

# AMERICAN CONSTITUTIONAL GOVERNMENT & CITIZENSHIP

## Course Description

A self-governing constitutional republic depends on its citizens' knowledge, understanding, engagement, and appreciation of its laws and constitution. **The goal of this course** is to acquaint students with the American constitutional tradition, and to equip students with the knowledge, skills, dispositions, and virtues necessary for upholding our constitutional republic. The name of the course, "**American Constitutional Government and Citizenship**," emphasizes this focus on the U.S. Constitution, individual liberties, and on informed and dedicated citizenship.

The Declaration of Independence and the Constitution are the guiding elements of this course. The course will use these and other important primary sources to cover five strands that derive from 53E-4-205.2:

1. American Founding Principles
2. Constitutional Government and Union
3. Structures of Government
4. Development of the American Constitution
5. Practicing Constitutional Citizenship

Upon completion of this course, students will have gained civic knowledge about the major ideas, institutions, and practices that shape the life of a citizen in the United States. Additionally, students recognize and practice the civic skills needed to courageously express opinions, working with others to solve problems, navigating commitment to principles while recognizing the place of compromise, weigh evidence, think critically, make informed decisions, and participate in government processes. This course nurtures a commitment to the American ideals of liberty, justice, courage, civic charity, cooperation, and integrity. This course is **recommended for juniors or seniors** due to their proximity to voting age. The first semester of the course (Strands 1-3) **must be taken before** the second (Strands 4-5).

## Principles of Civic Preparation

One of the fundamental purposes for public schools is the preparation of young people for citizenship in America's constitutional republic. The future flourishing of our communities—local, state, and national—rests upon the preparation of young people to find solutions to common problems; defend natural rights and civil liberties for themselves, their families, and others; and to take responsibility for the common good. Social studies and history

classrooms are an important venue in which to develop civic skills, nurture civic virtues, and teach civic knowledge. They are also places to develop attachment to the Constitution and laws, consider current issues, and increase understanding of the world and its peoples. These civic skills, habits of mind, and qualities of character will better prepare students to recognize and accept responsibility for preserving and defending the freedom secured by the Constitution.

To reach these ends, students should have ample opportunities to employ civic knowledge, skills, dispositions and virtues.

Civic skills include but are not limited to:

- **Decision-making skills** exercised with fellow-citizens, such as courageously expressing an opinion, interacting and recognizing the perspectives of other stakeholders, working with others to solve problems, and navigating commitment to principles while recognizing the place of compromise
- **Communication skills**, such as writing, speaking, and presenting; language proficiency; the ability to communicate and persuasively defend principles; use of public platforms to share knowledge; and active and respectful listening
- **Rational thinking skills**, including carefully collecting and weighing information; seeking and discerning true principles; crafting evidence-based arguments; avoiding logical fallacies
- **Organizational skills**, including effectively organizing, networking, and collaborating with others in their neighborhoods, communities, states, and nation; utilizing civic and political organizations to participate in decision-making processes and solve community problems

Civic dispositions and virtues include but are not limited to:

- **Integrity, Truthfulness, and Honor:** Demonstrating trustworthiness by keeping one's promises, telling the truth, and countering falsehood
- **Courage and Willingness to Sacrifice:** Standing firm on principles, even when it is unpopular, and taking constructive action in the face of fear, danger, or criticism
- **Civic Charity:** Recognizing the worth of all human beings and responsibly seeking the well-being of one's family, neighbors, fellow citizens, and country
- **Justice:** Understanding and upholding what is fair and right; respecting the dignity, liberty, and natural and civil rights of others; seeking laws that establish justice
- **Wisdom and Prudence:** Good judgment; discerning right; correctly deciding what is most just, proper, and useful for a particular situation
- **Moderation and Cooperation:** Exercising caution towards extremes; acting temperately, especially in attitudes towards adversaries; working together for the same civic end

*Note:* For the purposes of this course, “civic dispositions” and “civic virtues” share the same meaning. However, the language of civic virtues will be used because it is the language of

the Declaration of Independence and the other assigned primary sources and will thus better connect the students with them. A virtue is a consistent habit of choosing what is good, just, and right.

### **A Note on the Organization of the Utah Standards in All Core Areas**

American Constitutional Government and Citizenship core standards are organized into **strands**, which represent significant areas of learning within content areas. Depending on the core area, these strands may be designated by time periods, thematic principles, modes of practice, or other organizing principles.

Within each strand are **standards**. A standard is an articulation of the demonstrated proficiency to be obtained. A standard represents an essential element of the learning that is expected. While some standards within a strand may be more comprehensive than others, all standards are essential for mastery.

## **Strand 1: AMERICAN FOUNDING PRINCIPLES**

The Declaration of Independence and the United States Constitution are guided by civic principles essential to the American experiment. In particular, classical republicanism, the natural rights tradition, and colonial religious traditions guided the Founders and continue to direct us today. An understanding of how these principles are applied to ordered liberty, constitutional government, and the rule of law is vital for responsible and effective citizenship. Students need to be able to see how the principles and virtues found in the Declaration of Independence and the U.S. Constitution are of continuing relevance to the issues we face in the present and appreciate the use of deliberation in fostering these principles and their vital results.

The following required primary source documents should be examined in this strand:

- The Mayflower Compact
- The Declaration of Independence

### ***Possible Guiding Questions to Consider:***

- What does the natural rights tradition argue about the value of each human being? How do debates about natural rights shape current political and social issues
- What is a civic virtue, what does it mean to be a virtuous citizen, and why does civic virtue matter?
- In what ways does the idea of the “common good” influence laws and policies today?
- How should we navigate potential tensions between the common good and individual rights?
- How does adherence to the rule of law uphold the civic virtues of **justice** and **equality**? How does it produce freedom and safety?

- How does the Mayflower Compact and Declaration of Independence show the ability of individuals to come together and, through courage, prudence, and cooperation, make an impact in their own lives, in their communities, and in the course of history?
- In what ways does the Declaration of Independence continue to shape American identity and political practices?

## STANDARDS

**Standard 1.1:** Students will examine the classical types of regimes or forms of government, including those that rule for the common good, including monarchy, aristocracy, and republic (or mixed government) and those that work for the ruler’s good, including tyranny, oligarchy and direct democracy.

**Standard 1.2:** Students will examine the classical republican tradition, including **civic virtue**, participation, representation, republican government, common good, and the rule of law. Students will apply core arguments to modern concerns and defend those claims.

**Standard 1.3:** Students will examine the natural rights tradition, including the concepts of natural law, natural rights, consent of the governed, property rights, and social compact. Students will apply core arguments to current issues and defend their claims.

**Standard 1.4:** Students will analyze how politically relevant principles from colonial religious traditions—such as Puritan covenant theology and self-governance, Anglican loyalty to the Crown and civil religion, Quaker religious tolerance and equality, and the democratizing effects of the Great Awakening—influenced the American Founding and sparked debates about religious liberty, non-establishment of religion, religious pluralism, and toleration.

**Standard 1.5:** Students will analyze the Declaration of Independence and identify where the text refers to, or implies, the classical republican, natural rights, and colonial religious traditions. Students will also discuss the similarities and potential tensions between these traditions (such as between an emphasis on the common good and individual natural rights).

**Standard 1.6:** Students will identify and analyze the civic virtues and where they are referenced in the Declaration of Independence, including decency and respect, truth and reason, justice, prudence, patience, courage, humility, magnanimity, faith, and honor.

**Standard 1.7:** Students will examine primary sources including identifying the source and its reliability, analyzing the creator's perspective, contextualizing, and evaluating the significance and lasting effect of each source.

**Standard 1.8:** Students will explore how ordinary citizens during the American independence movement applied the **civic skills** of working through local government, civic and religious associations, and the petition of representatives to effect political change.

## Strand 2: CONSTITUTIONAL GOVERNMENT AND UNION

The U.S. Constitution was the first complete written national constitution. Before its creation, confederal principles were practiced in the Iroquois Constitution, the Articles of Confederation, and separation of powers within state constitutions. The U.S. Constitution embeds power in a federal system — that is, a compound constitutional republic where power

is distributed by the people among national, state, and local governments as well as American Indian tribal governments established through treaties with the United States.

The following required primary source documents should be examined in this strand:

- The Iroquois Constitution
- Articles of Confederation
- U.S. Constitution
- Selected passages from the Federalist and Antifederalist papers, including
  - *Federalist* No. 1
  - *Federalist* No. 10, Brutus 1
  - *Federalist* Nos. 39 and 45

**Possible Guiding Questions to Consider:**

- What forms of government protect life, liberty, and the pursuit of happiness? How?
- What are the strengths and weaknesses of a small republic versus a large republic?
- How did issues such as representation, executive power, and slavery shape the final Constitution?
- What were the core arguments for and against ratifying the U.S. Constitution? Which, if any of these questions and arguments are still prevalent in the United States today?
- What is federalism, and how did the Constitution create a balance between state and federal authority? How is *e pluribus unum* related to the concept of federalism?

**STANDARDS**

**Standard 2.1:** Students will examine various ways peoples have organized themselves politically prior to 1787, including the Iroquois Constitution, the British Constitution, and the early state constitutions.

**Standard 2.2:** Students will examine the confederal principles and institutions of the Articles of Confederation, including the strengths and deficiencies of the Articles and the need for a new convention.

**Standard 2.3:** Students will compare how proposals at the Constitutional Convention, including the Virginia Plan and the New Jersey Plan, addressed problems raised by the experience under the Articles of Confederation.

**Standard 2.4:** Students will analyze the processes and principal topics of debate at the Convention, including representation in Congress, the power and election of the executive branch, state versus federal authority, and the question of slavery.

**Standard 2.5:** Students will examine the core arguments of the debates over ratification of the U.S. Constitution, including the proper extent of a republic through study of *Federalist* No. 10 and Brutus 1 and the need for a Bill of Rights.

**Standard 2.6:** Students will examine the principles and practice of federalism through a study of *Federalist* Nos. 39 and 45, and the Tenth Amendment.

**Standard 2.7:** Drawing lessons from the Constitutional Convention and sources in this strand, students will practice civil discourse, including the **civic skills** of formulating a sound

argument, and persuasion, and compromise the **civic virtues** of courage, justice, moderation, and civic charity.

### Strand 3: STRUCTURE OF AMERICAN GOVERNMENT

The U.S. Constitution distributes authority between the legislative, executive, and judicial branches. This framework, wherein complete power resides in no single branch or level of government and in which those branches check and balance each other, was seen by the Framers as essential to good government. Developments and controversies involving federal structures and powers have, over time, clarified the responsibilities of each department or level of government.

The following required primary source documents should be examined in this strand:

- The U.S. Constitution
- Selected passages from the *Federalist* and *Anti-Federalist* papers, including
  - *Federalist* No. 51, Centinel 1
  - *Federalist* Nos. 57, 62
  - *Federalist* Nos. 68, 70
  - *Federalist* No. 78, Brutus 15
- Washington’s Farewell Address
- Lincoln’s critique of the Dred Scott decision

#### **Possible Guiding Questions to Consider:**

- How can one keep governments from becoming tyrannical?
- In *Federalist* No. 51, Madison argues that a constitution “must first enable the government to control the governed; and in the next place oblige it to control itself.” What does it mean for the government to “control itself” and why is that important?
- What is the separation of powers and why did the Framers of the U.S. Constitution think it essential for good government?
- Are there circumstances in which the government might get better results when it is slow and deliberate? Are there circumstances when quick immediate and decisive action might be better?
- Is the will of the majority the only criterion of a good law? How are the rights of the minority protected against the will of the majority in a constitutional republic?
- What are the benefits and dangers of giving the executive power to a single person? How have presidential powers changed over time?
- Does the U.S. Constitution make one branch of government stronger than the others? Which is the least dangerous branch to liberty and which is the most?
- What impact does the role of the Supreme Court have on the powers of the executive and legislative branches?
- What are some examples of *checks and balances* and the *separation of powers* at work in current events and issues?

- What are current events or issues that illustrate the relationship between national and state governments?

## STANDARDS

**Standard 3.1:** Students will explain how the principles of separation of powers and checks and balances are implemented in the overall structure of the U.S. Constitution, by examining the U.S. Constitution, *Federalist* No. 51, and Centinel 1.

**Standard 3.2:** Students will examine the text of Article I, including the structures of the legislative branch (bicameralism, design of the House and Senate, and the compromise over representation) and how Congress's enumerated powers both empower and limit Congress, considering the arguments of *Federalist* Nos. 57 and 62.

**Standard 3.3:** Students will examine major functions (including lawmaking, budgeting, appointment and impeachment of government officials, oversight of the other branches), developments (including political parties and committees), and controversies involving federal legislative structures, powers, and practices.

**Standard 3.4:** Students will examine the text of Article II and the 12th, 20th, 22nd, and 25th amendments, including the presidential selection system, the structures of the executive branch, and how the president's enumerated powers both empower and limit the presidency, considering the arguments of *Federalist* Nos. 68 and 70.

**Standard 3.5:** Students will examine major developments and controversies involving presidential powers (including the veto power, the appointment power, the commander-in-chief power, and executive orders and agreements), the federal bureaucracy, and political parties.

**Standard 3.6:** Students will examine how the text of Article III and the Supremacy Clause of Article VI secure judicial independence and empower the judiciary to interpret the U.S. Constitution and laws, considering the arguments of *Federalist* No. 78 and Brutus 15.

**Standard 3.7:** Students will identify the structure of the federal court system and the way the Supreme Court makes decisions, interprets texts, and writes their opinions by examining the facts, questions, rulings, and rationale included in court opinions.

**Standard 3.8:** Students will examine major developments (including the creation and elimination of courts, majority and minority opinions) and controversies involving federal judicial structures and the role of the judiciary in interpreting and applying the Constitution and laws through a study of several landmark supreme court decisions. This examination will also include a discussion of Lincoln's critique of the *Dred Scott* decision.

**Standard 3.9:** Students will analyze how a bill becomes a law, how that law is enforced, and how it is applied and interpreted.

**Standard 3.10:** Students will examine how the principles and ideas expressed in the Declaration of Independence are expressed in or relate to the U.S. Constitution. Students will distinguish between writing a revolutionary document like the Declaration and writing a frame of government like the Constitution and explain differences between the documents.

**Standard 3.11:** Drawing on the *Federalist*, *Antifederalist* and other examples from this strand, students will examine the **civic skill** of how to form a persuasive argument, including how to

make a valid argument, how to avoid logical fallacies, and how to evaluate reasons and evidence.

**Standard 3.12:** Students will analyze the **civic skills and virtues** displayed in Washington’s “Farewell Address,” including those required for Constitutional fidelity and leadership, civic friendship and unity, the peaceful transfer of power, and citizenship.

## Strand 4: DEVELOPMENT OF THE AMERICAN CONSTITUTION

Civil rights and liberties are codified in the Declaration of Independence and the U.S. Constitution. Those rights and liberties have been interpreted and extended over time to groups not originally included. With those rights and liberties come civic responsibilities. Students must understand the importance of natural rights and civil liberties for themselves, their families, and others. Students should be able to defend their own rights and the rights of others, understanding that the U.S. Constitution and its amendments help protect individuals who may not share their views.

The following required primary source documents should be examined in this strand:

- Selected passages from the Federalist and AF papers, including *Federalist* No. 84 and Brutus 2.
- The Bill of Rights (Amendments 1 – 10 in the U.S. Constitution)
- Speeches of Abraham Lincoln
- Speeches of Frederick Douglass
- Seneca Falls Declaration of Sentiments
- Lincoln-Douglas Debates
- Civil War and Reconstruction Amendments (13, 14, 15)
- Letter from Birmingham Jail

### **Possible Guiding Questions to Consider:**

- What are the natural rights and civil liberties articulated in the Declaration of Independence and in the U.S. Constitution? How have the rights and liberties in the Constitution been interpreted and extended over time? How have amendments changed who is included in “We the People”?
- What civic responsibilities and duties come with First Amendment rights?
- What limits exist on citizens’ exercise of the freedoms of religion, speech, press, and petition? How are these rights protected in practice?
- How do the Second through Ninth Amendments protect citizens' rights? Why are rights of the accused fundamental in a free society?
- How do the arguments made by Lincoln, Douglass, Stanton, King, and others draw, or expand, upon the original natural rights tradition?
- After advances like the Reconstruction Amendments, why was a civil rights movement still needed?

- How did civil rights legislation in the 20th century further implement the purpose of the 13th, 14th, 15th, and 19th Amendments?

## STANDARDS

**Standard 4.1:** Students will examine the text of Article V of the Constitution, including the roles of Congress, state legislatures, state conventions, and the people in enacting constitutional change.

**Standard 4.2:** Students will identify and evaluate arguments for and against a written bill of rights through an examination of *Federalist* No. 84 and Brutus 2.

**Standard 4.3:** Students will examine the text, principles, and interpretation of the First Amendment's protection of the freedoms of religion, speech, press, assembly, and petition, and discuss the relationship between rights and responsibilities of citizens.

**Standard 4.4:** Students will examine the text, principles, and interpretation of the Second through Ninth Amendments, including the right to bear arms and the rights of the accused, as well as Habeas Corpus in Article I, Section 9.

**Standard 4.5:** Students will examine abolitionists' changing views of the Declaration of Independence and the U.S. Constitution, including an examination of Fredrick Douglass' "What to the Slave Is the Fourth of July?" and "The American Constitution and the Slave: An Address Delivered in Glasgow, Scotland."

**Standard 4.6:** Students will examine Stephen Douglas' popular sovereignty doctrine and Abraham Lincoln's natural law and natural rights response, employing the Lincoln-Douglas "Ottawa Debate."

**Standard 4.7:** Students will examine the history, text, principles, and enforcement provisions of the Civil War and Reconstruction Amendments (13th, 14th, and 15th), as well as initial attempts to enforce them in the 19th century; they will also examine the incorporation of the Bill of Rights through the 14th Amendment and the establishment of national citizenship and the application of naturalization policies over time.

**Standard 4.8:** Students will examine the Women's Suffrage and 20th-century Civil Rights Movements and enforcement of Reconstruction Amendments and voting rights using the "Declaration of Sentiments;" the 14th, 15th, 19th, 24th and 26th Amendments; and Martin Luther King's "Letter from Birmingham Jail." Students will investigate Utah women's suffrage, including through the Utah Constitution, as it relates to the national effort for women's right to vote.

**Standard 4.9:** Students will analyze the **civic skills and virtues** required for constitutional fidelity and civic friendship in times of political change and social division, through a study of Lincoln's "Gettysburg Address" and "Second Inaugural Address" and Fredrick Douglass' "Oration in Memory of Abraham Lincoln," including the **civic skills** of petition and persuasion, and the **civic virtues** of prudence, courage, humility, duty, moderation, and civic charity.

## Strand 5: PRACTICING CONSTITUTIONAL CITIZENSHIP

Our nation's future rests on the ability and willingness of every generation to fulfill their civic responsibilities. Civic participants in the American experiment practice self-government and nurture civic knowledge, skills, dispositions and virtues. They also engage at the federal, state, and local levels, using a range of strategies and methods to protect rights and seek the common good. Civic leadership and participation are available through political office and affiliation; non-governmental and civic organizations; religious groups, clubs, and local organizations; and more.

The following required primary source documents should be examined in this strand:

- The Utah State Constitution
- The U.S. Constitution

### ***Possible Guiding Questions to Consider:***

- What is the relationship between a successful, functioning republic and a civically responsible and virtuous population? What civic skills and virtues are needed for both effective self-government and for limited, responsible governance by leaders and institutions?
- What does it mean to be an active and informed voter? How can self-governing citizens participate in the political process?
- How do community and civic groups contribute to a healthy republic? How does participation in civil society — including civic organizations, neighborhood associations, faith communities, etc. — prepare citizens for civic and political life and strengthen communities?
- What does it mean to be an American? What are key elements of American political culture? How do the rights and responsibilities in our founding documents influence our political culture and identity today, including in Utah?
- Among all our differences and diversity, in what ways does the Declaration of Independence and our Constitution unite us as Americans?
- How can the ideas and principles of the Utah Constitution connect us as Utahns?
- What similarities and differences exist between the structure of government and institutions contained in the Utah Constitution and the U.S. Constitution?
- What similarities and differences exist between the U.S. Bill of Rights and the Utah Constitution?

### **STANDARDS**

**Standard 5.1:** Students will analyze the structure, rights, protections, and other principles of the Utah State Constitution and compare and contrast them to the U.S. Constitution; students will also analyze the role of federalism and divided authority within our constitutional system.

**Standard 5.2:** Students will analyze how a bill becomes a law, how that law is enforced, and how it is applied and interpreted, at the state and local levels.

**Standard 5.3:** Students will examine the practice of self-government at the state and local levels, including town, county, municipality, and tribal government, and make recommendations regarding which level of government is authorized and best equipped to handle different current issues and defend their rationale.

**Standard 5.4:** Students will analyze how budgeting, taxation, and debt relate to government.

**Standard 5.5:** Students will analyze the qualifications and roles of local elected officers such as mayors, council members, school board members, auditors, treasurers, clerks, sheriffs, county commissioners, district or county attorneys, and tribal leaders.

**Standard 5.6:** Students analyze various oaths required of local, state (Article IV Section 10 of the Utah Constitution) and national representatives (Article VI Clause 3 and Article II Section 1 Clause 8 of the Constitution of the United States), members of the military (Uniformed Code of Military Justice), and naturalized citizens (Oath of Allegiance) to uphold and defend the Constitution of the United States while also reflecting upon their own relationship and responsibilities to the Constitution. Students will also identify the skills and civic virtues local leaders require to fulfil their constitutional oaths and civic responsibilities.

**Standard 5.7:** Students will analyze how citizens can participate in elections, including through state and local political parties, campaigns, the candidate nomination and selection processes in caucuses and conventions, becoming informed voters, and registering and voting in elections.

**Standard 5.8:** Students will reflect on and write about what it means to be an American, by drawing on the Declaration of Independence, the U.S. Constitution, and other principles from this course, including the rights, responsibilities, and virtues necessary for the perpetuation of constitutional government.

**Standard 5.9:** Students will analyze the role of families, community groups, religious organizations, and other civic associations in developing the social capital, civic skills, and civic virtues necessary to perpetuate constitutional self-government and the pursuit of happiness.

**Standard 5.10:** Students will analyze the role of local, state, and national media in educating citizens and influencing their views and the responsibility of citizens to evaluate media sources for accuracy, bias, and good reasoning/logical fallacies.

**Standard 5.11:** Students will practice the **civic skills** of everyday citizenship by identifying a local problem, considering the best resources, stakeholders, and civic or political organizations (such as businesses, city councils, chambers of commerce, community and religious organizations, etc.) for addressing it; and proposing possible solutions.