Superior Court of New Jersey - Essex Vicinage

Law Day 2018

SEPARATION OF POWERS:
Framework for Freedom

Separation of Powers:

Framework for Freedom

First Place Art
By Michelle Tene
6th Grade - Wilson Avenue School

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Law Day 2018
SEPARATION OF POWERS: Framework for Freedom

Second Place Art
By Jackelynne Esquivel
7th Grade - Wilson Avenue School

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Law Day 2018

Separation of Powers:
Framework for Freedom

Third Place Art
By Brenda Guerrero
8th Grade – University Middle School

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Law Day 2018
SEPARATION OF POWERS:
Framework for Freedom

Honorable Mention Art
By Kim Mayancela
8th Grade - University Middle School

This project is co-sponsored by the New Jersey State Bar Foundation
and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Superior Court of New Jersey - Essex Vicinage

Law Day 2018

SEPARATION OF POWERS:
Framework for Freedom

Honorable Mention Art
By Alessa Soares
5th Grade – Wilson Avenue School

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Law Day 2018
SEPARATION OF POWERS:
Framework for Freedom

"Separate but Equal"

It comes as no disrespect Mr. Legislative,
Ms. Executive, Mr. Judicial

That your powers have been divided equally among one another,
We have come a long way in securing a strong foundation for
Our new government
Gaining our Independence in '76

We were left to establish a new framework of government
From the Declaration of Independence, to the Articles of Confederation and now
The U.S Constitution we made sure to make it near impossible
To go back to a monarch state

Please Mr. Legislative, Ms. Executive, Mr. Judicial understand
All of you are equally important no branch hold absolute power
No branch has the right to exercise more power over the other
In fear our new nation would once again go back to its monarch state

We have created separation of powers to create an equal flow
Of how our government is run
The Mighty Trio is what you guys are
Equal in power and strength to uphold
Our country’s government

First Place Poem
By Nerly T. Brevil
11th Grade – Irvington High School

This project is co-sponsored by the New Jersey State Bar Foundation
and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Superior Court of New Jersey - Essex Vicinage

Law Day 2018
SEPARATION OF POWERS:
Framework for Freedom

“America”

Vegetables
Fruits
Grains
Meat
And Dairy
Five separate food groups essential for our survival
According to the USDA
Human beings need a specific amount of each of these
To assist with the different functions of the body

Executive
Judicial
Legislative
It comes as no surprise that the most efficient way to run our country
Would be to separate our bodies of government
Too much of anything
Can be deadly
Detrimental to the society we have spent centuries trying to perfect
And still have yet to succeed at

Our president is in the executive branch
The waves that ripple through the other branches begin with him
Seemingly the most powerful branch
It is kept in check by the others
So as not to fall from the strong trunk that holds our society up
Although our current one
Is learning everyday
And is not perfect
It is for this reason that
The judicial and legislative branches exist

Legislative
A Senate and House of Representatives
Make up the second branch of government
And the leaves that hang from it

Help, guide our citizens in the way of true American values
Without these laws to follow
Life here would most likely be barbaric and unequal
It is because of this strong foundational branch
That everyone feels they have a voice
From Florida to Washington
From sunny beaches to pale colored farmlands
Even though the president is our leader
He is not our dictator
And the legislative branch is to thank for this
Generation after generation

The judicial branch
Is the final one to make up our democratic tree
Although last
It is definitely not least
Highest court of our country,
They do their best to make sure everyone is treated fairly and equally
Skin color doesn’t matter here
Nor does financial status
Or religion
They remind and enforce
Us of our longstanding constitution every time they reside over a case
That bears going against it

America
The tree that continues to grow
And thrive in the Earth
Contains everything we need inside it for a successful nation
All working together
Striving
To obtain the true American dreams
Justice for all and freedom

Second Place Poem
By Dahlia Harris
12th Grade - Bloomfield High School

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Untitled Poem

Donald Trump, President of the United States
Part of the executive branch trying to implement laws that are insane
Florida school shooting opened the eyes of those who couldn't see

That the government only cares about money
Children's lives don't matter and we all seem to agree.
That the system is broken
It makes you wonder what the legislative branch has to say
How come children are the ones chosen to pay
For all the things Congress has failed to do
You may think that this isn't the last school to experience such tragedy
But it's true its not the last.

Powers are definitely not equal
The world hated the news of Donald Trump as President
And they have a reason to
Trump seems to be calling all the shots
What will Congress do?
Nothing that's what
Because of this, violence is taking over our world, like the flu.

Gun violence and mental health laws are things that need to be established,
Except we are too focused on the Russians and the ballots.
The legislative, executive, and judicial branches are all parts that make this country a whole,
However, our goals fail to meet the needs of those who need the attention of these branches the most.
To summarize the avalanche of problems this country faces shows that branches are not equal, separated and the issues around prove that.
In conclusion, our country has fallen flat.

Third Place Poem
By Lauryne JeanLouis
9th Grade – STEM Innovation Academy of the Oranges

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Law Day 2018
SEPARATION OF POWERS:
Framework for Freedom

"Framework for Freedom: The Ideal"

We are the sons of Man, not dropped from the hands of God to form a mold.
There were those who would put on a crown and become a god, indeed that was bold.
They proclaimed that God himself appointed them to rule; blinded by divine right.
But they had no sight.

A world away,
The weight of an insufferable ruler.
They fought for what they should have owned.
They set out to create a more perfect union for their own.

Then this begs the question who is their own?
Because for their own,
They fractured power into three pieces, divergent but so cohesive.
They wrote a Constitution that made the power of the state and central comprehensive.

But was it a fallacy that those of burned hides were left with no pride.
Still today they are left in a state of anguish.
Punished by a system that is supposed to have been built on the framework of freedom.
But it seems like a conundrum.

Of those who make the laws,
Of those who carry out the laws,
Of those who evaluate the laws.
Who makes a difference?

The legislative has become a watchter of the executive.
As the executive infringe upon the judicial.
It has become nothing more than social.

As those that ran as our fathers did.
Now condemned by one branch and not protected by the other; suffering as they once did.

"They provide a framework for freedom. Yet, this framework is not self-executing."

Honorable Mention Poem
By Wolfeneger Michel
11th Grade – Irvington High School

This project is co-sponsored by the New Jersey State Bar Foundation
and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Law Day 2018
SEPARATION OF POWERS:
Framework for Freedom

"Separation of Powers: Framework for Freedom"

When our constitution was written the framers feared a government that might trample on the rights of the citizens. It was because of this that they made it a point not to place too much power into the office of either the executive, legislative or the judiciary. They separated the branches of government to ensure that "we the people" maintained our freedom and put in place a system of checks to make sure the government was balanced among the three branches.

Should for any reason the executive branch become more powerful than the other two branches, the person holding the position of president could make themselves a king or queen or worse yet a dictator. A country with a monarchy or a dictator will find it very difficult to rid itself of that type of government. If the judicial branch should become more powerful it has the power to change the constitution, abolish The Bill of Rights, and maybe not allow women to vote anymore. An all powerful legislative branch would have the authority to make laws expanding its authority and power and override any vetoes the executive branch used to check their power. The judicial branch could scream their moves are unconstitutional, but really, they cannot back it up with any military action. In reality, the judiciary has to trust that the executive and the legislative branches obey them.

These powers of the three branches of government are truly separated. The judiciary never interferes with either of the other two branches of government unless a citizen or corporation challenges a law enacted by the executive. The legislative make it their business to see that the needs of their states are taken care of and the executive caters to those states who supported them in the elections. This division creates a distrust among each branch and that is why they can so easily check and keep an eye on each other to make sure one branch does not have an edge on the other.

This separation of government power is absolutely necessary in an extremely wealthy country with a well-equipped military such as the United States of America. James Madison wrote in Federalist 51 "Ambition must be made to counteract ambition." James Madison believed that the constitutions' principles of government separation of power and checks and balances was absolutely necessary to preserve political liberty.

What began as a debate over two hundred years ago on how best to preserve our liberties from tyrants has stood the test of time and is still as effective today as when it was thought of. However, there is an invisible branch of government which also has their checks and balances and that is "we the people". We make it work.

First Place Essay
By Erika Narvaez
6th Grade - Union Avenue Middle School

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
"A Strong Government"

A world without order and authority would be a world filled with chaos. But a world with only one authoritative figure would result in a world of dictatorship. To call a country powerful, the country must have a strong government to withstand any hardship. This is why America provides three, equally powerful, branches of government. The legislative, judicial, and executive branch.

Each branch is granted a unique duty. For example, the legislative branch's duty is to make laws. They must make a system of laws for bankruptcies and immigration, create a system for taxes, regulate military service, declare war, borrow money and many more. Most of these laws are voted on by the house of congress, which consists of the House of Representatives, and Senate. The judicial branch, which is run by the Supreme Court, is in charge of interpreting the laws and constitution. However, the executive branch, which consists of the elected U.S president, is responsible for implementing and enforcing the laws.

Every branch is given equal power. No branch exceeds another. Implementing too much power on one branch of government, for example the executive branch, would lead to destruction. This was seen through Adolf Hitler. He was given control and power and in return he paid his people with destruction and pain. He poisoned his own people with evil ideas and stripped them off their freedom. Hitler killed millions of his own people. He even tried to wipe out a race. But with all his outrageous actions nobody in his country was able to step up and stop him. He used his power to dictate, not lead. This is why concentrating power on the executive branch or any other branch can and would cause chaos.

Second Place Essay
By Ashley Amoako
12th Grade – Bloomfield High School

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
Law Day 2018
SEPARATION OF POWERS:
Framework for Freedom


Our constitution was written when men feared a tyrannical leader. Having fled a political system where few had a say in their destinies, to many, the colonies offered a new beginning. They would later realize that what they had fled from had followed them across the vast Atlantic Ocean. However, they saw the opportunity to craft the type of government where no one person could become so powerful that the liberties men were entitled to enjoy were denied. A government where power was shared among three branches similar to the government of ancient Rome and a government where each branch had the power and authority to check the actions of the others.

The writers of this constitution envisioned a government with three branches to share the power, but not divide power among themselves. A government where one branch was elected by the collective citizens; the executive headed by the president. The second, to represent the interests of the states and determined by the population of the individual states; the legislative. Finally, the third to be an appointed group by the executive with the final nod from the legislative branch; the judicial. This was to be a government where the people chose who actually governed.

Our executive branch is headed by the president who derives his power from articles in the constitution. He has the power to issue executive orders to please his supporters, but that power is not unchecked. His actions can be challenged by the judiciary to ensure if it is in line with the constitution. Without this check, the government is not balanced and therefore would be ruled by the executive office only. This was one way to ensure that the liberties of the citizens were safe from a tyrannical leader.

Two hundred years since the signing of the Constitution, we see that these powers are still protecting the separation of powers and the system of checks and balances. Even though it may appear at times when one party controls the legislative and the executive branch and may appear to be acting as if the two are now joined, the judiciary still have a check on their actions by evaluating the constitutionality of any laws passed by the legislative branch and enforced by the executive.

However, there are situations where one branch of government is able to exert more power than the others. For instance, in the area of trade, the executive branch has a tremendous amount of power. In the case of civil society, the judiciary has the greatest power and in matters of domestic policy one can say that the legislative branch has the greatest power. But for each of these branches with more power in their respective areas, should they overstep their authority or power, the other two branches can challenge them.

“Ambition must be made to counteract ambition,” James Madison, Federalist 51, is as true today as it was 2000 years or even 200 years ago. The desires of men to attain and maintain control and dominance of others is as natural as breathing. With such a natural urge, the best solution is to counteract it with a likewise ambition. Our separation of powers to create a framework for freedom for the masses was an idea conceived by the ancient Greek philosophers and thinkers and carried out by the brave men who founded our republican form of government. Let freedom continue to prosper with a separation of powers and checks and balances.

Third Place Essay
By Franklin Morocho
6th Grade – Union Avenue Middle School

This project is co-sponsored by the New Jersey State Bar Foundation
and made possible through funding from the IOLTA Fund of the Bar of New Jersey.
"Separation of Powers"

The United States government consists of the executive branch, the legislative branch, and the judicial branch. Each holds its own responsibilities in our country's government. The executive branch enforces the law, the legislative branch makes the laws and the judicial branch interprets the law. This system includes two important principles, separation of powers and checks and balances, which ensure that the initial purposes of the Constitution are maintained, while allowing our country and future generations to prosper.

Separation of powers was created to delineate accountability. Having too much power in one branch of government can cause disruption to order. For example, if the executive branch were to issue an executive order affecting immigration, this frustrates the province, of the legislative branch to make laws. In turn, actions like these affect the public, who elect congressional representatives on the assumption that Congress, not the president, will make the laws.

Checks and balances also play an integral part. This doctrine guarantees that each branch is checked by another branch(es) to provide that no one branch becomes too powerful. For instance, when a bill is introduced, the executive branch can decide whether to sign it into law. The judicial branch, in turn, has the power to determine the constitutionality of the law. Checks and balances thus makes certain that separation and a distribution of power is maintained.

The framers were understandably concerned about power in government, particularly after their experiences with England and the Articles of Confederation. They studied the philosopher Montesquieu and determined that in order to act independently, government must separate into three branches. This results in political freedom and the protection of freedom for those living in the United States.

Honorable Mention Essay
By Cassandra Dawson
9th Grade – STEM Innovation Academy of the Oranges

This project is co-sponsored by the New Jersey State Bar Foundation and made possible through funding from the IOLTA Fund of the Bar of New Jersey.