## Episode 34: Separation of Powers

**Discussion question:**

**Professor Kitrosser mentioned that James Madison didn’t anticipate a system where people were more loyal to a political party than their branch. Do you think this happening now? And why would it be a problem?**

**2. What does Professor Kitrosser say is the most basic and uncontroversial thing the president can do?**

**1.** **In which article does the term “separation of powers” appear in the Constitution?**

**3. What are the “checks” that the Executive and Legislative branches have over the Judiciary?**

**Executive:**

**Legislative:**

**4. What is the name for the power of the Legislative branch to convene hearings and subpoena information from the Executive branch and other officers of the federal government?**

**Answer Key**

1. It does not appear in the constitution.
2. Execute the laws that Congress passes
3. Executive chooses appointments to the judiciary, Legislative confirms them.
4. Oversight power
5. For discussion; Professor Kitrosser is making a reference to Madison’s Federalist 51, where he writes “ambition must be made to counteract ambition,” that the branches are pushing against each other and are thus one branch is prevented from becoming dominant. Senator Jeff Flake from Arizona quoted Federalist 51 in his rebuke of President Trump on the senate floor on 10/24/17.