanced governance.



The Cabinet Departments



State



Treasury



Defense



Justice



Interior



Agriculture



Commerce



Labor



Health & Human
Services



Housing & Urban
Development



Transportation



Energy



Education



Veterans
Affairs



Homeland
Security

The Legislative Branch

The U.S. legislative branch, known as Congress and established under Article I of the Constitution, consists of the bicameral **House of Representatives** (435 members elected by population every 2 years) and **Senate** (100 members, 2 per state every 6 years), tasked with making federal laws, declaring war, approving budgets and treaties, confirming presidential appointments, impeaching officials, and providing checks on the executive and judiciary through its deliberative structure born from the 1787 Convention's Great Compromise.



The Judicial Branch

The U.S. judicial branch, established by Article III of the Constitution, comprises the Supreme Court (9 justices, lifetime appointments), 13 courts of appeals, and 94 district courts, tasked with interpreting laws, resolving federal disputes (e.g., constitutional cases, treaties, interstate conflicts), and exercising judicial review to strike down unconstitutional acts, as established in *Marbury v. Madison* (1803). Appointed by the President and confirmed by the Senate, judges remain independent from political pressures, providing a critical check on legislative and executive power while relying on the executive for enforcement.



Exercise 2

Make Tick the correct answer

Q1:What were the main weaknesses of the Articles of Confederation??

A: Strong central taxation powers

B: No executive branch and inability to regulate commerce

C: Lifetime appointments for Congress

Q2:What does federalism primarily involve in the U.S. system?

A: Complete state independence

B: Division of sovereignty between federal and state governments

C: Direct rule by the President

Q3:Which principle ensures no single branch dominates??

A: Federalism

B: Checks and balances

C: Popular sovereignty

Q4:What is the primary role of the legislative branch?

A: Interpret laws

B: Make laws

C: Enforce laws

Q5:Under checks and balances, who can declare laws unconstitutional?

A: Congress

B: President

C: Supreme Court

Q6:What power does the President have over legislation?

A: Veto bills

B: Appoint judges

C: Impeach officials

Thank You

