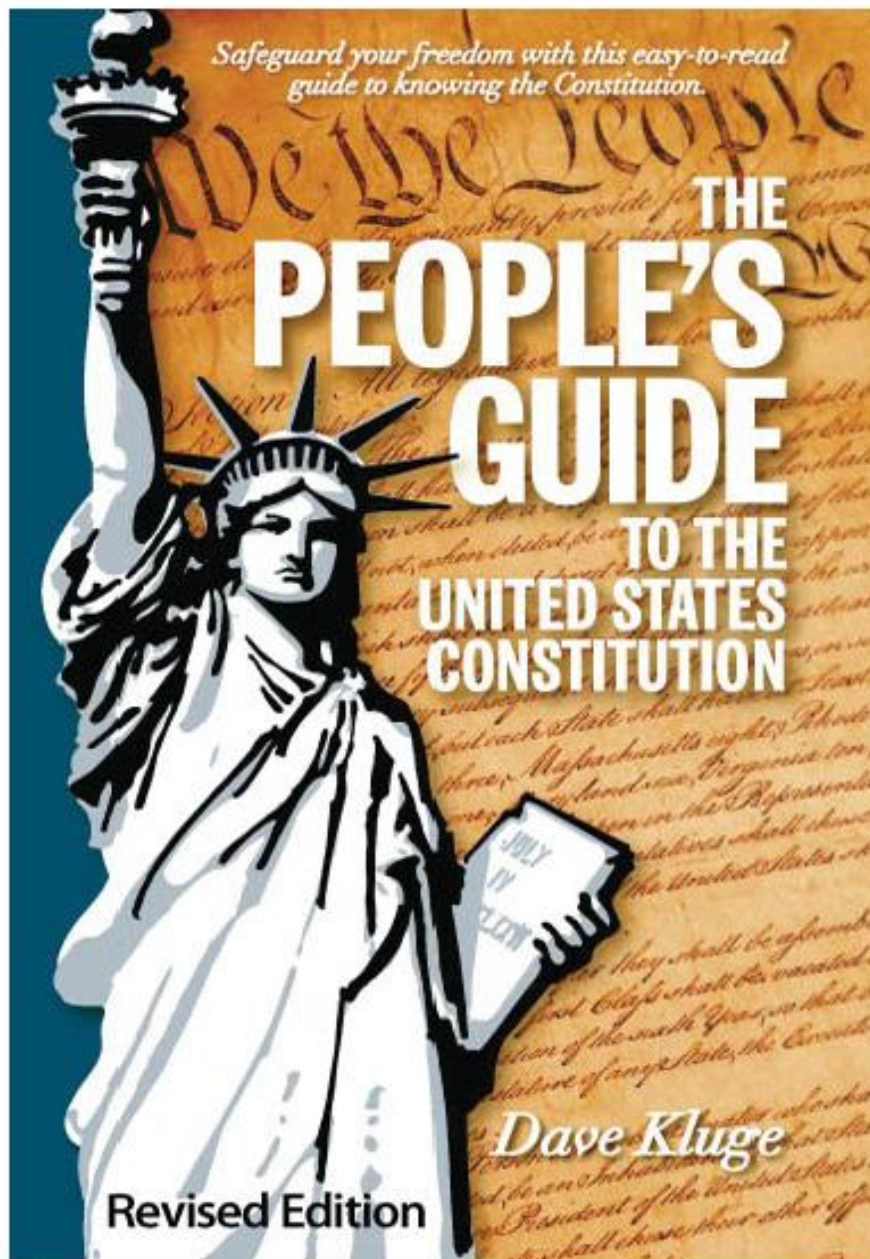


# Educator's Guide



  
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*“I know of no safe depository  
of the ultimate powers of the society  
but the people themselves; and  
if we think them not enlightened  
enough to exercise their control  
with a wholesome discretion,  
the remedy is not to take it from them,  
but to inform their discretion by  
education. This is the true corrective  
of abuses of constitutional power. ”*  
—Thomas Jefferson

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## INTRODUCTION: WHY STUDY THE CONSTITUTION

The American form of government has been the most successful among nations for the last 230 years. The Constitution has been a beacon to people around the world seeking freedom in their own countries. Yet, how many of us today are truly familiar with the document and principles that we rely upon to guarantee our rights and freedoms?

Noah Webster defines “constitution” as: *an agreement that sets in place a system of fundamental principles for the government of rational and social beings.*

A constitution, you might say, lays out the basic rules of the game for people who want freedom for themselves and for others. Written to guarantee the rights of individuals and provide a framework for cooperation, the United States Constitution protects those rights.

The result has been, in many ways, the most successful and prosperous society in history. But what might happen if the players forget the rules of the game? Chaos, arguments, people making up their own rules. If we do not understand what the Constitution actually says, we could give up our rights and not even know it.

So this book was written for people who want to guarantee their own freedom and enjoy the benefits of living in a society, maybe even a world, which respects and protects human rights and freedom for all.

This book will give readers a basic understanding of what the Constitution actually says and, with this understanding, enable them to better decide for themselves how to claim and exercise their rights.

A recent survey asked, “What would it be like to live in a country where everyone you met had read and understood the Constitution?” People of all ages and groups said there would be more respect and cooperation, the government would not violate people’s rights and people could work together to make that country better. I think we would all like that. The Constitution and the human rights it protects provide a common ground we can all share. The power to protect and preserve our freedoms begins when “We the people” become familiar with our own Constitution.

The purpose of this Educator’s Guide is to provide educators with the means to have their students easily read and comprehend America’s founding documents so that each individual may come to his or her own understanding of our Founding Fathers’ intent for the governing of their country and the establishment and protection of the rights of its citizens. This Guide follows *The People’s Guide*

*to the United States Constitution, Revised Edition*, giving discussion questions and assignments that require application of the materials contained in the book.

The Guide is designed for use in secondary and post-secondary classrooms and in adult education classes. It may be used as a full course or as a supplemental resource in another curriculum. The intention is to engage students in contemporary Constitutional topics and provide opportunities to put Constitutional principals into action and use.

## **FORMAT OF THE EDUCATOR’S GUIDE**

This guide contains the following components:

### **PRIMARY QUESTION**

A basic question for use in guiding discussion and application and in assessing understanding.

### **LEARNING OBJECTIVES**

Specific learning objectives to help the educator focus discussion and application and assess understanding.

### **SECTION CONTENT**

The chapters of the book addressed.

### **DISCUSSION QUESTIONS**

Questions to guide class or group discussion or writing assignments. The Educator may wish to add further questions of interest to the class or group.

### **APPLICATION**

Home or class work assignments that require research, individual or group projects, or formulating opinions on Constitutional issues. They are designed to require several hours to prepare and complete.

### **TAKE ACTION**

The final item in this guide is suggested actions to encourage the student to participate in furthering Constitutional rights education, awareness and application.

# **SECTION 1: WHY STUDY THE DEFINITIONS OF WORDS USED IN THE CONSTITUTION?**

## **PRIMARY QUESTION**

Why study the definitions of the words used in America's founding documents and why is this necessary to maintaining peace and prosperity in America?

## **LEARNING OBJECTIVES**

To help students make the connection between understanding the Constitution, along with the words used in it, and understanding "the rules of the game" in America, and the recognition that those rules brought about a uniquely successful society.

## **SECTION CONTENT**

Introduction: Why Study the Constitution (in this Educator's Guide)

## **DISCUSSION QUESTIONS**

1. What does the United States Constitution have to do with you? How might knowing it be useful to you?
2. The definitions of words are very important, which I will show you with this very simple exercise.
  - a. Everyone, please take out a piece of scratch paper and a pen or pencil.
  - b. OK. Draw a very rough and quick picture of a "house."
  - c. OK. Now add a very rough and quick picture of a "tree."
  - d. OK, now, put a rough and quick drawing of a flower in the picture.
  - e. OK. Has anyone had any trouble so far? [Note: Usually no one has any trouble with these simple drawings.]
  - f. OK. Now add a rough and quick picture of a "dub."
  - g. [Note: at this point people will usually 1) make up what they think is a "dub," and draw a dog, a shrub or whatever they think may be a

dub; or 2) stop in their tracks, no longer follow your instructions, and probably start arguing with you or someone else. If they have no easy way to find out what a dub is, they are sunk.]

- h. OK. How did you do on that last one? [Note: Invite comments. Expect a variety of comments and questions. After a bit of discussion move on to next item below.]
- i. OK. Per the Random House Unabridged Dictionary, a “dub” is a pool of water or a puddle. So, now that you know what a “dub” is, please add it to your drawing.
- j. Discuss “How can people possibly follow directions, if they don’t know the words being used?”
- k. Discuss how successful the United States of America has been over its history as compared to other nations of the world.
- l. Discuss “What might happen to our society if a large number of people do not understand the words used in our Constitution?”

## **APPLICATION**

1. Noah Webster’s 1828 dictionary was the first great American dictionary. Have students do the following steps using this dictionary. If you don’t have one in your library, free access to this dictionary can be obtained online.
  - a. Look up (or provide them with) the full definition of the word “liberty” as defined by Webster’s 1828 dictionary.
  - b. Look up the word “liberty” in a modern dictionary.
  - c. Work out for yourself how the definitions in these two dictionaries differ. Write up your observations and conclusions and hand it in to the educator.
  - d. Write an essay describing how your understanding of the word “liberty” has changed by using Webster’s 1828 dictionary and what you now believe Thomas Jefferson meant by using that word, as defined by Webster’s, in the Declaration of Independence, which talks about “Life, Liberty and the Pursuit of Happiness.”
  - e. Discuss areas of human knowledge that have been lost or forgotten. What happened when people could no longer read and understand what records were left, if any records were left behind?



(Possible areas could be the writings and ancient ways of the Mayans or Incas; how the Egyptians built the pyramids, how ancient Vikings navigated and settled in North America, how Polynesians traveled to and settled Hawaii, etc.)

- f. Write an essay on what can be gained by fully understanding the words, as they were used over two centuries ago, when reading and studying the Declaration of Independence and the U.S. Constitution?

## **SECTION 2: IDEAS AND EVENTS LEADING TO AMERICAN INDEPENDENCE**

### **PRIMARY QUESTION**

What part does “Life, Liberty and the Pursuit of Happiness” play in being an American?

### **LEARNING OBJECTIVES**

To know and understand the basic principles upon which the United States of America was founded.

### **SECTION CONTENT**

Chapter: Introduction

Chapter: We the People

Chapter: Life, Liberty and the Pursuit of Happiness

Chapter: The Purpose of Government

### **DISCUSSION QUESTIONS**

1. What is a “constitution” and how does it relate to the purpose of government?
2. What does “Life, Liberty and the Pursuit of Happiness” mean?
3. What does “govern” mean? What difference does it make if a people are governed according to established laws or by the whim of rulers?
4. What do “democracy” and “republic” mean, and what are their differences?

### **APPLICATION**

1. Ask a minimum of five people (not in the class) “What would it be like to live in a country where everyone you met had read and understood the Constitution?”
  - a. Report to the class what you found out.

## **SECTION 3: THE DECLARATION OF INDEPENDENCE**

### **PRIMARY QUESTION**

Why was the Declaration of Independence written and what did it strive to accomplish?

### **LEARNING OBJECTIVES**

1. To understand that the purpose of government is to secure the rights of all men, and that among these rights are life, liberty and the pursuit of happiness. And that government derives its power from the consent of the governed.
2. To know and understand the Declaration of Independence, including knowing the words used to gain the full concepts contained in it.

### **SECTION CONTENT**

Chapter: Ideas and Events Leading to American Independence

Chapter: Time Line of Events

Chapter: The Declaration of Independence

### **APPLICATION**

1. Review current events to find two or more countries around the world which right now are having strife between their people and their government. Compare that strife with the events that led up the Declaration of Independence in America. Write up what you found.
2. Figure out and decide for yourself if what Jefferson said about governments deriving their power from the consent of the governed is true. Find a nation that recently ignored that fact and write about what happened in that country as a result.

### **DISCUSSION QUESTIONS**

1. Who was Thomas Paine and how did he influence the American colonies?
2. What are some of the ideas that influenced Thomas Jefferson when he wrote our Declaration of Independence?
3. What did “consent of the governed” have to do with the American colonies declaring their independence from Great Britain?

4. Why was the Declaration of Independence written, and what was its impact?
5. What was at stake for those that signed it?
6. Do you know someone who immigrated to America for reasons contained in this Declaration? What did it offer them that they did not find in their country of origin?
7. Discuss whether or not you agree with Jefferson's description of the purpose of government and why.
8. Discuss the role of personal beliefs, morals [conduct; behavior; course of life, in regard to good and evil] and ethics [a system of moral principles; a system of rules for regulating the actions and manners of men in society] in our Founding Fathers' creation of the United States of America. Also discuss your own beliefs, morals and ethics, and those of our society today.

## **SECTION 4: IDEAS AND EVENTS LEADING TO THE CONSTITUTION**

### **PRIMARY QUESTION**

Why was it necessary to draft a new Constitution?

### **LEARNING OBJECTIVES**

To understand how and why our Constitution was drafted and the circumstances behind some of the key compromises that our Founding Fathers made in order to reach agreement.

### **SECTION CONTENT**

Chapter: Ideas and Events Leading to the Constitution

### **DISCUSSION QUESTIONS**

1. What were some of the problems that brought about the Constitutional Convention after the United States was operating under the Articles of Confederation?
2. What were the main compromises made between the States to draft the Constitution?
  - a. How was representation compromised?
  - b. How were economic interests compromised?
  - c. How was the slavery issue compromised?

### **APPLICATION**

Pick an area of compromise that interests you. Research that area further in an encyclopedia, in books, online or elsewhere. Write what further you learned about it.

## **SECTION 5: THE PREAMBLE**

### **PRIMARY QUESTION**

What is the purpose of our federal government?

### **LEARNING OBJECTIVES**

To know that our federal government was formed to 1) establish justice; 2) insure domestic tranquility; 3) provide for the common defense; 4) promote the general welfare; and 5) secure the blessings of liberty to ourselves and our posterity.

### **SECTION CONTENT**

Chapter: Summary of the Constitution

Chapter: The Constitution, up to Article I

### **DISCUSSION QUESTIONS**

1. What do the following words mean?
  - a. Justice
  - b. Domestic tranquility
  - c. Common defense
  - d. General welfare
  
2. The Preamble to the Constitution gives the purposes of the United States government: “establish justice; insure domestic tranquility, provide for the common defense, promote the general welfare; and secure the blessings of liberty to ourselves and our posterity.” Discuss what you believe the Blessings of Liberty are to you.

### **APPLICATION**

1. Choose one of the above purposes of our government. Look over articles in the news, do some research at the library or elsewhere and then write an essay on some of the things our government is doing to achieve that purpose.

## SECTION 6: ARTICLE I

### PRIMARY QUESTION

What powers and functions does the legislative branch of our federal government have?

### LEARNING OBJECTIVES

To understand the powers and duties of our federal legislature.

### SECTION CONTENT

Chapter: The Constitution, up to Article II

### APPLICATION

1. “General welfare” is mentioned twice in the Constitution. Once in the Preamble, which reads: “establish justice, insure domestic tranquility, provide for the common defense, **promote the general welfare** [emphasis added], and secure the blessings of liberty to ourselves and our posterity”. Again in Article I, Section 8 (which is referred to as the General Welfare Clause) reads: “The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and **provide for the common defense and general welfare of the United States** [emphasis added]; but all duties, imposts and excises shall be uniform throughout the United States.” This clause has been in the news lately. Based on your understanding from having fully defined these words, write an essay on what you feel the Founders intended the General Welfare Clause to mean. [You may want to try searching for news items online regarding this topic.]
2. The Commerce Clause is in Article I, Section 8 and reads: “**To regulate commerce** [emphasis added] with foreign nations, and among the several states, and with the Indian tribes.” This clause has been in the news lately. Based on your understanding from having fully defined these words, write an essay on what you feel the Founders intended the Commerce Clause to mean. [You may want to try searching for news items online regarding this topic.]
3. The Necessary and Proper Clause is again in Article I, Section 8 and reads: “**To make all laws which shall be necessary and proper** [emphasis added] for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United

States, or in any department or officer thereof.”) This clause has been in the news lately. Based on your understanding from having fully defined these words, write an essay on what you feel the Founders intended the Necessary and Proper Clause to mean. [You may want to try searching for news items online regarding this topic.]

4. Choose another clause that is of interest to you. Based on your understanding from having fully defined these words, write an essay on what you feel the Founders intended that clause to mean. [You may want to try searching for news items online regarding this topic.]

## **DISCUSSION QUESTIONS**

1. Discuss what the class came up with on the above application questions.



## **SECTION 7: ARTICLE II**

### **PRIMARY QUESTION**

What powers and functions do the president and vice president have?

### **LEARNING OBJECTIVES**

To understand the powers and duties of the president and vice president.

### **SECTION CONTENT**

Chapter: The Constitution, up to Article III

### **APPLICATION**

1. Diagram out on paper how the voting process for president and vice president, including the electoral college, work.
2. Write down at least fifteen examples of duties of the president as described in the Constitution.
3. Research current or past controversies over the president's powers. Pick at least two controversies which interest you, and write up what they were about, and how you would resolve those controversies based upon specific points in the Constitution. (A possible place to start such research is online news by searching "US presidential constitutional powers" or other similar topics.

### **DISCUSSION QUESTIONS**

1. All Presidents before taking office state "I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States." Discuss why you think our Founding Fathers put this provision in the Constitution.
2. Discuss what the class came up with on the application questions above.

## **SECTION 8: ARTICLE III**

### **PRIMARY QUESTION**

What powers and functions do the Supreme Court and our judicial system have?

### **LEARNING OBJECTIVES**

To understand the powers and duties of the Supreme Court and our judicial system.

### **SECTION CONTENT**

Chapter: The Constitution, up to Article IV

### **APPLICATION**

1. For Article III, write an essay on the importance of the Supreme Court and how the Constitution laid out a system to balance the powers between the legislative, executive and judicial branches of our federal government.
2. Review news articles for some recent and past Supreme Court decisions. Pick several that interest you, and write up what you observed about these decisions.

### **DISCUSSION QUESTIONS**

Discuss what the class came up with on the above application questions.

## **SECTION 9: ARTICLE IV**

### **PRIMARY QUESTION**

What does Article IV say and mean?

### **LEARNING OBJECTIVES**

To understand:

1. The powers granted to the states and its citizens;
2. How new states are admitted to the United States;
3. How territory belonging to the United States shall be governed;
4. The U.S. shall guarantee to every state a republican form of government and its duties regarding protecting those states.

### **SECTION CONTENT**

Chapter: The Constitution, up to Article V

### **APPLICATION**

Article IV, Section 4 guarantees to every state in the United States a “republican form of government.” Write an essay on what “a republican form of government” means, and how our republican form of government compares to the national governments of other major nations of the world.

### **DISCUSSION QUESTIONS**

Discuss the duties of the federal government under Article IV.

## **SECTION 10: ARTICLES V, VI and VII**

### **PRIMARY QUESTION**

What do Articles V, VI and VII say and mean?

### **LEARNING OBJECTIVES**

To understand:

1. How amendments to the Constitution are proposed and approved;
2. The Constitution is the supreme law of the land;
3. Senators, representatives, members of state legislatures and all executive and judicial officers of the United States and of the individual states are bound by oath or affirmation to support the Constitution.
4. How our Constitution was ratified.

### **SECTION CONTENT**

Chapter: The Constitution

### **APPLICATION**

1. For Article V, diagram out how amendments to the Constitution are proposed and approved (or not approved).
2. For Article V, research news stories concerning proposed Constitutional Amendments or proposed Constitutional Conventions. Write up what you found.
3. For Article VI, write an essay on what is the meaning of: "This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the Constitution or laws of any state to the contrary notwithstanding."
4. For Article VI, write an essay on what you personally can do to help ensure all senators, representatives, members of state legislatures, and all executive and judicial officers of the United States and the states both

understand the Constitution and uphold their oath or affirmation to support the Constitution.

## **DISCUSSION QUESTIONS**

Discuss what the class came up with on the above application questions. Also include how our Constitution was ratified according to Article VII.

# SECTION 11: THE PREAMBLE TO THE BILL OF RIGHTS AND THE BILL OF RIGHTS

## PRIMARY QUESTION

What do the Preamble to the Bill of Rights and the Bill of Rights actually say and mean?

## LEARNING OBJECTIVES

To understand what the Preamble to the Bill of Rights and the Bill of Rights say and mean.

## SECTION CONTENT

Chapter: Amendments to the Constitution up to Amendment 11

## DISCUSSION QUESTIONS

1. Discuss what the Preamble to the Bill of Rights means, why it was written and then passed along to the states with the Bill of Rights for the states' approval of these Amendments.
2. Discuss each Amendment 1-10 as to what each says and means. Get examples of situations that would apply to these Amendments. (Brief summaries of each amendment are given below.)

**Amendment 1:** Congress cannot make laws establishing a national religion or preferring one religion over another religion or prohibiting the free exercise of religion. It also cannot make laws reducing or restricting freedom of speech or the press, or limit the right of people to peaceably assemble and petition the government to correct wrongs.

**Amendment 2:** Gives the people the right to keep and bear arms.

**Amendment 3:** Prevents soldiers from being housed in private homes without the consent of the owners.

**Amendment 4:** Protects citizens against unreasonable searches and seizures.

**Amendment 5:** Sets the limits of criminal law. It also states that private property cannot be taken for public use without just compensation.

**Amendment 6:** States the rights of persons accused of crimes.

**Amendment 7:** Deals with civil suits and the right to have a trial by jury.

**Amendment 8:** Forbids excessive bail, excessive fines, and cruel and unusual punishment.

**Amendment 9:** Protects rights not laid out in the Constitution.

**Amendment 10:** Preserves for the states or the people any powers not given to the federal government.

## **APPLICATION**

- Pick a topic of interest to you personally that is covered in the Bill of Rights. Research that topic and write an essay on how you feel about the constitutionality of it and why. [You may want to try searching for news items online on for this topic.]

## SECTION 12: AMENDMENTS 11 - 27

### PRIMARY QUESTION

What do Amendments 11 - 27 actually say and mean?

### LEARNING OBJECTIVES

To understand what Amendments 11 – 27 say and mean.

### SECTION CONTENT

Chapter: Amendments to the Constitution

### DISCUSSION QUESTIONS

1. Discuss each Amendment 11-27 as to what each says and means. Get examples of situations that would apply to these Amendments.

**Amendment 11:** Limits the power of the courts. (Adopted in 1798)

**Amendment 12:** Describes how the president and the vice president are elected. (Adopted in 1804)

**Amendment 13:** Abolishes slavery. (Adopted in 1865)

**Amendment 14:** Deals with citizenship and other rights, as well as elections. It states that no person who has engaged in rebellion against the United States or given aid or comfort to enemies of the United States may hold any federal government office. It also deals with debt of the United States. (Adopted in 1868, after the Civil War)

**Amendment 15:** States that the right to vote may not be denied on account of race, color or having been a slave. (Adopted in 1870)

**Amendment 16:** Gives Congress the power to collect income taxes. (Adopted in 1913)

**Amendment 17:** Allows the people, not the state legislatures, to elect U.S. senators. (Adopted in 1913)

**Amendment 18:** Prohibits alcohol. (Adopted in 1919, but repealed by the Twenty-first Amendment)



**Amendment 19:** Gives women the right to vote. (Adopted in 1920)

**Amendment 20:** Sets the terms of the president and vice president; when Congress shall meet; and what should happen if the president-elect dies before assuming office. (Adopted in 1933)

**Amendment 21:** Repeals the Eighteenth Amendment (prohibition of alcohol). (Adopted in 1933)

**Amendment 22:** Establishes how many terms the president may hold that office. (Adopted in 1951)

**Amendment 23:** Enables the people of Washington, D.C. to participate in the election of the president and vice president. (As Washington, D.C. is not a state, prior to this amendment citizens in Washington, D.C. could not participate in presidential elections.) (Adopted in 1961)

**Amendment 24:** The right of citizens to vote in presidential or congressional elections cannot be denied by failure to pay taxes. (Adopted in 1964)

**Amendment 25:** Deals with the removal of the president and what should occur if the office of the vice president is vacant. (Adopted in 1967)

**Amendment 26:** Gives 18-year-olds the right to vote. (Adopted in 1971)

**Amendment 27:** Bans midterm congressional pay raises. (Adopted in 1992)

## **APPLICATION**

1. Prior to the Seventeenth Amendment, U.S. senators were elected by the state legislatures. After this amendment was ratified, the people of each state, not the legislatures, elected the senators. This amendment has been controversial since it was passed. Research the controversies surrounding the Seventeenth Amendment, and write an essay on how you feel about this Amendment. [You may want to try searching for news items online on for this topic.]
2. Pick a topic of interest to you personally that is covered in Amendments 11 - 27. Research that topic and write an essay on how you feel about the Constitutionality those issues and why. [You may want to try searching for news items online on for this topic.]

## **SECTION 13: APPLYING THE CONSTITUTION**

### **PRIMARY QUESTION**

Who determines what is Constitutional?

### **LEARNING OBJECTIVES**

1. To understand that “we the people” ultimately determine what is Constitutional, by the way we live our lives, who we vote for, and how active we are in our republican form of government. Supreme Court justices are appointed by the presidents we as a people elect, and that the Supreme Court does legally determine what is Constitutional and what is not.
2. You know how and are able to take action to make your voice heard about Constitutional issues.

### **SECTION CONTENT**

Chapter: Applying the Constitution

### **DISCUSSION QUESTIONS**

1. Why are the appointments of Supreme Court Justices such an important issue?
2. How can average citizens ultimately determine what is Constitutional and what is not?

### **APPLICATION**

1. Find an area of interest to you where the Supreme Court reversed itself on the Constitutionality of that area. Research that area and write an essay on how you feel about the decisions reached by the Supreme Court. [You may want to try searching for news or web items online on “supreme court reverses itself” or similar searches.]

### **TAKE ACTION**

1. Find an area of interest to you regarding your rights as given in the Constitution. Decide how you would like to take a more active role in protecting your rights. Choose something that you would enjoy doing, such as writing letters to your elected representatives, joining a group that

is working to protect rights you are interested in, talking to people about the Constitution, emailing or calling talk show hosts, or whatever suits you. Do it!

## **FURTHER STUDY**

The Constitution is a vast subject. If you are interested in learning more, now that you have read and understand the Constitution and its amendments, there is a wealth of information available to you for further study.

For example:

- James Madison's narrative history of the Constitutional Convention gives details on the debates at the Convention.
- Compilations of Federalist and Anti-Federalist speeches, articles and letters give the arguments for and against ratifying the Constitution.
- There are many excellent biographies of our Founding Fathers.
- There are enormous numbers of books, articles, radio/TV shows and other sources of information on Constitutional topics.