Primary Sources

The Articles of Confederation, Agreed to by Congress November 15, 1777; ratified and in force, March 1, 1781. Reprinted in *We the People: The Citizen and the Constitution* (Center for Civic Education, 1995)

This selection provides an excellent opportunity for the students in small groups to analyze the organization and intent of an assigned section of the actual Articles, assessing each for its strengths and potential weaknesses. Groups will report their findings to the class.

The Declaration of Independence, in Congress July 4, 1776. A Declaration by the Representatives of the United States of America, in General Congress Assembled. Reprinted in *We the People: The Citizen and the Constitution* (Center for Civic Education, 1995)

Either individually or in a small group, students will break each component of this famous writing into their own words, analyzing the style of writing and the importance of its structure and presenting the numerous complaints against the King.


Students will decipher the complete body of information completing a worksheet which highlights the important elements of the articles. The main thrust of this activity is to comprehend the establishment of the separation of powers allowing for each branch to check and maintain balance with the other two.

Amendments to the Constitution of the United States of America. Reprinted in *We the People: The Citizen and the Constitution* (Center for Civic Education, 1995)

The Bill of Rights contains our most important freedoms; students will dissect the first amendment by putting it into their own words. The remainder of the amendments will be presented on a timeline which states the year it was adopted and what it accomplished for our system.

Secondary Sources

Ackerman, Bruce. *We the People: Foundations* (Cambridge: Harvard University Press, 1991)

Ackerman, a respected and accomplished professor of law and political science at Yale University, integrates themes from American history, political science, and philosophy in his presentation of three main eras: the Founding Fathers in the 1780s; The Reconstruction Republicans in the 1860s, and the New Deal Democrats in the 1930s. He examines the roles played during each of these eras by the Congress, the Presidency, and the Supreme Court in our effort to distinguish normal politics, in which organized interest groups try to influence democratically elected representatives; and constitutional politics, in which the mass of citizens mobilize to debate matters of fundamental principle. Although too scholarly for the average high school student, the concept of two types of politics can be easily woven into class discussion.


Ambrose grapples with the country's historic sins of racism, its neglect and ill treatment of the Native Americans, and its tragic errors such as the Vietnam War. He reflects on the country's early founders who were progressive thinkers while living a contradiction as slaveholders, great men like Washington and Jefferson. Statements regarding the Constitution comprising one person, one vote; the three branches of government; trial by jury and the means by which our Founding Fathers sought to reject kingship or despotism in any form, a heredity noble class, and a state religion can be shared with the class to further implant the dichotomy of American society.
Students appreciate when teachers weave historical tidbits into their factual discussions; it makes it more enjoyable for the teacher and class alike to point out some of the points of interest not often mentioned. Beyer shares 100 tales from history meant to entertain and astonish historians and the bored students, including such items as 23-yr old Israel Bosel who rode 350 miles in 6 days to warn of the impending British invasion; Revere in contrast rode only 20 miles, yet his name is immortalized by the poet Henry Wadsworth Longfellow. Items like this serve no other purpose than to break the seriousness, and that's OK in itself!
P.S. Did you know it took 40 bills and resolutions before the Star Spangled Banner was adopted as our national anthem in 1931? The tune is an English drinking song....

Dahl, Robert A. How Democratic is the American Constitution? (New Haven: Yale University Press, 2001)
A Sterling Professor Emeritus of Political Science at Yale University, Dahl poses the question that many a student ask, "Why should we uphold the Constitution?" Dahl contends that while most Americans respect and value the Constitution, many fear we've fallen behind other nations on crucial democratic issues including economic equality, racial integration, and women's rights. Students would appreciate knowing that such distinguished scholars question the tension between America's belief in the legitimacy of our Constitution and our belief in the principles of democracy by highlighting those elements considered potentially undemocratic: the federal system, the bicameral legislature, judicial review, presidentialism, and the continued presence of the electoral college system. While this book in its entirety is perhaps too academic for high school use, concepts can be shared to augment classroom learning, especially such chapters as those discussing the electoral college system in light of the 2000 presidential election.

Again, at times it's necessary to spice up the mundane with excerpts from such a selection as this which contains humor, wit, great stories - all in a conversational style sure to be a hit with the average high school student, and even college level! Portions from three chapters are excellent possibilities to supplement this unit. Chapter 3, titled Growth of a Nation: From the Creation of the Constitution to Manifest Destiny, addresses all relevant topics in this period but does so with humor. Each chapter begins with twenty to thirty questions like: What was Shay's Rebellion? What was the Constitutional Convention? What are Checks and Balances? All the important ideas are there; it's just refreshing to consider lightening up the material now and then.

This excellent volume brings together twenty-five leading cases, presented in chronological order, in which the First Amendment has been contended with regards to its proper interpretation and application. Each case, beginning with Cantwell vs. Connecticut, 1940 and concluding with Lee vs. Weisman, 1992, opens with a brief introduction that summarizes the facts and suggests how the case relates to others who have determined judicial doctrine. The majority and dissenting opinions are also presented, enabling students to form their own opinions about each case. Quite appropriate to mention is Abraham Lincoln's statement that a Supreme Court's decision is not "thus saith the Lord" - an important reminder to students at any time that they truly have the right to ask the court to either reconsider its decision, to have a new bill drafted, or to amend the Constitution if necessary. These cases are timely given the current debate concerning the legality of same-sex marriages.

This selection contains valuable statements directly quoted by Thomas Jefferson which will force students to question his intent on the words used, "...all men are created equal... " Finkelman presents a thorough if not at points exhausting discussion of numerous historians who present Jefferson as a saint while failing to include statements or lines from letters written to a close friend which give testimony to Jefferson's distinct racism, fear of the slaves joining white society, and the damage they caused upon their white masters.
Students will find some of the quotes disturbing since they run contrary to our marbleized view of this great American.

This overview contains useful information in several of its chapters (i.e. *The Ratification Debate* and *The Role of Religion in the Constitution*) which would serve as a thorough read for the teacher seeking to add knowledge and examples for use in a lecture or class discussion. The writing style is somewhat stiff but there is good material beyond the presentation.

At a first glance this selection might cause some speculation as to its inclusion, but the opening section contained in Part One, The Time and Place, provides an excellent overview of the creation of the Senate, its original intention of not being subject to the pressures of its constituents and why they were originally not to be elected by popular vote as they are today, how they met behind closed doors, etc. This would prove captivating reading by the teacher in the classroom while students listened and tried to imagine a time when there were no public galleries (added in 1794); when there were no newspaper reporters present as bills were introduced on the floor (1801); and when it was debated who would be permitted on the Senate Floor. Congressmen, ambassadors, department heads, and governors - yes, but women were excluded in a 16-12 vote. Students will find this interesting if not annoying.

As with Finkelman's work, students will find it somewhat shocking to learn of Jefferson's flirtation with abusing power after they have been schooled as viewing Jefferson only as the protector and promoter of citizen's rights. Selections will prove adequate for enlisting support that perhaps Jefferson had difficulty putting his words and ideals into practice once he found himself in a position of power.

Contrary to its title, this is actually an excellent source of information to round off a high school teacher’s presentation of basic information. It is definitely written in student-friendly language, but that doesn’t mean it isn’t without solid content. Wiegand spices up his material with wit and interesting stories and presents three chapters pertaining to this unit in a captivating manner.

This is a must for any teacher or student who wants to catch a glimpse of America's history from the perspective of those often neglected in other writings, the women, factory workers, African and Native Americans, the working poor, and immigrants. Applicable chapters to highlight in a lecture mode or use in classroom discussion include *Persons of Vile and Mean Condition; Tyranny is Tyranny; A Kind of Revolution; The Intimately Oppressed;* and *As Long as Grass Grows or Water Runs.*

**Journal Articles**

The following selections were printed in a quarterly magazine entitled "this Constitution: From Ratification to the Bill of Rights; A Bicentennial Chronicle ". Two volumes were assembled in 1988 comprised of a collection of scholarly essays. The first volume focuses on the constitutional principles and theory; the second deals with issues in the founding period. Unfortunately the original publication date was omitted and no index for this time period is available; thus only the author and essay title are present.

Norman Dorsen is Stokes Professor of Law at New York University and former president of the American Civil Liberties Union. His essay clearly presents the Bill of Rights as the primary source of the legal limits on what the majority, acting through the government, can do. Such limits guarantee rights to all but in
practice they often serve to protect dissenters and unpopular minorities from official wrongdoing. Students will appreciate this essay as well as Locke's quote, "However it may be mistaken, the end of law is not to abolish or restrain, but to preserve and enlarge freedom." This will no doubt provide excellent class discussion material.


Dry's specialty seems to be that of studying the philosophy of the anti-federalists given that he's co-authored two books and written several articles on the subject. In this selection he outlines the concerns of the anti-federalists including the Separation of Powers and the Republican Government; The Senate; The Executive; The Judiciary; and the Bill of Rights. Allotted time in the semester does not permit this extensive of a study in the classroom; however, these various sections would make appropriate extra credit material for students seeking additional material.


Peterson, a Thomas Jefferson Foundation professor at the University of Virginia, is the author of many works on Jefferson, including Thomas Jefferson and the New Nation: A Biography (1970). Finkelman references Peterson in his book as one of the many biographers who select which information they use to shape Jefferson's image; this essay continues in this same manner yet is an easy and concise read. Students may find it interesting to compare and contrast the two selections.


Silbey is President White Professor of history at Cornell University, and has published two books discussing American political behavior. This essay provides an easy read about the activities and accomplishments of the First Congress under the Constitution whose job it was to "put flesh on bare bones", most importantly securing the Bill of Rights.

**Guest Speaker**

Former Washington State Senator Jerry Hughes; served in the House of Representatives from 1974 - 1980, and then served one term in the Senate, 1980 - 1984. Hughes currently serves as an instructor in the Constitution and related courses at Gonzaga University.

**Instructional Sources**

"Alabama 1965 Literacy Test" Teaching Ideas, October 1996.

What an incredible eye-opener this resource could prove to be, whether used at the beginning or conclusion of the Constitution unit, or an intro to the Jim Crow laws in place prior to the Voting Rights Act of 1965. 68 questions grill the student/citizen on constitutional material, and, an answer key is provided.


The best feature about this text is its supply of Supreme Court cases presented at the secondary grade level. This is an excellent source for students to work in small groups and determine which part of the Constitution is being addressed in each case. Students make predictions on how the justices would have voted on the case and support their reasoning with constitutional fact; then the actual results are shared.


This is an invaluable resource for teachers because it is complete with directions and assignments for both teachers and students which are clear and purposeful. The most interesting section may be the list of suggested topics and guiding questions for major units and time periods.
"The Constitution Handbook"
This resource doesn't have any citation for its original location; its purpose is to equip students with the basics of our Constitution in nine 8½" by 11" sheets, complete with interesting charts, timelines, and graphs; an outline of the major principles and functions of each branch; the Bill of Rights; an a student assessment at its conclusion.

"Created Equal: The New American Revolution" Scholastic Magazine
Again, this excellent publication does not contain any specific copyright information, but would be available through the Scholastic website. There is more information in this booklet than can be described; it is sufficient to say that someone creatively took the major principles of our Constitution and compiled an artsy, "look at me - I appeal to you teenagers" appearance and at the same time addresses such critical issues as racism, civil liberties, the voice of justice, etc.

"One Hundred Typical Questions" Department of Justice, Immigration and Naturalization Service.
This nifty piece offers provides 100 basic questions dealing with our country, its symbols, Constitution principles, and legal system to name a few. It’s a fun way to introduce students to this unit or to have them get to know one another at the start of the year by working in small groups. Again, there is an answer key.

"We the People: The Citizen and the Constitution" (Center for Civic Education, 1987)
This book contains more information regarding our Constitution than any other source; unfortunately our school district reorganized the way American Government is taught and what used to be a semester course and which utilized such a great resource as this has now been whittled down to a three and one-half week survey of our political structure and the legal system within. However, it still provides excellent information and thought-provoking questions.

Internet Material

"From Revolution to Reconstruction... , and what happened afterwards."

James Madison, Proposed Amendments to the Constitution, June 8, 1789, Quote.
http://dur.let.rug.nl/~usa/P/jm4/speeches/amend.htm

http://dur.let.rug.nl/~usa/tj3/writings/draft1779.htm


The Northwest Ordinance, July 13, 1787, Quote, An Ordinance for the government of the Territory of the United States northwest of the River Ohio http://dur.let.rug.nl/~usa/D/1776-1800%ohio/norwes.htm

Each of the above websites will put the students into direct contact with the full text of material we'll be discussing or referencing. These selections will make excellent extra credit options or to analyze in small groups and share with the class.

Visual Presentations


Episode One of this series deals with the President versus Congress, titled Executive Privilege and Delegation of Powers. This program assembles 200 various representatives of government, education,
journalism, law, and medicine in a series of debates focusing on constitutional rights and public policy. Episode Two deals with the War Powers Resolution and Covert Action and explores whether the Constitution has or ever has had any role in foreign policy implementation.

The Independent Media Center. *This is What Democracy Looks Like* (VHS: 72 minutes) Seattle, 1999. [www.thisisdemocracy.org](http://www.thisisdemocracy.org)

This incredible film documents the protests in downtown Seattle during the World Trade Organization's corporate meetings in 1999 and the riots and police violence which followed. It serves as a visual reminder of the tension between an individual's right to peacefully protest and society's right to enforce the peace. Students usually have strong reactions to numerous portions of this film; journal entries and small group discussions with guided questions help to facilitate dealing with these images.


The idea that our government is founded on the principle that there are essential human rights is presented in a student-friendly manner complete with explanations from some of our country's noted political science experts. All the amendments are included, addressing such important topics as slavery, the income tax, women gaining the right to vote, and prohibition. This film may serve as an introductory piece for the unit or as one mid-way to visually cement concepts which have been previously read or discussed.

Committee for Citizen Awareness. *We the People... The US Constitution and You with Representative George Nethercutt*" (VHS:24 minutes) Washington, D.C. Spokane Public Library; 342.73

Given that some students may have no idea who George Nethercutt is or what a U.S. Congressman does, this film serves a function in introducing one of our area's representatives in connection with his role as our "voice" in Washington, D.C. as well as how the structure and formation of our government impacts our daily lives. There isn't time in the unit block to show each of these films; it will be necessary to determine what the main objective is for seeing the film and then determining which of these films best meets those objectives.