**Roles of Government in Policymaking**

**Title**

**Who Decides What? Understanding the Roles of Government in Policymaking**

**Introduction**

Policymaking in the United States involves multiple institutions that share power and often overlap in their responsibilities. Although many citizens imagine Congress as the primary creator of public policy, every branch and level of government plays a meaningful role in shaping the rules that guide society. The Constitution distributes authority across the legislative, executive, and judicial branches, while federalism ensures that states and local governments retain significant policymaking power of their own.

Congress writes laws, but federal agencies translate those laws into detailed regulations. The president influences policy through appointments, executive actions, and strategic priorities. Courts interpret the Constitution and can invalidate policies that violate legal boundaries. State and local governments regulate areas such as education, policing, elections, and public health. In practice, policymaking is not a single linear process but a dynamic negotiation among institutions with different powers, goals, and incentives.

Understanding these roles allows students to see policymaking not just as a formal structure but as an active arena where authority is shared, contested, and sometimes unclear. The activity below helps students practice identifying which actors have responsibility or influence in different policy scenarios, and why policymaking power often depends on both constitutional design and practical political realities.

**Key Terms and Definitions**

* **Separation of Powers**  
  The division of authority among the legislative, executive, and judicial branches.
* **Checks and Balances**  
  Mechanisms that allow each branch to limit or influence the others.
* **Federalism**  
  The division of policymaking power between the national government and the states.
* **Delegated Authority**  
  Power given by Congress to executive agencies to create rules and enforce laws.
* **Executive Orders**  
  Directives issued by the president to manage operations of the executive branch.
* **Administrative Rulemaking**  
  The process by which federal agencies develop regulations that carry out laws.
* **Judicial Review**  
  The power of courts to determine whether a policy or law is constitutional.
* **Preemption**  
  When federal law overrides or limits the policymaking authority of states.
* **Intergovernmental Relations**  
  The interactions among federal, state, and local governments in the policy process.

**Active Learning Exercise: *Policy Power Puzzle***

**Orienting Question**

Who has the authority, influence, or responsibility in different policymaking scenarios, and why are these boundaries sometimes unclear?

**Objective**

Students will analyze real-world policy scenarios and determine which branch or level of government has policymaking power, which actors influence the outcome, and why authority is often shared or contested.

**Instructions**

**Part 1: Scenario Distribution**

The instructor gives each group one of the following policy scenarios.  
Groups may receive different scenarios or multiple groups may work on the same one.

Sample scenarios include the following and can be found in a printable grid in a separate document:

1. A city wants to ban facial recognition technology used by its police department.
2. Congress considers raising the federal minimum wage.
3. A state passes a law restricting social media access for minors.
4. The president announces new limits on the use of artificial intelligence in federal agencies.
5. An agency proposes new regulations on emissions from power plants.
6. A state challenges a federal immigration policy in court.
7. Local officials want to change school curriculum requirements.
8. A governor deploys the National Guard to assist during a public health emergency.
9. Congress investigates a private company after a major data breach.
10. The Supreme Court agrees to hear a challenge to a federal voting rights law.

Instructors may substitute current or local issues if they prefer.

**Part 2: Policy Power Puzzle Questions**

Each group answers these five questions for their scenario:

1. Who has clear constitutional authority over this issue?
2. Which government actor is most likely to influence the outcome in practice?
3. Could another level or branch of government challenge or constrain this action? How?
4. What conflicts might arise among branches or levels of government?
5. In your view, which actor should have the primary responsibility for this issue and why?

Groups record their answers on chart paper, in shared documents, or using a simple grid.

**Part 3: Cross-Group Comparison**

Groups present, rotate, or review the answers from other groups.

Students should look for patterns such as:

* Areas where authority is shared
* Conflicts between state and federal government
* Issues where agencies play a central role
* Situations likely to result in court involvement
* Scenarios where influence is stronger than formal authority

In online settings, students comment on at least two other group/individual documents.

**Part 4: Class Discussion and Debrief**

The instructor leads a discussion using guiding questions such as:

* Which policy areas were the most confusing in terms of authority
* When does practical influence outweigh constitutional power
* How do conflict and cooperation shape policymaking
* Why do states and federal institutions sometimes compete over the same issue
* What does this reveal about the design of American government

Students should be encouraged to reflect on the strengths and challenges of shared policymaking responsibility.

**Instructor Notes**

* Scenarios are intentionally ambiguous to spark debate.
* This lesson connects naturally to units on federalism, separation of powers, and administrative rulemaking.

**Student Worksheet: Policy Power Puzzle**

**Scenario Assigned:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Who has clear constitutional authority in your scenario?
2. Which government actor is most likely to shape the outcome in practice?
3. Could another branch or level of government challenge or limit this action? Explain.
4. What conflicts or tensions might arise among governmental actors?
5. Who should have responsibility for this issue and why?