

Antar Jimenez Jr.

Law Day

Separation of Powers: Framework for Freedom

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Hello, my name is Antar and my family is from Puerto Rico and the Dominican Republic. As the latin blood runs through my body, I, though, was born here in America. I am just as American as everyone else. Or as Langston Hughes once said in a poem, "I, too, am America"...About two weeks ago Terrence Stover, a black man, was racially and verbally attacked by Erick Dekeyser, a white man who hoped to "get a rise" out of Terrence so that he could "legally murder" him^[1]. In the same month, on Sunday April 8th, following the Miami Beach's Gay Pride Parade, four men physically attacked three other men as anti-gay slurs were spit at them^[2]. These were two instances slightly covered in the press unlike the Syracuse University's racist fraternity video, AND Philadelphia's Starbucks incident. But commonly, and fortunately, they were all investigated and handled. I bring these up because although we have achieved things like civil rights, marriage equality, and women suffrage, we still have a long way to reach full equity- just like any other place in this world. And as a gay Latino myself, these situations that arise can make me fearful. But what I do know is that through these situations of prejudice, The United States of America, in the court of law and with separation of powers, has made great changes for everyone to live under FORMER PRESIDENT John F. Kennedy's words- "If we cannot end our differences, at least we can help make the world safe for diversity."

The separation of powers are the governing, divided, responsibilities between the three branches of government: The Legislative, Executive, and Judicial. These three branches take their independent powers to complete their jobs. These jobs consists of things like: the legislative who will take bills and enact it into a law, the executive will enforce the law, and the judicial will interpret the law under the eyes of the constitution-the utmost law by which we govern the US today. To ensure that one does not obtain more power than another branch, checks and balances are instilled. This is how we, as members of society, can be sure of our protection. With the checks and balances, many scenarios can come about. Like the congress can attempt to pass a law, but the president can veto it. But say if the president did not veto the law, if it is deemed “unconstitutional”, it is the responsibility of the supreme court justices to declare it, and not allow it to hinder the people's rights.

These separation of powers, *AND these* checks and balances, are not just made for a specific group of people, but for us all. “We the people” may have had a different meaning and intention in the past, but today we hold it to represent the whites, blacks, men, women, gays, transgenders, and so on. And currently, as situations arise, we have seen our fair share of the judicial court declaring acts unconstitutional. Just since President Trump was elected, he has attempted to push a Muslim ban into action. This was his way of blocking Muslims from entering the country after the San Bernardino shooting. THIS BROUGHT FEAR TO MANY, UNSURE IF THEY WOULD BE DEPORTED, OR BE UNABLE TO SEE THEIR FAMILY OUT OF THE COUNTRY AGAIN. Not only did President Trump attempt to ban Muslims once, but two times after that. Everytime, the supreme court justices decided that the executive decision was a violation of our constitutional rights. As freedom of religion is one of our rights in

THE first amendment, one cannot be denied of life, liberty, and property just because the president sees hostility in the whole Muslim community. Thanks to the checks and balances, AND the separation of powers in our three branches, the judicial court was able to identify this animus act and withdraw PREIDENT Trump's attempt. Without it, we could potentially be looking at the powers being centralized into a dictatorship, making it hard to prevent these bigoted acts, and maintain a democracy.

After hundreds of years of oppression, we are in an era where we are closer to equality than we've ever been before. And as we make these progressions, and as the people begin to stand for what is right- I am more than confident that the law, that the three branches who stand by our rights in the constitution, and that the separation of powers will be there to support us, "We the People". Thank you.

References

^[1]<https://rollingout.com/2018/04/18/georgia-racist-called-black-man-n-word-so-he-could-legally-murder-him-video/>

^[2]<https://www.nbcnews.com/feature/nbc-out/suspects-miami-gay-attack-surrender-could-face-hate-crime-charges-n864946>

^[3]<https://www.nbcnews.com/news/world/former-weinstein-assistant-tells-british-parliament-how-nda-kept-her-n860776>