

The Constitutional Order and Foundations of American Governance

POSC 315: Introduction to Public Policy

David P. Adams, Ph.D.

Fall 2024 - Week 2, Lecture 1

Introduction

- Course overview and objectives
- Importance of understanding constitutional foundations for public policy

Institutions

Introduction to Institutions

- **Definition:** Rules that govern interactions and transactions
- **Examples:** Family, Business, Religion, Hospitals, Schools, Communities, Capitalism, Marriage, Voting, Education, Legislatures

Discussion Prompt - What Institutions Matter?

- **Question:** Which institutions do you interact with most in your daily life? How do they influence your decisions?
- **Discussion:** Small group discussion

The Constitutional Order

The Constitution and Policymaking

- Living document
- Open to interpretation
- Purposefully vague
- Elasticity allows growth and responsiveness

Key Constitutional Provisions

- Article I, Section 8: Commerce Clause, Elastic Clause
- Amendment 14: Due Process, Equal Protection
- Amendment 10: Federalism Structure

Case Study - Constitutional Interpretation

- **Example:** Examine a landmark Supreme Court case: *McCulloch v. Maryland* (1819)
- **Question:** How does this case demonstrate the Constitution's "elasticity"?
- **Discussion:** Class discussion

Separation of Powers

Three Branches

- 1 Legislative (Article I)
- 2 Executive (Article II)
- 3 Judicial (Article III)

Role of Checks and Balances

- Prevents any one branch from gaining too much power
- Contributes to policymaking complexity
- Examples: veto power, judicial review, advice and consent

Interactive Exercise - Separation of Powers

- **Activity:** Assign groups to represent each branch of government. Using scenarios (e.g., environmental law, healthcare policy), each group explains their role in policymaking
- **Debrief:** Discuss how separation of powers impacts policy development and implementation

The Constitutional Order - Policymaking Powers

Summary and Q&A

- Recap key points
- Questions?

For Next Time

- Reading: Chapters on Federalism and Government Growth
- Prepare to discuss the evolution of federal-state relations and its impact on policy
- **Kritik:** Let me know if you can't access it!