In response to the concern for the spreading constitutional and historical ignorance of students, the essay outlines the development of an instructional unit on the Constitution based on selected and personal documents. Covering a development period of approximately 1.5 years, the essay traces the step-by-step efforts of the National Archives to develop a supplemental teaching unit on the Constitution. The process included examining existing material packets; reviewing the professional literature; surveying current textbooks' handling of the Constitution; consulting archivists; selecting key documents; tracing the development of a single constitutional issue; and overcoming the problems of researching and writing the unit. Realizing few teachers will use the 35-document unit in its entirety, the aim of the Constitutional Packet as conceived by the National Archives is to enable students to better understand and appreciate the Constitution, to enliven the key figures in its history, to demonstrate its impact upon their lives, and to realize that the Constitution is a living document. (TRS)
USING DOCUMENTS TO TEACH THE CONSTITUTION

BY

WYNELL G. BURROUGHS AND JEAN WEST MUeller

FALL 1985

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Our Heritage in Documents has been developed to broaden the appreciation of the federal documentary heritage by both researchers and the general public. In each issue that it appears, Our Heritage in Documents will focus on a single document or a small number of related documents that elucidate an important chapter in our nation’s past. Each essay will discuss the origin and nature of the documents, their importance to our understanding of American history, and how they can be used today. Copies of the documents discussed in this feature are available for use in the National Archives building in Washington, D.C., in some instances at its eleven regional branches, or may be purchased.

Using Documents to Teach the Constitution

By Wynell Burroughs and Jean West Mueller

In the Star Trek episode “The Omega Glory,” Capt. James T. Kirk astonishes the savage Anks by declaiming the holy words which they had debased over centuries of rote repetition to the point of gibberish. Their mystic phrase was “We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.” As the Constitution approaches the celebration of its second century, more must be done lest the words and ideas in this great document become as meaningless to the American people as they were to the Anks.

In fact, ignorance of this nation’s constitutional principles is altogether too common at present. High school students, for example, have a poor understanding of the Constitution, as evidenced by several projects and studies now in progress. In 1980 the American Historical Association and the American Political Science Association held a conference on “Teaching the Constitution in American Schools” for the purpose of assessing the status of teaching about the Constitution and to offer recommendations for needed programs. In one forceful paper presented at the conference, Karen S. Dawson of Washington University in St. Louis reviewed standardized test scores of secondary school students on constitutional and citizenship issues and concluded that there were significant deficiencies in American adolescents’ knowledge of democracy, knowledge of the structure and function of government, and recognition of government officials. We concur with Dr. Dawson’s assessment. Based on our own teaching experiences in public school classrooms in Tuscaloosa, Alabama and Fairfax County, Virginia, we know that many students are convinced that the
An Ordinance for the Government of the Territory of the United States, North-West of the River Ohio.

Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district; but, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

It is ordained by the authority aforesaid, That the states both of resident and non-resident proprietors in the said territory, dying intestate, shall descendent to, and be distributed among their children, and the descendants of deceased children in equal parts; and where there shall be no children or descendants, then to his or her nearest kin. In like manner, all personal effects, and among collaterals, the children of a deceased brother or sister of the intestate, shall have in equal parts among themselves; and there shall be no estate, but that which is placed in the hands of the executor or executors appointed for the purpose, to be taken by the executor or executors, with the will of the intestate, and to be divided among the said children in like manner as the estate of the intestate shall be divided among his or her children.

And it is further ordained, That all the Compiled Statutes of the United States, and all the laws now in force for the regulation of trade and commerce, shall be and remain in full force and effect, as far as applicable to the said territories, and that the said territories shall be subject to the laws of the United States to which they shall be annexed, and shall be entitled to all the rights and privileges of the citizens of the United States, in like manner as if they were designated by name.

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Cath administered to the President of the U. States.
April 30th, 1789.

The Vice President's chair was fixed on right of the President's Speaker's chair, his left.
The Senate did not adjourn; the House did come up headed by their Speaker and followed by the clerk. The President seated himself and being informed by the Vice President that the two Houses were ready to attend him to take the oath. The Secretary of the Senate, whose seat was inclined, President at the Chairman led the oath, hand on the after which States kissed (or proclaimed) the United States a few minutes addressed the two houses of Congress.

Another document in the Archives teaching unit is the formal record of the oath of office taken by President George Washington on April 30, 1789. Inset is a painting commemorating the event.
Declaration of Independence and the Bill of Rights represent all that they need to know about their government. In response, we expended extra time and effort by running simulated constitutional conventions or assigning analyses of the Constitution as a utopian blueprint in an attempt to bring our students to a more complete understanding and appreciation of this document—the very foundation of our government.

Why are students blind to the Constitution? One major reason is that the document fares poorly in civics and government textbooks for both the ninth and eleventh grade levels. Richard Remy of Ohio State University analyzed ten leading textbooks used in secondary schools across the United States for content and development of the Constitution, the constitutional period, and constitutional issues. He concluded that the Constitution's significance is overlooked, constitutional content is treated in a boring manner, the principle of judicial review is treated superficially, and the Constitution generally is treated in an isolated, irrelevant manner. Remy's findings are reinforced by those of John J. Patrick of Indiana University, who examined the treatment of the Constitution in ten textbooks used extensively in secondary level American history classes. Since teachers tend to use a single approved text as the core of information and instruction, these textbook deficiencies contribute significantly to the poor performance of American pupils.

The National Archives has been concerned for the past several years about this spreading constitutional and historical ignorance. In response, the Archives developed supplemental instructional packets on various topics in American history. Typically, the units consist of thirty to forty reproductions of documents and a teacher's guide with lesson plans and other instructional aids. These kits have the objectives of teaching students the skills of identifying factual evidence and points of view; evaluating the significance of evidence; developing defensible inferences, conclusions, and generalizations from factual information; comparing and contrasting evidence drawn from documents; and preparing oral and/or written statements based on evidence within the documents. Because teachers have had little experience in using primary sources in the classroom, this program to make primary source materials available to secondary school classrooms has also included teacher training provided through workshops and inservice programs at the National Archives and at teachers' professional associations across the nation.

Over the past several years the education specialists at the Archives have developed units on James Wilson of Pennsylvania was one of the most influential delegates to the Constitutional Convention of 1787.
PROLOGUE

In 1879 the Supreme Court ruled that the Mormon concept of plural marriages was in conflict with federal law.

a variety of historical topics such as the Civil War, the Progressive Years, and World War I. As the units were put into classroom use and we heard from history and government teachers, it became clear that a constitutional unit was a critical need. Accordingly, we focused our attention on educational materials that would examine the constitutional era, the development of the Constitution, changes in the Constitution through both formal (through amendment and judicial review) and informal (through custom and usage) means, and the evolution of one constitutional issue. Using the holdings of the National Archives, our objective was to develop a supplemental unit that would enable secondary school and junior college students to better understand and appreciate the Constitution and its impact upon their lives. We wanted to enliven the key figures in the history of the Constitution and to demonstrate the impact of the Constitution on the lives of students. We wanted stu-

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On the occasion of the Feast of Christmas, Your Excellency
and my wife have thoughtfully sent us greetings and
we acknowledge this kind gesture with warm
and gratitude.
May the choicest blessings of the Infant Saviour upon
upon Your Excellency, your children and family, and
the people of the United States of America, praying that they
may bring true peace and lasting joy to your noble nation.

Vatican, December 31, 1961

John XXIII

The presidential candidacy of John F. Kennedy, a Roman Catholic, caused many Americans to question his ability to serve both church and state. Kennedy stated that he would resign if his religious beliefs conflicted with his duties as president. Above is a document from Pope John XXIII included in the Archives teaching unit.
we were looking for, but lacked a personal touch. A dearth of eyewitness accounts on the making of the Constitution forced us to broaden our approach. Thus a second segment, the beginning of the government, began to take shape in our minds. We examined Revolutionary War lottery journals listing ticket numbers and prizes in hopes of humanizing the critical problem of the early nation's debt, but found the material insufficient for classroom use. We reviewed plat after plat of survey maps made in 1786 by one Absalom Martin of New Jersey, spiritually following him as he blazed his survey marks through the wilderness of Ohio, but found them wanting for our purpose. Perhaps the most unsettling event was transcribing a letter written about the Whiskey Rebellion into a word processor. It was eerie to us to see twentieth century technology seize that eighteenth century document. Words which had been applied ink to paper were now appearing through the movement of electrons on a word processor screen and were being recorded on a magnetic disk!

In December 1984 we moved to the third part, tracing the evolution of a single constitutional issue. Although the topics of federalism, freedom of speech, and civil rights were interesting, we decided that freedom of religion was a timely subject, well documented, and, most important, an issue that was real and compelling to young people. The issue of religious freedom cuts across age and ability levels and would enable us to meet the needs of our diverse audience. That choice brought us to another problem, however. How does one avoid partisanship in framing descriptions of and writing lessons for a constitutional issue? We walked a tightrope, trying to avoid the twin evils of bias and apathy. Continually asking outside readers for their reactions helped us to maintain an impartial stance, and we frequently reminded ourselves to consider the diverse environments of our audience. We mentally placed ourselves in classrooms both as teachers and pupils and asked if the presentation was offensive or boring. Respect for the integrity of our audience became our most reliable guide in surmounting our problems. The materials were fascinating, and another big challenge was to decide which documents to select. In the end we chose eight documents, from debate over the First Amendment to a petition of 22,626 women of Utah in support of polygamy, which showed the personal side of the issue of freedom of religion and which were teachable. By mid-January 1985 documents had been selected (thirty-five in all), lessons written, and support materials readied.

At first glance, the process of researching and writing this unit appears comparable to the process for previous units, but the Constitution unit presented a number of unprecedented challenges. The first problem we encountered was how to make the history of the constitutional period more interesting to contemporary high school students. Because the critical documents in the first part (such as the Articles of Association, Declaration of Independence, and the Northwest Ordinance) are not really personal, it was extremely important to select documents in the second and third parts that would bring constitutional issues into the realm of the average individual. Mary Buchanan's loan certificate helped to bring the Hamiltonian program for the public debt to a human level, as Walter Gobitus' note with his grocery store's letterhead helped to bring the issue of state established religion into a neighborhood setting.

Another problem was the fact that the National Archives has a relatively small amount of archival material from the constitutional period. This is due, in part, to the time period. The eighteenth century was an age in which all writing was done by human hand; paper did not proliferate as it has with the advent of typewriters and photocopiers. Also, the agreement to secrecy by delegates to the Constitutional Convention meant that few papers were generated. Many of the documents that were created were personal papers now in private hands. Finally, time has taken its share in attrition of these delicate, venerable documents. There are physical problems with many of the documents which have survived. Some documents are badly faded. Others, on which both sides of the paper were written, are illegible due to ink staining through the paper. Some of the documents' authors had terrible handwriting and others spelled and used grammar whimsically at best. We tried to avoid using such documents, but a few were too important to omit. We decided that when a document that was marginally legible was selected, a transcription would be made for inclusion in the teacher's guide.

Another major problem was that, in a sense, every item in the National Archives is a product of the Constitution. What were the most important things for students to learn about? The Constitution packet was aimed for a wider audience than any previous unit. Students from eighth grade through junior college studying subjects ranging from U.S. history to economics were targeted. We took great care in selecting significant, high interest materials and in writing lessons with a wide variety of exercises for the anticipated broad range of ability and interest groups.
We hope that teachers will use the unit to enhance their students' understanding of the Constitution, but we are aware that very few will use it in its entirety. We anticipate that teachers will use selected lessons or will simply pull documents of interest to them and generate their own lesson plans. This expected fragmentation of the unit is not disturbing to us. We worked very hard to structure and organize the materials and filled the unit with internal cross referencing so that the entire package would be integrated. Yet, ultimately, it is the individual student who we hope will be reached by this packet. Whatever strategies the teacher can use most effectively and comfortably to teach the Constitution are the ones that he or she must use if American adolescents are to get in touch with their heritage.

As we look back over the unit and our experiences in developing it, one fact supercedes all others. The Constitution is a miracle. Even after teaching, researching, and living closely with this document for over a year, it continues to fascinate us. We know how it came to be, but it still amazes us that such a disparate group of eighteenth century men could create a lasting compromise of such subtlety and flexibility. Our studies revealed to us how the Constitution has evolved and how it touches on our daily lives, yet it is still surprising to reflect upon. Our esteem for the Constitution has increased as we have studied it. It is our sincerest hope that our sense of wonderment and respect are conveyed in this package and that these feelings will be transmitted in the classroom. An ignorant citizenry surely represents the greatest crisis the Constitution will ever face. Thomas Jefferson foresaw this threat when, in a letter to George Wythe in 1786, he wrote, "I think by far the most important bill in our whole code is that for the diffusion of learning among the people. No other sure foundation can be devised for the preservation of freedom, and happiness . . . Preach, my dear Sir, a crusade against ignorance; establish and improve the law for educating the common people. Let our countrymen know that the people alone can protect us against these evils. . . ."