

UNIT 6

Institutions and Policy

45-50-minute classes | 17-23 classes

UNIT PREVIEW

Structure

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Why Teach Institutions and Policy

Few Americans ever hold public office, let alone the offices of the highest government in the land. Nevertheless, those officeholders are to be representatives of the people. Citizens themselves should therefore be familiar with what their representatives ought to do and how they are meant to go about representing their constituents. Such knowledge will enable students to be better informed about the ends and means of government institutions and their representatives. They will be able to make more informed decisions when considering voting for someone, and they will be better attuned to what may be reasonably expected of their representative in office. This unit aims to teach students about each of these institutions

and the public policy issues that officeholders seek to address through them. Students should be able to understand how government works within the federal government, the more recent administrative state, and their state and local government. They should also be familiar with how these institutions address and carry out certain public policies, both domestic and foreign, and be able to converse with one another on certain specific policy issues with civility and respect.

What Teachers Should Consider

This unit builds on the students' study of the Constitution's design, the arguments of *The Federalist*, and the later changes to the constitutional order made by the Progressives and their successors. Students may now draw on what they first learned about the Founders' intentions and designs for governing institutions in Unit 3 (Governing in the Constitution) and the Progressives' departures from those intentions in Unit 5 (Progressivism and the State). While this unit involves more of the modern "nuts and bolts" of government (with a placeholder lesson for a school to incorporate instruction on its own state and local governments), teachers may still point out both the consistency and change in our constitutional practices. Students should see how the Constitution still directs modern governance but also how modern governance breaks with the Constitution and its original purposes.

Noteworthy among these changes to our constitutional order are the decline of Congress as a lawmaking body and the rising power of the administrative state and the courts. Teachers may stress how our newer system of government challenges the constitutional separation of powers and weakens federalism. They should also discuss the ways in which the presidency has been made stronger—especially in foreign policy and in the president's role as a rhetorical and partisan leader rather than a mere executor of laws. Students should also discuss the ways in which laws, court cases, and the growth of the bureaucracy and the administrative state have weakened the president's control of the executive branch. Other important themes include the budget process, the rise of the welfare state, and the growth of entitlements.

Throughout this entire section, students should be asked to determine who really makes the rules that govern citizens' lives and to evaluate the justness of such a system in light of the founding ideas. Students should also learn about the public policy that governing bodies seek to address today. While teachers should by no means attempt to drive student opinions on policies in a particular partisan direction, they may explain the nature of example policy issues and present the strongest logical arguments for each side of a given position. Conversation on such policies will likely arise and students should be civil, logical, and respectful in disagreements. Ultimately, students should gain a "lay of the land" concerning broad areas of public policy rather than attempting to address current event issues.

How Teachers Can Learn More

TEXTS

American Government and Politics, Joseph Bessette and John Pitney
Democracy in America, Alexis de Tocqueville

Chapters 12–14, 16–18
II.3.22–26

ONLINE COURSES | [Online.Hillsdale.edu](https://online.hillsdale.edu)

Introduction to the Constitution
Constitution 101
Constitution 201
Congress
The Presidency and the Constitution
The U.S. Supreme Court

LESSON PLANS, ASSIGNMENTS, AND FORMATIVE QUIZ

Lesson 1 — Congress

3-4 classes

LESSON OBJECTIVE

Students learn about Congress, congressional power, and how the legislative process operates today, drawing comparisons between the intentions of the Founders in the Constitution and Progressive departures therefrom.

ONLINE COURSES FOR TEACHERS | Online.Hillsdale.edu

Congress

Lectures 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12

TEXTS

Students should read the text below and come to class prepared to complete a short reading quiz on the contents of the reading. The reading quiz should be based on questions on pages 373–374 of *American Government and Politics*.

American Government and Politics

Chapter 12

TERMS AND TOPICS

legislative power
 bicameral legislature
 Senate
 House of Representatives
 majority/minority leader
 legislation
 oversight
 casework
 cloture
 earmark
 logrolling
 pork barrel
 joint committee

joint resolution
 lame duck
 rider
 filibuster
 committees/subcommittees
 Speaker of the House
 President pro tempore
 veto
 whip
 divided government
 delegate
 nondelegation doctrine
 10th, 14th, 16th, and 17th Amendments

QUESTIONS FOR THE AMERICAN MIND

- What is the legislative power, and who has it, per the Constitution?
- Why were the Articles of Confederation insufficient?
- Why, in a representative democracy, did the Founders consider the legislature the most important branch of government?
- What does it mean to be a representative? What does it mean to be a delegate?
- What are the major differences between the House of Representatives and the Senate? What does this say about their purposes?

- What are the different types of committees, and what do they accomplish? Why would Congress have to split up into committees?
- Explain how impeachment works in each house of Congress.
- How does a bill become a law?
- How have Congress and the legislative power changed since the founding?
- What is delegation? Why has it been so consequential? Why has Congress embraced it?
- Questions from the U.S. Civics Test:
 - Question 18: What part of the federal government writes laws?
 - Question 19: What are the two parts of the U.S. Congress?
 - Question 20: Name one power of the U.S. Congress.
 - Question 21: How many U.S. senators are there?
 - Question 22: How long is a term for a U.S. senator?
 - Question 23: Who is one of your state's U.S. senators now?
 - Question 24: How many voting members are in the House of Representatives?
 - Question 25: How long is a term for a member of the House of Representatives?
 - Question 26: Why do U.S. representatives serve shorter terms than U.S. senators?
 - Question 27: How many senators does each state have?
 - Question 28: Why does each state have two senators?
 - Question 29: Name your U.S. representative.
 - Question 30: What is the name of the Speaker of the House of Representatives now?
 - Question 31: Who does a U.S. senator represent?
 - Question 32: Who elects U.S. senators?
 - Question 33: Who does a member of the House of Representatives represent?
 - Question 34: Who elects members of the House of Representatives?
 - Question 35: Some states have more representatives than other states. Why?

KEYS TO THE LESSON

The legislative power and the Congress that holds it are the most quintessentially American facets to government in the United States. Composed of the elected representatives of the American people, Congress embodies self-government in America. Historically, its power had been great and intentionally so. The two houses of Congress were intended to bring a diverse group of elected leaders from individual States together to form national laws for the common good of the American people. The structure and functions of Congress are manifold but also inspiring, for it is the clearest expression of the people governing themselves. A proper understanding of legislative power, and the constitutional original intent, make the abdication or delegation of this power by members of Congress an affront to the very principles of self-government and representative government. Students should come away from this unit knowing both the mechanics and functions of Congress today, and how those mechanics and functions make the modern Congress very different from the design of the Founders.

Teachers might best plan and teach Congress with emphasis on the following approaches:

- Discuss with students the nature of legislative power and the central role of lawmaking in government. Note that the legislative branch is listed first in the Constitution.
- Have students understand clearly the requirements for holding office in the House of Representatives and the Senate and the terms of office. Students should be able to account for the

differences and what it means for the purposes and manner of legislating in each body: namely, that the House is more reflective and responsive to the people, while the Senate is more deliberative and refining of the majority will.

- Discuss how the division of the Congress into two houses was a compromise at the Constitutional Convention (between the large and small states) but also allows each to check the other and fosters better legislative outcomes. This can be seen in some of the differences between them: the House must instigate all legislation raising revenue and has the power to declare war, and the Senate approves judges and treaties. The two Houses share the power of impeachment of the President: the House impeaches (charges) and the Senate conducts the trial.
- Walk students through the various offices and committees within Congress and the details of how laws are made. Discuss how “regular order” (holding committee hearings and legislation-writing sessions, and debating and amending legislation before voting) makes for a more deliberative and representative process.
- Consider the enormous power of Congress to check the other branches of government and shape the direction of government through its control of the federal budget. The “power of the purse” gives Congress the ability (and responsibility) to control and oversee all the operations of the federal government. The President cannot spend money without the authorization of Congress.
- Note for students the incredible power that party leadership wields in determining committee appointments, lower leadership positions, and the introduction and advancement of legislation. Students should understand the relationship between these awards and the leadership’s financial support in campaign funding for members of Congress in their party.
- Explain how Members of Congress address constituent relations, and note the amount of time Members today spend on helping their constituents deal with the activities of the federal government (both in terms of over-regulation and receiving benefits).
- Consider with students the ways in which Congress’s power has waned in comparison to the executive branch, the judicial branch, and the so-called fourth branch called the bureaucracy or the administrative state. Note especially Congress’s delegation of legislative authority to federal bureaucracies. Students should understand how many members of Congress either do not understand the authority they have over federal bureaucracies or actually prefer delegating the responsibility for detailed lawmaking in order to avoid criticism by their constituents when policies created by the bureaucrats end up not working.
- Survey and discuss with students the various amendments to the Constitution that have changed the role and functioning of Congress, namely the 10th, 14th, 16th, and 17th Amendments. Students should consider the merits and consequences of each change to Congress.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain how Congress works today and the merits and disadvantages of today’s Congress in light of the intentions the American Founders had for the legislative branch (2–3 paragraphs).

Lesson 2 — The Presidency

3-4 classes

LESSON OBJECTIVE

Students learn how the executive power and how the presidency is structured, how it has changed through American history, and how it functions today.

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The Presidency and the Constitution

Lectures 1, 2, 3, 4, 5, 6, 7, 8, 9

TEXTS

Students should read the text below and come to class prepared to complete a short reading quiz on the contents of the reading. The reading quiz should be based on questions on pages 408–409 of *American Government and Politics*.

American Government and Politics

Chapter 13

TERMS AND TOPICS

executive prerogative
 presidential oath
 bully pulpit
 rhetorical presidency
 imperial presidency
 State of the Union address
 foreign policy
 executive office
 chief of staff
 cabinet
 vice president
 executive order

signing statement
 veto
 line-item veto
 impoundment
 War Powers Resolution
 National Security Council
 executive privilege
 pardoning power
 impeachment
 12th, 20th, 22nd, and 25th
 Amendments

QUESTIONS FOR THE AMERICAN MIND

- What were the debates about the presidency at the Constitutional Convention?
- What is the executive power? Why do we need a president?
- Why did the Founders create the office of the vice president?
- How does the Constitution aim to keep Congress and the presidency separate?
- What were the original cabinet positions in the executive branch? What has happened to these positions? Why were they not a threat to the idea of a unitary executive?
- What was the purpose of the State of the Union address?
- How have presidents used rhetoric?

- How have presidents used emergency powers?
- Why has executive privilege been deemed necessary?
- Why is the pardoning power an executive function? What purpose does it serve?
- What is an executive order? Is it constitutional?
- How has the role of the president changed as political parties have changed?
- Explain the role of the president in relation to foreign policy. What powers does he have and not have? How has this role been misused?
- Questions from the U.S. Civics Test:
 - Question 17: The President of the United States is in charge of which branch of government?
 - Question 36: The President of the United States is elected for how many years?
 - Question 37: The President of the United States can serve only two terms. Why?
 - Question 38: What is the name of the President of the United States now?
 - Question 39: What is the name of the Vice President of the United States now?
 - Question 40: If the president can no longer serve, who becomes president?
 - Question 41: Name one power of the president.
 - Question 42: Who is Command in Chief of the U.S. military?
 - Question 43: Who signs bills to become laws?
 - Question 44: Who vetoes bills?
 - Question 45: Who appoints federal judges?
 - Question 46: The executive branch has many parts. Name one.
 - Question 47: What does the President’s cabinet do?
 - Question 48: What are two Cabinet-level positions?
 - Question 49: Why is the Electoral College important?

KEYS TO THE LESSON

Although the presidency is a unique and powerful position created by the Constitution, it has acquired an outsized role and prestige over the course of American history. This is partly owing to the talents of exceptional presidents in defining the necessities of the office, partly to the Progressive reinvention of the office, and partly to America becoming a superpower in which international relations and presidential foreign policy have played a more prominent role on the world stage. It is important, therefore, to help students understand the nature of the executive power and its relation to the president.

The key to executive power as expressed in the Constitution is its subordination to the rule of law. The primary job of the president is to “take care that the laws be faithfully executed.” Though the president participates in the legislative process by signing or vetoing legislation (and any veto may be overridden by Congress), the president cannot create laws and is duty bound to enforce them. In this sense, the president is beholden to the laws passed by Congress—and so the rule of law. This is rarely how the presidency is thought of or conducts itself today, but it is an important distinction to draw for students and should permeate this lesson on the executive.

The second part to executive power is found in the presidential oath of office: “I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.” The highest law that the president has to enforce—but also protect and defend—is the supreme law of the land, the Constitution.

This is an acknowledgement that the executive power is something more than merely the execution of the laws but has a character of its own: law enforcement, which ultimately means the necessary force behind law, as well as the power under certain circumstances to protect and defend the rule of law and the Constitution from enemies foreign and domestic that intend it harm. Students should understand these features of executive power as well as how the presidency functions.

Teachers might best plan and teach the Presidency with emphasis on the following approaches:

- Consider with students the nature of executive power and its ultimate reliance on a fear of losing liberty, property, or even life, should appeals to virtue and right conduct fail to elicit an adherence to the law by citizens.
- Explain the Electoral College system as intended by the Founders and as it functions today.
- Make sure students understand how the presidency operates in the twenty-first century, with its various personnel and the responsibilities and roles the White House has acquired over the years. Spend time discussing the cabinet, the armed forces, and the bureaucratic agencies. Consider the president's role in foreign policy and in appointing members of the judiciary.
- Discuss the parameters of exigency in the executive branch. The executive is necessary for those particular and unforeseen *situations* for which the legislature cannot or has not made laws. The legislature cannot legislate in advance for every exigency; it is not possible to know all human action and plan for it in advance. Furthermore, there are instances in which swift action is necessary to avoid lawlessness (for example, rebellion), where there must be a person to act in the absence of specific laws. In these cases, a unified singular executive is necessary to provide force to the situation in order to regain lawfulness.
- Explain how the presidency has gained and lost power over the decades. Like the delegation of legislative authority, executive authority has also been increasingly delegated by Congress to bureaucratic agencies. Nevertheless, the election of the president is more significant than it used to be, and the president's power in foreign affairs has been greatly expanded. The chief role of the modern president is to lead and direct rather than work with Congress to determine policy. As such, Congress is undermined and the power of the presidency has moved more and more into the legislative arena.
- Explain how presidential power is exercised to its greatest extent during times of war when the president has the "war power," which fully exercises the president's constitutional power as commander in chief of military forces. Since the Progressive era, presidents (authorized by Congress) have more frequently declared states of emergency in order to exert their authority in domestic policy matters. Students should examine the Constitution and the nature of the executive to determine the consequences of this reorientation of presidential authority.
- Discuss with students the idea of executive orders. Although a legitimate way for the president to direct those under the executive branch, students should consider how the vast expansion and increased authority of the executive branch (by the legislative creation of departments and agencies under the executive, and then the delegation of legislative power to those departments and agencies) has enabled executive orders to fundamentally redirect government policy with or without congressional approval.
- Survey and discuss with students the various amendments to the Constitution that have changed the role and functioning of the president and the executive branch, namely the 12th, 20th, 22nd, and 25th Amendments. Students should consider the merits and consequences of each change to the presidency.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain the various roles the presidency fulfills, how the president fulfills them today, and how these roles have changed from the Founders' intentions (2-3 paragraphs).

Lesson 3 — The Bureaucracy and the Administrative State

3-4 classes

LESSON OBJECTIVE

Students learn about the federal bureaucracy and the administrative state that have arisen since the Progressive era, how these function within government, and how their existence is contrary to the principles of the Founders.

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<i>Constitution 101</i>	Lectures 8 and 9
<i>Introduction to the Constitution</i>	Lectures 11 and 12
<i>Constitution 201</i>	Lecture 7
<i>Congress</i>	Lectures 3, 4, 5
<i>The Presidency and the Constitution</i>	Lecture 8
<i>The U.S. Supreme Court</i>	Lecture 9

TEXTS

Students should read the text below and come to class prepared to complete a short reading quiz on the contents of the reading. The reading quiz should be based on questions on pages 434–435 of *American Government and Politics*.

<i>American Government and Politics</i>	Chapter 14
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TERMS AND TOPICS

bureaucracy/bureaucrat	Pendleton Act
civil service	Office of Management and Budget
administrative state	independent regulatory commission
red tape	iron triangle
accountability	spoils system
administrative law	consent
merit system	Congressional Review Act

QUESTIONS FOR THE AMERICAN MIND

- What powers does the bureaucracy have, how did it acquire those powers, and what does it look like when those powers are exercised?
- How does the administrative state violate the principle of separation of powers?
- To what extent are bureaucrats accountable to the people? How so?
- What are the arguments for and against government by expertise?
- What are the arguments for and against the control of bureaucracies by political appointments that change with administrations?

- What is meant by the “iron triangle,” and how does it function? Why is it considered “iron”?
- What is bureaucratic work like? Why does it have this character?
- What are the arguments for and against centralized planning by federal bureaucrats? What is lost in the process?
- How can the concentration of all three powers in the bureaucracies be weaponized against political opponents or specific groups of people?
- To what extent have Americans come to accept lawmaking by bureaucrats? Why do you think this is the case?

KEYS TO THE LESSON

Students should review how the bureaucratic government or administrative state was created by the Progressives. One reason for bureaucracy or administration, in the Progressive view, was that government by expertise was necessary in order to address the complexity of the modern world. The other justification was that the powers of government ought to be insulated from politics. This was accomplished through apolitical positions that would be protected from the influence of interests of the people and then consolidated for the sake of efficiency. Students should understand how these views have shaped the structure and role of the bureaucracy today. They should also understand what departments and agencies exist, how these departments and agencies exercise their power, and how this bureaucratic system is or is not connected to the principles of self-government. In the process, students should see Congress’s willingness to cede its power to the administrative bureaucracies throughout the government, the tremendous growth in the size and centralization of power under unelected officials of the federal government, and the absence of separation of powers in many cases in that arrangement, as the extent of independence these bureaucrats have from Congress, the President, and the consent of the people.

Teachers might best plan and teach the Bureaucracy and the Administrative State with emphasis on the following approaches:

- Walk students through the mechanics of bureaucratic government. Teach students about the departments and various kinds of agencies and their roles, origins, and the private sector fields from which they usually draw their employees.
- Consider with students the argument of trusting governance to experts vs. elected representatives. The Founders would have argued that it is the role of the representative to listen to the views of the experts in their various fields and then employ prudence to govern (whether in Congress or as President) in a manner that preserves rights, follows the rule of law, and upholds the common good. Abdicating governing authority to those whom some regard as experts necessarily allows government policy to be determined by a very narrow set of technical criteria and goals. These often do not consider the totality of a situation, nor the principles that should guide such decision-making. It is the responsibility of those elected to not only represent their constituents but also exercise sound judgment and to employ prudence in making policy decisions for the entire political body.
- Explain to students the argument for making bureaucrats independent of politics and entrusting lawmaking to career civil servants rather than to political appointments. While separating such government employees from elected officials may imply that all of politics is dishonest and corrupt, the Founders argued that however dishonest or corrupt politics sometimes seems, government must still be responsive to the people. While the Founders would have warned

against a large bureaucracy in general beyond the cabinet positions and immediate assistance, they would have argued that more positions should be appointed, directed by, and subject to removal based on who has been elected to office. The idea of a permanent civil service was an affront to consent and self-government.

- Describe to students what is called the “iron triangle” of Congress, interest groups, and bureaucratic agencies. Lawmaking on the federal (and state) levels has largely fallen to conversations between these entities rather than to the collaboration between elected members of the government who reflect and represent the views of their citizens. Walk students through what is meant by this term and how those involved in it orchestrate legislation.
- Consider with students the nature of bureaucratic work. On the one hand, the concentration of legislative, executive, and judicial power into singular hands violates the principle of separation of powers and is, as many Founders asserted, the very definition of tyranny. On the other hand, note how cumbersome and slow bureaucratic work is and why this is the case, contrary to the expectations of the Progressives. Also discuss the risk of such agencies targeting certain political opponents or groups of people.
- Consider the issue of those who are the most removed from the people being the ones who are making what amount to laws (technically regulations) for all the people. Also, consider the consequences of top-down, “one-size-fits-all” rules for the nation. Students should see how this direction, particularly in domestic policy, is an affront to one of the key conditions of the rule of law: that those who make the laws are also bound by the law just as much as their constituents. Students should also consider whether political life under centralized, bureaucratic rule might be understood to resemble the rule of a faraway parliament or king.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain how the federal bureaucracy functions today and the extent to which it is consistent with the principles of self-government on which America was founded (2–3 paragraphs).

Name _____

Date _____

Unit 6 — Formative Quiz

Covering Lessons 1-3
10-15 minutes

DIRECTIONS: Answer each question in at least one complete sentence.

1. What are the major differences between the House of Representatives and the Senate? What does this say about their purposes?
2. How does a bill become a law?
3. What is delegation? Why has it been so consequential? Why has Congress embraced it?
4. How does the Constitution aim to keep Congress and the presidency separate?
5. How have presidents used emergency powers?
6. How does the administrative state violate the principle of separation of powers?
7. What is meant by the “iron triangle,” and how does it function? Why is it considered “iron”?

Lesson 4 — Placeholder: State and Local Government

1-2 classes

Note: This lesson affords a school the space to teach about the specific details of their own state and local governments. Teachers may pull in content related to their state and community while still addressing the broad points outlined below.

LESSON OBJECTIVE

Students learn about the state and local governments in which they are represented, as well as some of the principles and history undergirding these governing institutions in the United States.

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Constitution 101

Lecture 4

The Federalist Papers

Lecture 4

TERMS AND TOPICS

federalism

precinct

local government

village

state government

city

county

school board

township

domestic policy

ward

incorporation doctrine

QUESTIONS FOR THE AMERICAN MIND

- What value did the Founders place on state and local governments?
- How did the Framers of the Constitution seek to empower state and local governments?
- What benefits has federalism afforded the American experiment in self-government?
- What are the structure and primary roles of offices in the state government?
- What are the structure and primary roles of offices in the local government?
- What is the relationship among federal, state, and local governments?
- Which domestic policy areas are most commonly addressed by state governments?
- Which domestic policy areas are most commonly addressed by local governments?
- How has the power of the federal, state, and local governments changed in relationship to each other through history? What has accounted for those fluctuations?
- Questions from the U.S. Civics Test:
 - Question 61: Who is the governor of your state now?
 - Question 62: What is the capital of your state?

KEYS TO THE LESSON

Students should understand how their state and local governments are structured, along with the roles that each has. Students should also consider these governments in light of the Founders' views.

Beyond teaching about their specific state and local governments, teachers might best plan and teach with emphasis on the following approaches:

- Emphasize with students how, historically, states and local governments had far more power than they do today. The Founders placed great importance on the roles and powers of state and local governments as being one of the fundamental checks on the authority of the federal government.
- Note how the policies enacted in state and local governments often directly affect and shape the daily lives of citizens more than the policies of the federal government.
- Explain to students some of the benefits of federalism and of state and local governments, asking them to recall what they had read of *The Federalist* concerning this point. Besides forming another kind of separation of powers, state and local governments allow for experimentation with certain policies on small scales prior to adopting a policy for the entire country. Federal lawmakers can then learn from these experiments. They can avoid those that were poor or adapt or improve those that worked without inflicting experimental damage on the entire country. These state governments can also sue the federal government in court and, perhaps most importantly, state and local governments allow citizens to “vote with their feet” by moving from one place with policies they dislike to another place with policies they believe are good. This requires another level of responsiveness to the people and affords sanctuaries for freedom when one state becomes more tyrannical for a time.
- Point out to students that it is the state and especially the local governments where they and their fellow citizens have the greatest opportunity to be involved officially in government and where they are most likely to bring about policy changes. The local level in particular becomes both an outlet for civic participation as well as an arena for future state and federal statesmen to gain experience and practice in the art of statesmanship. These levels of government, due to the smaller and more personal constituency, are also the most likely to be the most representative of a citizenry's interests and opinions.
- Discuss with students how the power of the federal government has grown relative to state and local governments. Help students to consider the roles the Civil War, Progressivism, welfare programs, the incorporation doctrine, and federal funding mandates have played in shifting power to such an extreme concentration in the federal government and its bureaucracy.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENTS

Assignment 1: Explain why the Founders sought to preserve the roles and powers of state and local governments and how these governments function today by comparison (1 paragraph).

Assignment 2: Outline the kinds of government under which you live and how these kinds of government affect the daily lives of you and your neighbors (1–2 paragraphs).

Lesson 5 — Domestic Policy

3-4 classes

LESSON OBJECTIVE

Students learn about social and economic policy within the United States—including the various fields of social and economic policy, the branches of government, bureaucratic agencies, and interests involved in such policy decisions—and a broad overview of the types of contested issues in these fields that have emerged in the country’s history to the present day.

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Constitution 201
The U.S. Supreme Court

Lecture 8
Lecture 4

TEXTS

Students should read the text below and come to class prepared to complete a short reading quiz on the contents of the reading. The reading quiz should be based on questions on pages 504 and 531–532 of *American Government and Politics*.

American Government and Politics

Chapters 16–17

TERMS AND TOPICS

free market capitalism
socialism
mixed market
communism
welfare state
New Deal
Social Security
Medicare/Medicaid
payroll tax
negative rights
positive rights
charter school
War on Poverty
Great Society
redistribution
entitlement
Gross Domestic Product (GDP)

unemployment
inflation
fiscal policy
monetary policy
deficit
mandatory spending
progressive taxation
income tax
supply-side economics
Federal Reserve System
Internal Revenue Service
tariff
protectionism
Justice Department
Federal Bureau of Investigation

QUESTIONS FOR THE AMERICAN MIND

- What are the various kinds of social and economic policies?
- How have these policy areas and the arguments within them changed through American history?
- What were the views of the Founders in these areas?
- How did Progressivism and the New Deal change the role of government in domestic policy?
- Explain the difference between negative and positive rights. Why do positive rights usually require a larger government and higher taxation?
- How have entitlement programs changed the way people view the government?
- Government involvement in domestic issues has effectively removed what non-governmental institutions from being of service?
- Is GDP a good measure for the economic health of a country?
- Why are few politicians concerned with fiscal and monetary policy?
- What accounts for the complexity of the United States tax system?
- Explain how the Federal Reserve works. What might the Founders have thought about this?
- How are government programs funded?
- How does trade policy with other nations affect U.S. businesses, individuals, GDP, and unemployment?
- Questions from the U.S. Civics Test:
 - Question 20: Name one power of the U.S. Congress.
 - Question 41: Name one power of the president.
 - Question 48: What are two Cabinet-level positions?
 - Question 58: Name one power that is only for the federal government.
 - Question 59: Name one power that is only for the states.
 - Question 71: Why is it important to pay federal taxes?

KEYS TO THE LESSON

Students should receive a survey of the kinds of domestic policy areas in which government is involved. This would include especially economic, fiscal, monetary, and welfare policy, but also cultural matters and various kinds of legal, election, immigration, education, and family policy. *American Government and Politics* can provide a good guide to these fields. Students should understand of what each consists, how policy is determined, and the government officials and interest groups involved in such decisions. Students need not have a deep knowledge of each field but should understand the types of practical effects that certain policy decisions have and the basic contours of opposing arguments on a policy, both in history and today. Of special note is the role that Progressivism played in expanding the influence of the federal government in domestic policy, which led to associated growth of the federal government, especially in economic policy. Concerning economic policy, students should be able to draw on their study of economics in a separate economics course, but the main purpose of its study here is to see how policy is set in relation to economics.

Teachers might best plan and teach Domestic Policy with emphasis on the following approaches:

- Outline for students the various domestic policy areas. Students should be able to identify each and the kinds of actions that fall within each field.

- Proceed to trace in history the growth in kinds of policy fields and the basic arguments that emerged within those areas. Students should appreciate that the Founders recognized and had carefully informed views on many of the same policy areas that are dealt with today. In many cases, their views defy contemporary stereotypes about how they approached various issues. Their thoughts regarding policy for the poor, immigration, and trade, for example, are worth careful consideration. Review the views of the Founders from Unit 1 to access with accuracy these positions and arguments.
- Discuss with students some of today's leading domestic policy issues. Explain each side with the strongest arguments that each side would use. Students may naturally engage in some debate or conversation on these issues, but ensure that any debate is civil and that it does not replace instruction. Students should gain a "lay of the land" but not be expected to form judgments on which policy ought to be adopted.
- While there are certain functions of the federal government that deal with domestic policy (most notably maintaining the rule of law, regulating interstate commerce, coining money and setting weights and measures), note for students the great expansion in the size of the federal government, and in particular, its role in domestic policy. The Founders had structured the federal government to be principally concerned with national security and foreign policy, those fields which only an energetic and united federal government could address.
- The vast majority of policies that most directly affect the daily lives of citizens were to be made by state and local governments. This was purposeful, as such lower governments could be more knowledgeable and responsive to their constituents and the needs and interests associated with life in a certain geographic area, much more so than a centralized and distant central government could be. The Civil War, Progressive era, and New Deal all shifted the locus of power in domestic policy away from states and localities and toward Washington, DC, and its bureaucracies.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Choose one area of domestic policy and outline what it addresses, how decisions are made, its historical development, and the basic arguments of each side of a current issue within that field (2–3 paragraphs).

Lesson 6 — National Security and Foreign Policy

2-3 classes

LESSON OBJECTIVE

Students learn about the foreign policy of the United States, including the branches of the armed forces, bureaucratic agencies, and interests involved in such policy decisions, and gain a broad overview of the types of contested issues related to national security that have emerged in the country's history to the present day.

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The Presidency and the Constitution

Lecture 6

TEXTS

Students should read the text below and come to class prepared to complete a short reading quiz on the contents of the reading. The reading quiz should be based on questions on page 558 of *American Government and Politics*.

American Government and Politics

Chapter 18

TERMS AND TOPICS

national security
foreign policy
border
citizen-controlled military
U.S. Army
U.S. Navy
U.S. Marine Corps
U.S. Air Force
U.S. Coast Guard
U.S. Space Force
U.S. Border Patrol
State Department
National Security Agency

Central Intelligence Agency
Department of Homeland Security
Monroe Doctrine
containment
uplift
preemption
isolationism
unilateralism
multilateralism
intelligence
embargo
sanctions
nongovernmental organizations

QUESTIONS FOR THE AMERICAN MIND

- What is the primary purpose of the federal government? Why is this the case?
- What is foreign policy? How is it related to national security?
- How is foreign policy determined in the United States?
- How is foreign policy carried out in the United States?
- Who makes treaties? Who declares war? Who conducts war? Why are these powers separated in this manner?

- How has foreign policy changed throughout American history? Consider trade, treaties, war, alliances, etc.
- What was the Monroe Doctrine? Was this a continuation of or a departure from the principles of the founding?
- What were the foreign policy concerns about expansion?
- What is the Progressive idea of “uplift,” and how did it play out in foreign policy?
- What is the difference between unilateralism and multilateralism? When did the shift to multilateralism occur, and what domestic policies accompanied it?
- What is the liberal world order? How does it relate to spreading democracy?
- What are the major lessons of Cold War foreign policy?
- How did the policy of containment and preemption change the goals of foreign policy?
- What are the main divisions of view on foreign policy today?
- Questions from the U.S. Civics Test:
 - Question 20: Name one power of the U.S. Congress.
 - Question 41: Name one power of the president.
 - Question 48: What are two Cabinet-level positions?
 - Question 58: Name one power that is only for the federal government.
 - Question 67: Name two promises that new citizens make in the Oath of Allegiance.
 - Question 70: What is one way Americans can serve their country?
 - Question 72: It is important for all men ages 18 through 25 to register for the Selective Service. Name one reason why.
 - Question 76: What war did the Americans fight to win independence from Britain?
 - Question 91: Name one war fought by the United States in the 1800s.
 - Question 100: Name one war fought by the United States in the 1900s.
 - Question 101: Why did the United States enter World War I?
 - Question 106: Why did the United States enter World War II?
 - Question 108: Who was the United States’ main rival during the Cold War?
 - Question 110: Why did the United States enter the Korean War?
 - Question 111: Why did the United States enter the Vietnam War?
 - Question 114: Why did the United States enter the Persian Gulf War?
 - Question 115: What major event happened on September 11, 2001 in the United States?
 - Question 116: Name one U.S. military conflict after the September 11, 2001 attacks.
 - Question 128: What is Veterans Day?

KEYS TO THE LESSON

Students should understand the importance of the country’s foreign policy and its fundamental connection to America’s national security. The core purpose of the federal government (as with any national government) as laid out in the United States Constitution is to provide for the common defense. All other functions—lawmaking itself, and the establishment of justice—will fall if the nation is not defended. As such, the federal government has been historically and is still primarily oriented toward national security and national self-defense. Students should be made familiar with what government actions are involved in foreign policy and national security, how the executive branch and the military are arranged toward this end, and what other entities and groups are involved in determining foreign policy. Students should also learn about the changes in foreign policy in history, including the moments in which foreign policy resulted

in conflict, as well as foreign policy issues in recent years and today. The views of the Founders per the Constitution and George Washington should be reviewed from Unit 1 and referenced in this unit.

Teachers might best plan and teach National Security and Foreign Policy with emphasis on the following approaches:

- Outline with students which areas of government action fall under the titles of national security, which fall under foreign policy, and how the two categories are related.
- Review with students how the Constitution designed the federal government and the executive in particular to address issues of national security above all its other roles. Compare the structure and functioning of the federal government with respect to foreign policy in the view of the Founders to how it is conducted today.
- Emphasize with students how the American armed forces are citizen-controlled, which means military authority is responsible to political authority under the constitutional rule of law. Spend some time outlining the roles of each branch of the armed forces.
- Chart with students the changes in the principles that underlie foreign policy through American history. In general, students should recognize a shift from a defensive posture during much of the first 150 years of American history toward a positive idealistic thrust to, as Woodrow Wilson put it, “Make the world safe for democracy.” While this is partly owing to the greater power and capacities America garnered on the world stage, there was also shift toward international activism. Progressives and many subsequent administrations have asserted the idea of America’s moral obligation to improve man’s nature and bring progress to other peoples and countries of the world, sometimes through military force.
- Review how this shift has departed from the American founding, both in principle and practice, as articulated by statements such as George Washington’s Farewell Address: “The great rule of conduct for us, in regard to foreign Nations[,] is in extending our commercial relations to have with them as little *political* connection as possible.” Political alliances or conflicts with other nations were only to be out of necessity. As in the Declaration of Independence, other nations assume their own “separate and equal station” as well, and their independence should be respected. In general, the United States should not interfere in the internal governance of other nations unless necessary for self-defense regarding the nation’s security. Today, the United States is often involved in the governance of other nations, and has largely abandoned its founding principles of national-self-determination and sovereignty.
- Discuss with students how George Washington’s overall objective in foreign policy was to defend the institutions of American constitutional government at home and develop the United States to “that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.” That is, the purpose of American foreign policy is to protect and defend American constitutional self-government. America’s principles are universal (“all men are created equal”) but America is a particular nation, which means that while the United States models and advocates for American principles its first obligation is to the defense and perpetuation of this country.
- Discuss with students the broad contours of arguments related to foreign policy issues today. Debate will naturally arise, but make sure it remains civil and that it does not overtake the rest of class. Students should be familiar with policy issues of today, but they need not arrive at decisions on the course of action the nation should take. In doing so, they will learn that foreign policy is

informed by principle but is largely an exercise in prudential decision-making in particular circumstances.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Outline the areas that national security and foreign policy address, how decisions are made in these fields, their historical development, and the basic arguments of each side of a current issue within these fields (2–3 paragraphs).

APPENDIX

Study Guide

Test

Writing Assignment

Study Guide — Institutions and Policy Test

Unit 6

Test on _____

TERMS AND TOPICS

Explain each of the following and the context in which each was discussed during this unit's lessons.

legislative power	executive privilege	charter school
bicameral	pardoning power	War on Poverty
Senate	impeachment	Great Society
House of Representatives	bureaucracy/bureaucrat	redistribution
majority/minority leader	administrative state	entitlement
oversight	red tape	Gross Domestic Product (GDP)
earmark	merit system	unemployment
logrolling	Pendleton Act	inflation
pork barrel	iron triangle	fiscal policy
joint committee	spoils system	monetary policy
joint resolution	Congressional Review Act	deficit
lame duck	federalism	progressive taxation
filibuster	local government	income tax
committees/subcommittees	state government	supply-side economics
Speaker of the House	county	Federal Reserve System
President pro tempore	township	Internal Revenue Service
veto	ward/precinct	tariff
whip	city	protectionism
nondelegation doctrine	school board	Monroe Doctrine
bully pulpit	domestic policy	containment
State of the Union address	incorporation doctrine	uplift
foreign policy	welfare state	preemption
chief of staff	New Deal	isolationism
cabinet	Social Security	unilateralism
vice president	Medicare/Medicaid	multilateralism
executive order	payroll tax	
War Powers Resolution	negative rights	
National Security Council	positive rights	

QUESTIONS FOR THE AMERICAN MIND

Based on notes from lessons and seminar conversations, answer each of the following.

Lesson 1 | Congress

- What is the legislative power and who has it, per the Constitution?
- Why, in a representative democracy, did the Founders consider the legislature the most important branch of government?
- What are the major differences between the House of Representatives and the Senate? What does this say about their purposes?
- What are the different types of committees and what do they accomplish? Why would Congress have to split up into committees?
- How does a bill become a law?
- How have Congress and the legislative power changed since the Founding?
- What is delegation? Why has it been so consequential? Why has Congress embraced it?

Lesson 2 | The Presidency

- What is the executive power? Why do we need a president?
- What were the original cabinet positions in the executive branch? What has happened to these positions? Why were they not a threat to the idea of a unitary executive?
- How have presidents used rhetoric?
- How have presidents used emergency powers?
- Why is the pardoning power an executive function? What purpose does it serve?
- What is an executive order? Is it constitutional?
- How has the role of the president changed as political parties have changed?

Lesson 3 | The Bureaucracy and the Administrative State

- What powers does the bureaucracy have, how did the bureaucracy acquire those powers, and what does it look like when those powers are exercised?
- How does the administrative state violate the principle of separation of powers?
- To what extent are bureaucrats accountable to the people? How so?
- What are the arguments for and against government by expertise?
- What are the arguments for and against the control of bureaucracies by political appointments that change with administrations?
- What is meant by the “iron triangle” and how does it function? Why is it considered “iron”?
- What is bureaucratic work like? Why does it have this character?
- What are the arguments for and against centralized planning by federal bureaucrats? What is lost in the process?
- How can the concentration of all three powers in the bureaucracies be weaponized against political opponents or specific groups of people?
- To what extent have Americans come to accept lawmaking by bureaucrats? Why do you think this is the case?

Lesson 4 | State and Local Government

- What value did the Founders place on state and local governments?
- How did the Framers of the Constitution seek to empower state and local governments?
- What benefits has federalism afforded the American experiment in self-government?
- What are the structure and primary roles of offices in the state government?
- What are the structure and primary roles of offices in the local government?
- How has the power of the federal, state, and local governments changed in relationship to each other throughout history? What has accounted for those fluctuations?

Lesson 5 | Domestic Policy

- What are the various kinds of social and economic policies?
- How have these policy areas and the arguments within them changed through American history?
- What were the views of the Founders in these areas?
- How did Progressivism and the New Deal change the role of government in domestic policy?
- Explain the difference between negative and positive rights. Why do positive rights usually require a larger government and higher taxation?
- How have entitlement programs changed the way people view the government?
- What accounts for the complexity of the United States tax system?
- Explain how the Federal Reserve works. What might the Founders have thought about this?
- How are government programs funded?

Lesson 6 | National Security and Foreign Policy

- What is the primary purpose of the federal government? Why is this the case?
- What is foreign policy? How is it related to national security?
- How is foreign policy determined in the United States?
- How is foreign policy carried out in the United States?
- Who makes treaties? Who declares war? Who conducts war? Why are these powers separated in this manner?
- How has foreign policy changed throughout American history? Consider trade, treaties, war, alliances, etc.
- What is the Progressive idea of “uplift,” and how did it play out in foreign policy?
- What is the difference between unilateralism and multilateralism? When did the shift to multilateralism occur, and what domestic policies accompanied it?
- What are the main divisions of view on foreign policy today?

Name _____

Date _____

Test — Institutions and Policy

Unit 6

TERMS AND TOPICS

Explain each of the following and the context in which it was discussed during this unit's lessons.

1. majority/minority leader
2. earmark
3. filibuster
4. Speaker of the House
5. nondelegation doctrine
6. cabinet
7. Pendleton Act
8. township
9. domestic policy
10. fiscal policy
11. monetary policy
12. deficit

13. supply-side economics

14. Federal Reserve System

15. multilateralism

QUESTIONS FOR THE AMERICAN MIND

Answer each of the following. Complete sentences are not necessary, but correct spelling and writing should be employed, and responses must fully answer each question.

16. Why, in a representative democracy, did the Founders consider the legislature the most important branch of government?

17. What is delegation? Why has it been so consequential? Why has Congress embraced it?

18. What is the executive power? Why do we need a president?

19. What is an executive order? Is it constitutional?

20. How does the administrative state violate the principle of separation of powers?

21. To what extent are bureaucrats accountable to the people? How so?

22. What are the arguments for and against government by expertise?

23. What is meant by the “iron triangle,” and how does it function? Why is it considered “iron”?
24. What value did the Founders place on state and local governments?
25. What benefits has federalism afforded the American experiment in self-government?
26. How has the power of the federal, state, and local governments changed in relationship to each other throughout history? What has accounted for those fluctuations?
27. Explain the difference between negative and positive rights. Why do positive rights usually require a larger government and higher taxation?
28. How have entitlement programs changed the way people view the government?
29. What is the primary purpose of the federal government? Why is this the case?
30. What is foreign policy? How is it related to national security?

Writing Assignment — Institutions and Policy

Unit 6

Due on _____

DIRECTIONS

Citing conversations from class in your argument, write a 500–800-word essay answering the question:

What have been the combined effects on government and politics that have resulted from the following changes to the American constitutional order:

- the increased power of Congressional leadership
- the increased power of the presidency
- the delegation, centralization, and insulation of power in the federal bureaucracy
- the increased power of the federal government compared to state and local government
- the increased role of the federal government in domestic policy
- the increased role of the United States in world affairs

