Power Meets Power

Read Madison's argument through a government power dispute.

USG.C.3.3.B "Examine the necessity of a system of checks on government authority as explained by Madison in Federalist Paper No.51 and reflected by the claim "Ambition must be made to counteract ambition.""

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline why elections alone may not stop an abuse of power, circle one checking action by Congress and one by courts, and number the president, Congress, and courts to trace how their powers interact.

Who Can Stop an Order?

1. Imagine a president tells federal agents to search students' phones whenever they visit a public library. The order sounds like a quick way to find threats, but it gives one official enormous power over private lives. In Federalist No. 51, James Madison asked how a government could have enough authority to govern without letting its leaders abuse that authority. Elections matter because the people can remove leaders, but elections alone cannot stop an unlawful order today. Madison argued that government needs safeguards inside its own structure, in addition to accountability to voters.

2. Madison's phrase "Ambition must be made to counteract ambition" describes a practical safeguard. Officials may want to protect their own branch's powers, so each branch needs tools to resist another branch's overreach. Congress can investigate the phone-search order, demand explanations from executive officials, and use its power over federal spending to restrict an agency's actions. A president might want freedom to direct agents, while lawmakers might object to a president acting without legal authority. Their competing interests create a check even if neither side agrees about the best safety policy.

3. Courts provide another check when a person affected by the order brings a case. Judges can examine whether the searches violate the Constitution and, if they do, block the unlawful practice. Courts do not run the agency, and Congress does not decide individual court cases. Each branch has a different role, so no single official can simply settle every dispute about power. Madison did not claim that rivalry would make leaders virtuous. He argued that giving institutions both reasons and ways to resist one another helps protect liberty when good intentions are not enough.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why would elections alone be an insufficient check on the phone-search order?

2. How could Congress's interests lead it to check the president's phone-search order? Name one action it could take.

3. How would a court's check differ from Congress's check if someone affected by the order brought a case?

4. Why does Madison's system not depend on every official agreeing about the best safety policy?

3 YOUR TURN

Your own words

Invent a different proposed federal policy that could threaten a constitutional freedom. In four sentences, explain why a check is needed, name two branches and a distinct action each could take, and connect their powers to Madison's claim.

ANSWER KEY

Power Meets Power

HIGH SCHOOL · USG.C.3.3.B

PART 1 · READ AND MARK

Underline why elections alone may not stop an abuse of power, circle one checking action by Congress and one by courts, and number the president, Congress, and courts to trace how their powers interact. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why would elections alone be an insufficient check on the phone-search order?	**Voters can remove leaders in an election, but an election cannot stop the order immediately.**
2	How could Congress's interests lead it to check the president's phone-search order? Name one action it could take.	**Lawmakers might object to the president acting without legal authority. Congress could investigate the order, demand explanations, or restrict agency spending.**
3	How would a court's check differ from Congress's check if someone affected by the order brought a case?	**A court could decide whether the searches violate the Constitution and block them if they do. Congress could investigate or use its spending power, but it would not decide the court case.**
4	Why does Madison's system not depend on every official agreeing about the best safety policy?	**Officials may defend their own branches' powers. Their different interests and checking tools can limit overreach even when they disagree about policy.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Suppose Congress passes a bill banning criticism of federal officials online, which would threaten freedom of speech. The president could veto the bill rather than allow lawmakers to control public debate. If the bill became law despite that veto, a court could hear a challenge and strike down the ban as unconstitutional. These branches have separate powers and reasons to resist Congress, so their ambition can counteract its ambition instead of leaving speech rights to lawmakers' goodwill.

Accept other checks supported by the passage, including congressional investigations or spending restrictions. For Part 3, look for a plausible constitutional concern, two distinct branch actions, and an explanation of how competing powers limit authority.