Teaching Law in Public Affairs Education: Synthesizing Political Theory, Decision Making, and Responsibility

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Abstract
Consideration of the law and the legal process is essential for students of public affairs who are preparing for responsibilities as leaders, managers, and policy makers. In their foundational courses, public affairs students are likely to encounter political theories about the constitutional law framework on which administrative authority is based. They may also have an option to study discrete aspects of the law deemed especially relevant to public administration, such as agency rulemaking or basic federal employment law. This article argues that public affairs students should have the opportunity to study law in a course designed to integrate consideration of legal foundations, a range of basic law subjects that public officials commonly encounter, and practical concerns such as complying with public ethics laws, managing litigation, and hiring lawyers. With the benefit of such an integrated approach, students will more clearly see the interrelationship of policy and law, further develop analytical and decision-making skills, and better understand the importance of personal responsibility for promoting the rule of law from which their authority will be derived.

Public administrators are entrusted with the responsibility of carrying out the public's will as expressed in laws enacted in a democratic process. Their authority is derived from the law, and their decisions reverberate in legislative and judicial proceedings. Those who analyze and articulate public policies must consider whether law is contributing to problems and how it could be used to address them. Effective preparation for these administrative and policy roles should include a learned appreciation for fundamental legal principles, an ability to know and to comply with the law, and a capacity for contributing to legal reform.

There is no good reason to believe that public affairs program directors and faculty members fail to appreciate the value of their students' study of the law and the legal process. (As used in this article, the term *public affairs* includes collectively such disciplines as public administration, public management, public policy, and

public affairs; *public administration* as used herein generally refers to leadership and management in public service.) The standards of the National Association of Schools of Public Affairs and Administration acknowledge the importance of the law by including study of "legal institutions and processes" among the necessary curriculum components (NASPAA, 2008, Standard 4.21). Yet course listings reveal that in most programs law-based courses are accessorial rather than integral to the program focus. The main point of this article is that the inextricable interrelationship between public affairs and the law should be considered in a law-based course that synthesizes law's role in political theory, decision making, and personal responsibility, to better prepare graduates for dealing with several realities: avoiding unnecessary legal entanglements, more effectively analyzing public policy, making better decisions, and promoting liberty and justice.

Public Affairs and Law

Public affairs scholarship has long recognized the interrelationship of the constitutional order and the administrative state's legitimacy. At the turn of the twentieth century, political scientist and law professor Frank Goodnow, whom some have dubbed the "father of public administration," argued that administrative law should be seen as filling gaps left open by constitutional law and must follow its plan (Lynn, 2009). Other influential scholars have since similarly stressed the interrelatedness of law and public affairs. Among the most commonly cited are Yong Lee and David Rosenbloom, authors of works about constitutional law and administrative powers (Lee & Rosenbloom, 2005), and John Rohr, who has persistently argued that legitimate agency authority must be compatible with constitutional principles (Rohr, 1986). This tradition was recently invoked by Laurence Lynn, who argued for "restoration" of the rule of law in public affairs scholarship and education. As he said, "The rule of law might well be treated as a foundational concept in every introductory course, in every course on administrative ethics, and in every course on management, policy, and policy making" (Lynn, 2009, p. 810.).

Some scholars have argued that an understanding of law also is important for preparing public officials to meet their professional responsibilities. For example, Rosemary O'Leary gave several reasons why law must be considered together with public policy, including the need for public servants to understand their legal duties, participate in formulating policy, address legal complications, and meet courts' expectations (Lee & Rosenbloom, 2005; introduction by Rosemary O'Leary). Another author of leading public administration works, Phillip Cooper, noted that the grounding of public administration in law is a "simple truth" and that "the law provides the tools that are used to make the most important, and often the most challenging public decisions" (Cooper, 1997, p. 118).

Notwithstanding a steady stream of scholarship emphasizing the interrelatedness of law and public affairs, the academic programs that prepare future public

administrators often do not take a deliberate approach to integrating law broadly within the curriculum. Years ago, in 1995, Moe and Gilmour argued that public administration programs tended to emphasize entrepreneurial models common in the study of business rather than affirm law as the field's proper foundation (Moe & Gilmour, 1995). Similarly, Rosenbloom observed that "the legal approach to public administration has historically been eclipsed by the other approaches, especially the managerial" (Rosenbloom, 2005, p. 12). Hartmus recently added that public administrators confront constitutional law questions throughout their careers, but only a few graduate programs even offer courses in constitutional law (Hartmus, 2009).

The limited extent to which law is considered in foundational courses in the public affairs curriculum is reflected in commonly used textbooks. A mainstream public administration introductory text for many years, written by Pfiffner and Presthus (1967), did not include law in its central focus. It did have a chapter on the legal context of public administration, including law as the foundation of government; a chapter on administrative law; and passing mention of federal employment law within a chapter on personnel administration. Widely used texts now in circulation have even less coverage of these fundamentals (Cooper, 2007; Milakovich & Gordon, 2009; Shafritz, Russell, & Borick, 2009). The most commonly used law-oriented textbooks for public administration emphasize constitutional law or the administrative process (Barry & Whitcomb, 2005; Cooper, 2005; Cooper & Newland, 1997; Rosenbloom, 2003; Rosenbloom, Kravchuk, & Clerkin, 2008). Public administration article collections similarly now at most include limited material on constitutional law and the foundations of administrative power, if any (Beckett & Koenig, 2005; Shafritz, Hyde & Parkes, 2005; Stillman, 2009). Likewise, a mainstream introductory public policy text includes only basic material on government structure, federalism, and separation of powers (Kraft & Furlong, 2009).

Most students preparing for positions in public administration will complete their programs without taking a course devoted to the study of law. A review of the Internet-posted course listings for the 25 master of public affairs programs that *U.S. News & World Report* ranks highest indicates that few courses are offered to address the subject. Of the 25 programs, only four include a law-based course in their core requirements. Nine other programs offer electives in constitutional or administrative law. Eight of the 12 programs that do not offer a constitutional or administrative law course list a course that addresses a specialized area of the law, such as environmental or labor law. The remaining four list no law-based courses in their curriculum.

Beyond limited exposure to foundational constitutional or administrative law theory, opportunities for study of the law and the legal process in public affairs programs are scarce. About a third of the schools list one or more specialized law courses such as health law, labor law, or international human rights; but

these courses appear not to be regularly offered, if at all. Of course public affairs students will learn something about the law as they study traditional core subjects such as budgeting, program analysis, and organizational behavior, particularly in public administration programs that tend to emphasize these subjects more than public policy programs, which tend to focus on economics and policy analysis (Hur & Hackbart, 2009). For example, as students learn about budgeting, they should learn about legal constraints on public revenue sources. Also, human resources and employment are areas in which teachers in various fields have integrated some aspect of the law into their coverage, including in public administration courses. Materials for such subjects may include such things as the basics of equal opportunity laws and employment discrimination, free speech rights, whistle-blower protections, and contractual and policy limitations on employment at will (Pynes, 2009). But texts used for such courses are more likely to be devoted to organizational structure and behavior and management techniques and make only passing reference to legal constraints (Berman, Bowman, West, & Van Wart, 2009; Hayes, Kearney, & Coggburn, 2008; Klingner, Nalbandian, & Llorens, 2009).

Programs might allow students to take law courses at affiliated schools, but the course menus reflect that in most programs, law is not considered to be an integral part of the students' learning. Public affairs courses rarely stray beyond the constitutional framework of administrative law. Consequently, most graduates will have limited, piecemeal knowledge about aspects of the law that public administrators encounter in practice, including many areas of substantive law, the legal process, and the hiring and management of lawyers. Their knowledge of those subjects is more likely to be anecdotal.

Law and Policy

Given the stream of persuasive scholarship emphasizing the importance of law to public affairs, the lean opportunities to study law are more likely due to program prioritization rather than to a determination that public affairs students need not concern themselves with legal issues. Prioritization is a natural result of different emphases within schools that aim to prepare their graduates for practice in particular fields (Wangerin, 1997). The law schools that prepare students for the legal profession also tend to treat law as if it were not interrelated with public policy. Law schools tend to focus on analyzing rules and exceptions to them, not on consideration of what those rules should be or how they can best be shaped to further public policies. As expressed in this quote from lawyer and scholar Thomas Reed Arnold, "If you can think about something that is related to something else without thinking about what it is attached to, then you have what is called a legal mind" (Arnold, 1930–1931, p. 58). Law scholar Lon L. Fuller points out that as a consequence, "the legal mind generally exhausts itself in thinking about law and is content to leave unexamined the thing to which

law is being related and from which it is being distinguished" (Fuller, 1964, p. 4). The focus of law school education has been criticized for disserving society because "the intellectual core of the ideology is the distinction between law and policy" (Kennedy, 1982, p. 596). Law schools also have been criticized for their parochial failure to see the benefits of interdisciplinary study (Wangerin, 1997) and for not preparing lawyers who work within government to contribute to policy analysis (Schuck, 1998). Yet policy makers at the national, state, and local level often have law backgrounds, usually without the benefit of having studied policy and program formulation or organization and management concepts.

Law schools and schools of public affairs have different purposes, and their tendencies to emphasize either law or policy as separate fields are to some extent practical and unavoidable. But appropriate differences in orientation and emphasis should not be permitted to cause an unduly singular focus. With respect to schools of public affairs, their graduates will be contributing to the formulation of policies that involve the law and legal process. Their students' learning therefore should include not only an understanding of that interrelationship but also basic substantive knowledge about issues and processes likely to be encountered. The following are a few examples of the many contemporary important public policy questions that obviously are intertwined with law:

- What electronic exchanges among public officials should be subject to the laws requiring that the public have access to official meetings of deliberative bodies? Citizens' access to information about their government is essential to a rule of law. Courts and legislatures are only beginning to consider how open meeting laws should apply to modern technologies such as exchanges among officials through e-mail, blogs, and electronic social networks.
- Should owners be able to recover damages for loss of future business profits when a portion of the real estate on which the business is operated is taken by eminent domain? Most courts have held that such damages are not constitutionally required, but many owners think they should be, and governments can statutorily authorize such compensation. Eminent domain is among the most controversial government powers, but few government officials understand its legal contours.
- What remedies should be available to the lowest qualified bidder on a public contract when the bidding authority improperly awards the contract to another party? Most courts do not recognize a breach of contract claim for bidders, but some courts see such a rule as unfair and as encouraging bad conduct by public authorities, especially as governments increasingly become involved in activities formerly seen as private commercial concerns.

- Are whistle-blower protections an effective means of protecting public employees and the public? They are intended to protect employees' rights, but many consider them ineffective because the laws require employees who complain of prohibited employer conduct to follow an internal process before seeking judicial relief.
- Should we adhere to the traditional "American Rule" requiring parties to bear their own attorneys' fees in most litigation? Policy makers have made few exceptions to the rule, which many observers say discourages meritorious litigation and gives an unfair advantage to the parties with the most resources.
- What should be the extent of sovereign immunity from liability for harms caused by government actions? Remedies can be statutorily provided, as with tort claims acts and civil rights statutes; this issue has important implications for the governments and officials that can be held liable, for those who seek remedies, and for taxpayers.
- When should prosecutors be obliged to disclose known evidence about criminal defendants? The courts have held that certain disclosures are constitutionally required, but the obligation's full scope is defined by statutes, rules, and discretionary policy decisions.

Thoughtful consideration of these important questions requires basic knowledge about the laws governing public meetings, eminent domain, public contracts, employment law, civil litigation, torts and sovereign immunity, and criminal procedure. These and a myriad of other issues are important to the rule of law and to good government. Those who make decisions and policy, initiate and respond to legislative proposals, and manage litigation in behalf of the public will best serve the public interest if they are well informed about the law and legal process.

Sound Management Decisions

When students' exposure to law is only a brief introduction to foundational theory, they may not come to realize that their own day-to-day decisions often will involve legal considerations and have legal implications. When their exposure to substantive law subjects is piecemeal, they may not come to realize that decisions often simultaneously implicate many aspects of the law—constitutional, statutory, and regulatory—as well as practical considerations involving the legal process.

Graduates assuming responsible positions in public service should at least be familiar with the basics of the legal subjects that they are most likely to encounter in practice. Roberts recently argued "that courses on the legal environment of public administration should be restructured to include subjects such as the management of government ethics, public contracts, and public employment law" (Roberts, 2009, p. 361). As Roberts explained, public administrators will be governed by public ethics laws, and they may be called upon to negotiate

contracts and manage a bidding process as well as make hiring, disciplinary, and termination decisions. This article expands on his recommendation and argues that programs should cover an even broader range of substantive law content as well as practical issues involving the legal system.

Public administrators are likely to become involved at some time in a significant way with such common law-dependent activities as evaluating public demands for access to government records and proceedings, interpreting environmental regulations and restrictive covenants, responding to demands for compensation for property damage or personal injury, and directing law enforcement and prosecutorial efforts. Accordingly, the education of students preparing for public administration positions should include the basics of topics such as public records and open meeting laws, property interests and real estate transactions, personal injury claims and sovereign immunity, and criminal law and procedure. Becoming familiar with the basics of these subjects better enables graduates to identify legal issues and avoid the mistakes that tend to arise out of ignorance about the law.

Consider, for example, the obvious advantage of knowing about basic property law when dealing with the typical questions that arise when government regulates property use. An excellent context for analyzing these questions is the U.S. Supreme Court case of *Nollan v. California Coastal Commission* (1987), which arose when a regulatory authority required an owner replacing a beachfront bungalow with a larger home to dedicate an easement for the public to access a public beach. The Court analyzed the legitimacy of the government's interest in protecting public beach access but held that the uncompensated dedication requirement was unconstitutional because it was not sufficiently connected to that governmental interest. Regulators, land owners, and courts regularly struggle with this constitutional mandate when they consider land use regulations and how to address the burden of development proposals. Many disputes could be avoided if the legal constraints were better understood.

Knowledge of the law also is valuable for avoiding complications that can arise involving the manner in which legal authority is exercised. An illustrative case is *Frankel v. Board of County Commissioners* (2002), in which the Wyoming Supreme Court reviewed a local land use board's refusal to issue a driveway grading permit for a new home to be built on a scenic ridge line. The court noted that administrative bodies have broad discretion to make decisions within the scope of their legislatively delegated authority, but the court could not find in the record the facts on which the board relied or the rationale for its decision. Consequently, the court remanded the case to the board. The case can be used to teach future public administrators that they should consider not only the merits of a proposal but also the procedural details of deliberations and decision making. Such a learned appreciation can help avoid unnecessary delays and expenses for the parties, the government and its representatives, and the public.

Students preparing for public administration also benefit from gaining a better understanding of the realities of the legal system. By considering the dynamics of litigation and alternative dispute resolution, they can recognize that civil litigation often results from petty disputes or stubbornness and usually leaves everyone mostly dissatisfied. Bad decisions are often made based on false impressions about the litigation process and what it can really accomplish. Students can learn to better appreciate when getting a lawyer's expert advice or advocacy is the reasonable thing to do, such as when making important decisions that involve complex legal issues or when involved in litigation. An understanding of the dynamics of the legal profession can also better prepare future public administrators for managing lawyer relationships and legal services budgets. Also, future public administrators benefit from being able to better inform themselves about the law. Students who have experience with basic legal research learn how to find useful information but, just as important, they learn about how complex the law can be and not to be too confident about what seems to be a simple answer. This capacity and awareness can be very helpful in avoiding problems.

Analytical Skills

Studying law in the broad sense for which this article argues also contributes to better decision making in another way: as another opportunity to develop decision-making skills. Basic competence in legal reasoning need not be the sole province of those who graduate from law schools. Law study provides rich opportunities to develop analytical skills that are important not only for complying with legal requirements and avoiding disputes but also for general decision-making ability.

Research shows that teaching for "deep" learning, as opposed to "surface" learning, requires challenges to existing mental models and long-standing beliefs (Bain, 2004; Moore, 2007; Paul & Elder, 2004). As Bain concluded in his study of effective college teachers, "In the learning literature and in the thinking of the best teachers, questions play an essential role in the process of learning and modifying mental models" (Bain, 2004, pp. 27–28). A question-and-answer process requires students to reflect on their own responses and those of their fellow students, enabling students to assess their own critical thinking. Legal reasoning is such a question-and-answer process. It involves drawing comparisons between situations, considering how rules apply to examples, and analyzing what exceptions should be made to the general rules (Levi, 1962).

Reasoning by example and exception aids in the development of multilayered analytical skills. It is the essence of the teaching strategy that instructional psychologists acknowledge develops basic problem-solving strategies: using a "variety of probing strategies to get students to make predictions, formulate general rules, identify relevant factors, and specify cases that meet general conditions" (Collins & Stevens, 1982, p. 94). One method for this kind of

learning is the Socratic method of teaching commonly employed in law study, in which the teacher and students engage in a progressive question-and-answer exchange. Identifying and questioning assumptions that underlie conclusions, testing conclusions with different facts, and exploring the boundaries of a proposed rule are analytical approaches that enhance effective decision making.

Law study encourages consideration of various points of view, which can counter the natural tendency to embrace information that confirms already-held positions and to ignore or discredit contrary information. Psychologists observe this human tendency to look for information to confirm biases rather than to test them (Oswald & Grosjean, 2004). For lawyers, consideration of alternative views means more effective advocacy; for public administrators, it means more inclusive consideration of various interests and more thoughtfully developed policy positions. By studying judicial opinions, students can see the difference between uncritically clinging to a position and arriving at a point of view after considering competing perspectives. The issues that are considered in reported cases tend to be complex and controversial and involve unclear rules or interpretive disagreement. They also tend to arise from engaging stories. Consider, for example, the opportunities for learning presented by the landmark U.S. Supreme Court case of *Griswold v. Connecticut* (1965). The defendants in that case were medical professionals who were fined for violating a Connecticut statute by giving contraceptive advice. The Court struck down the law because it violated what justices said was a constitutional right of privacy. Students' typical first reaction is that the dissenters who would have upheld the law were clinging to Victorian pretentions. But all the justices agreed that the prohibition was bad law; they disagreed about the extent to which the Court was constitutionally empowered to override a state legislature on a matter not explicitly protected in the Bill of Rights. By reading the opinions, students can see that the question of what a legislature or court may or may not do is more complicated than merely applying personal moral sensibilities. Considering the justices' differing approaches to answering these difficult questions engages students in the kind of rigorous analysis that enables them to see the underlying complexity of other issues.

Personal Responsibility

Public administrators must know about the formal laws that express expectations about rights and responsibilities. But they must not simply equate formal law with a civil and just society. They should understand that laws and actions taken with legal sanction may be counterproductive if the rules or its administrators are not perceived as legitimate. Public administrators make the decisions that underlie this legitimacy and bear personal responsibility for it. They animate the institutions on which a rule of law rests: a representative legislative process, equal protection of the laws, and a fair and transparent court system. A rule of law cannot survive if those in responsible government positions do not honor the law

and strive to reform it for the public good. Studying the foundations of formal law, and its limitations for governing human behavior, enables graduates to successfully fulfill their essential role on which effective government and individual liberties depend.

Consider, for example, the question of the limits of the criminal law. An excellent case for this purpose is *Papachristou v. City of Jacksonville* (1972), in which the U.S. Supreme Court struck down vagrancy laws that were employed to round up individuals whom the police perceived to be worthy of suspicion. The case raises fundamental questions about the balance between individual liberties and public safety and the potential that formal law can be a tool for oppression as well as a means to achieve a legitimate policy objective. If public affairs programs do not encourage students to consider these important questions about formal law and its limitations, they may be contributing to the kind of separation of power and responsibility that fuels cynicism or, worse, sanctions self-serving behavior.

Syllabus for a Law for Public Administration Course

The public affairs curriculum should purposefully consider law as scholars have argued: in the theoretical sense as a source of administrative power. It should also be considered in the managerial sense as a set of tools for dealing with legal issues, as some have argued. Still, something is left out if law is considered in only these senses. Law should be more comprehensively understood as a synthesis of political science, management, and responsibility. This synthesis can be revealed during a course that addresses the several aspects of the law for public administration, including the nature of a rule of law, substantive law commonly encountered by public officials, and the practicalities of making decisions involving the law, lawyers, and legal process.

To grasp the nature of the government and the role of those who serve in it, public affairs students must have a basic understanding of constitutional law topics such as sources of formal law and its limits; the nature of constitutional interpretation, due process, and equal protection; and freedoms of speech, religion, and the press. Additionally, public administrators will work in or with administrative bodies and should be familiar with basic administrative law and procedure, including the limits on delegation of legislative power to agencies and the basics of rulemaking, adjudicative procedure, and judicial review. These are core subjects that form the framework for public administration and that inform future public policy analysts about the role of law in achieving policy objectives.

Graduates assuming responsible positions in public service also should at least be familiar with the basics of the legal subjects that they are most likely to encounter in practice. Accordingly, public affairs students' education should include the basics of topics such as public records and open meeting laws, property interests and real estate transactions, personal injury claims and sovereign

immunity, and criminal law and procedure. Becoming familiar with these subjects better enables graduates to identify legal issues and avoid the mistakes that tend to arise out of ignorance about the law.

A course on law for public administration should also consider legal practice issues likely to arise in their work. By learning about the realities of litigation, students may be more inclined to avoid it and to manage it responsibly when it is unavoidable. By learning about the nature of lawyer practices and representation, students are better able to identify appropriate attorneys, define the goals of the representation, and watch out for potential problems. In a law-based course, students also can be introduced to the basics of legal research for self-education. An ability to do basic legal research and an appreciation for its limitations are among the most useful lessons for future public administrators and policy analysts because they can better inform themselves about the nature of the legal authority that governs decisions.

Studying a range of legal subjects should not be seen as an unwelcome burden upon the students. Effective law study is not plodding through lists of rules and case names. When the subject matter is tailored to students' experiences and anticipated responsibilities, its relevance and potential usefulness can easily be seen. Legal issues and cases for discussion can be selected not only for their relevance but also for their capacity to engage.

A course offering the coverage this article argues for has been taught successfully in the Master of Public Administration program at the School of Government of the University of North Carolina at Chapel Hill. The choice of subjects reflects what public administrators are most likely to encounter in the real world, based on the author's experience advising public officials on legal matters and law reforms for more than 20 years. The following is the topical syllabus, which devotes approximately 3 hours of class time to the topics shown as first-level headings here:

- What Is Law?
  – Rules and their legitimacy
  – "Rule of law" and its limits
  – Sources of formal law

- Educating Yourself About the Law
  – Nature of legal research
  – Being current
  – Researching legislation, cases, and regulations
  – Secondary reference material

- Constitutional Principles
  – Judicial review
  – Constitutional interpretive approaches

- Due Process, Equal Protection, and Civil Rights
  – Substantive and procedural due process
  – Equal protection
  – Principal civil rights statutes and remedies for violations

- Freedom of Speech, Religion, and Information
  – Free speech, immunity, and libel
  – Establishment Clause
  – Free religious expression
  – Freedom of the press
  – Public records and open meetings

- Administrative Law and Procedure
  – Development of administrative law
  – Administrative Procedure Act
  – Limits of delegated authority
  – Rulemaking
  – Administrative adjudication
  – Investigation
  – Judicial Review

- Property
  – Property rights, land use control, and eminent domain
  – Real estate interests and recording systems
  – Intellectual property

- Contracts and Companies
  – Contract formation, breach, and termination
  – Drafting considerations
  – Contract remedies
  – Government contract requirements and bidding
  – Forms of business and nonprofit organizations

- Employment
  – Impermissible employment decisions
  – Position classification
  – Pay, benefits, and work conditions
  – Sexual harassment
  – Public employment unions

- Torts
  – Elements of a negligence action

  - Joint responsibility
  - Strict liability
  - Intentional harms
  - Liability for employees and agents
  - Sovereign immunity and tort claims acts
  - Insurance
  - Statutes of limitations

- Criminal Law and Procedure
  - Criminal offenses and defenses
  - Warrants and exceptions
  - Prosecutor discretion and disclosure obligations
  - Rights to witnesses, lawyers, juries, and speedy trial
  - Proof beyond a reasonable doubt
  - Double jeopardy
  - Punishment and sentencing guidelines
  - Habeas corpus

- Public Ethics Law
  - Public authority and criminal law
  - Federal and state ethics laws

- Civil Litigation and Alternative Dispute Resolution
  - Remedies
  - Litigation process
  - Collecting judgment
  - Mediation and arbitration

- Managing the Lawyer Relationship
  - Choosing and compensating a lawyer
  - Client-lawyer relationship including confidentiality
  - Lawyer obligations to the court and others
  - Lawyer misconduct and liability

Appropriate course material includes readings on the basics of each subject. Students also benefit from reading and discussing excerpts from a couple of important cases for most of the topics. Appropriate cases include a few landmark U.S. Supreme Court opinions of special interest to public administration, including each of the cases mentioned earlier in this article: *Griswold* is effective for considering constitutional interpretive approaches; *Nollan* for property rights; *Frankel* for administrative procedure; and *Papachristou* for defining criminal offenses. To give a fuller sense of the law, the material should include other opinions

from federal or state courts that illustrate how judges interpret constitutions and statutes and resolve disputes when the law is unclear.

An introduction to legal research is of limited use without experience. One approach to the topic that has proved successful involves three projects. The first requires students to find about a dozen specific sources in response to prompts, which introduces students firsthand to the major resources and familiarizes them with some of the immediate challenges peculiar to legal research. The second assignment involves supplying students with a statute and a couple of relevant cases and requires them to describe how this authority sheds light on a policy question. This exercise gives students a sense of the challenges involved with reading and summarizing legal authority, and the difference between doing so fairly and oversimplifying. The third assignment requires researching and describing the law governing an assigned problem likely to arise in public administration. The overall sequence builds some confidence in doing basic legal research and provides a better sense of its inherent limitations, especially for someone without the depth of a law school education and experience.

Coverage of a range of law topics in a single semester is necessarily broad and not deep, but students can see connections and themes about how legal rights and obligations are defined and reconciled and how the law evolves in response to changing conditions and social norms. Obviously, students in such a course will spend only a few hours considering subjects that law students will spend semesters studying as they prepare for the legal profession. But the impossibility of learning a subject in depth does not warrant learning nothing about it at all. Nor should being introduced to foundational law school subjects lead reasonable students to believe that they fully understand any legal subject or are qualified to give legal advice to others. A law-based course is an opportunity to explicitly consider the limitations of self-study and the appropriateness of a lawyer's involvement. By way of analogy, we can teach ourselves only a little of what medical students spend years learning about anatomy, disease, and nutrition; but what we can learn about these subjects should better equip us to live a healthy lifestyle, know when to seek medical care, and communicate effectively with caregivers. It should not lead us to conclude that we no longer need professional medical care or that we can diagnose or treat others.

The course described here has been taught annually at the UNC School of Government since 2006. Fifty-three students have completed it, and the average overall course evaluation score they assigned was 4.94 on a 5 scale, where 5 indicates "excellent" and 4 "good." Students consistently report a better appreciation of the complexities of law and the value of a legal education and experience. Anonymous evaluation comments include "taught us what we needed to know as public administrators," "a great general background about public administration and the law," "it was the best class I have taken in the MPA program," "this course was more meaningful than some of our required courses," and "make this a

required course." Students also regularly comment in class and on course evaluations that they are better able to identify legal issues and identify the extent and nature of appropriate legal advice.

Conclusion

Public affairs programs can better prepare their graduates for dealing with their future responsibilities by giving them more than a piecemeal or superficial knowledge of the law and the legal process. The curriculum should introduce students to fundamental legal principles and the basics of the legal subjects they are likely to encounter. It should also engage students in critical thinking about legal rights and obligations and explore personal responsibility for promoting a rule of law. When seen as a synthesis of political theory, decision making, and personal responsibility, a law-based course can not only contribute significantly to students' knowledge about their field but also better equip them for making sound decisions with real-world consequences for themselves and the public.

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