

Federalism in Action

Explain how the distribution of powers among three federal branches and between national and state governments impacts policy-making.

1. Despite what we might hear on the news most Americans throughout history would agree that government is

- a. A positive evil
- b. A negative evil
- c. A positive good
- d. A negative good

2. Making public policy in America can often be long, complex and competitive. It is anything but easy. Gridlock may in fact be an intentional consequence of our founding. Which of the founding principles is most responsible for our cumbersome public policy process?

- a. Separation of powers and checks and balances
- b. Civil liberties and civil rights
- c. Popular sovereignty and ex post facto laws
- d. Equal protection and the rule of law

3. The public policy cycle is often long, complex and competitive. The public policy cycle typically follows all of the following steps:

- a. Make up problem; debate problem; fund the solution; vote on passage
- b. Make law; enforce law; interpret law
- c. Agenda setting; formulate policy; legitimize the policy; implement the policy
- d. Legitimize difficulty; elites formulate a solution; authoritarian enforcement; autocratic interpretation

4. Our Congress, the legislative branch, often leads in the public policy process because of

- a. Its legislative authority
- b. Its virtual representation
- c. Its access to media outlets
- d. Its high incumbency rates

5. Our President, along with the whole executive branch, have taken on an increased role in the policy making process because of

- a. The growth of public trust in the president
- b. The growth of the administrative state
- c. The growth of the role played by the Vice President
- d. The Constitutional authority vested in the president

6. The Supreme Court isn't just blind anymore. It too is involved in the public policy making process. The principal way the Supreme Court can influence public policy is to

- a. Alert the media
- b. Work closely with the Congress
- c. Set agendas and formulate solutions
- d. Formally amend the constitution through their opinions

7. There were many players involved in developing the comprehensive health care policy known as the Affordable Care Act (2010). All of the following combinations are correctly matched EXCEPT

- a. Progressive voices set the agenda by highlighting the problem
- b. Congress formulated the policy
- c. The Supreme Court legitimized the solution
- d. State governors implemented the policy

8. There have been many players involved in addressing “the American dilemma” of race relations. Public policy solutions addressing racial inequality have been long, complex and competitive. All of the following combinations are correctly matched EXCEPT

- a. The State Department built relationships between competitive regions
- b. Congress passed the Civil Rights Act of 1964
- c. The President enforced the Civil Rights Act of 1964 at the state-level
- d. Supreme Court decisions broke down discrimination in American public schools

9. The Congress, the president and the Courts have used this constitutional provision to legitimately advance the rights and privileges of certain minority groups

- a. The supremacy clause
- b. The necessary and proper clause
- c. The interstate commerce clause
- d. The Bill of Rights

10. The Supreme Court in the case *Hearts of Atlanta Motel, Inc. v. United States* (1964) argued:

The power of Congress to deal with these obstructions depends on the meaning of the Commerce Clause. Its meaning was first enunciated 140 years ago by the great Chief Justice John Marshall in Gibbons v. Ogden (1824) in these words: ‘The subject to be regulated is commerce, and . . . to ascertain the extent of the power, it becomes necessary to settle the meaning of the word. The counsel for the appellee would limit it to traffic, to buying and selling, or the interchange of commodities . . . but it is something more: it is intercourse . . . between nations, and parts of nations, in all its branches, and is regulated by prescribing rules for carrying on that [activity].’

To what commerce does this power extend? The constitution informs us, to commerce ‘with foreign nations, and among the several States, and with the Indian tribes.’

It has, we believe, been universally admitted that these words comprehend every species of commercial [activity]...No sort of trade can be carried on . . . to which this power does not extend.

As a result of this Court argument

- a. The Court expanded the legitimate power of the central government
- b. The Court formulated a policy that set back the civil rights movement
- c. The Court enforced once and for all states’ rights
- d. The Court reduced the size and reach of the Department of Commerce

Critical Thinking Prompt: Find a contemporary example of the supremacy clause being invoked. Was it used properly? What best explains why our national government has grown so large?