



THE CONSTITUTION AND EDUCATION FOR CITIZENSHIP IN AMERICA

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At James Madison's Montpelier, Orange County, Virginia

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On September 17, 1787 39 Americans, meeting at Philadelphia, signed the Constitution of the United States of America, framed from several weeks of intense debate and deliberation. Today, 220 years later, we meet at James Madison's Montpelier to commemorate and celebrate the Framers' enduring achievement.

The Framers of our Constitution at the Philadelphia Convention wanted to "secure the Blessings of Liberty" through limited government and the rule of law, based on consent of the people. We, the people of the 2007 Constitution Day program at Montpelier, want to recognize the success of the Framers' project, and to contemplate the conservation of principles in our Constitution, by which each generation of citizens, if properly educated and motivated, may sustain our American heritage of liberty under law.

What principles of our Constitution should be at the core of a good education for citizenship in America? Why and how should these ideas on American constitutionalism be included in the curriculum of our schools and in the preparation of teachers, who will educate our children for citizenship?

Since we are gathered at Montpelier this Constitution Day, it is most appropriate to turn, first of all, to James Madison and his fellow founders of an independent Virginia, for answers to my questions on constitutionalism and education for citizenship in America.

Eleven years before the Philadelphia Convention of 1787, the first constitution makers of the newly independent state of Virginia, one of whom was the 25-year-old James Madison, emphatically acknowledged the importance of fundamental principles in the civic culture of a free people. Section 15 of the 1776 Virginia Bill of Rights declares "That no free government, or the blessing of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue: and by frequent recurrence to fundamental principles." The young James Madison, and other constitution makers of Virginia in 1776, understood that if a people would be secure and satisfied in their freedom, they must achieve

deep knowledge of and reasoned commitment to the constitutional principles and civic virtue by which civil liberty is attained and sustained.

Later on, at the 1787 Philadelphia Convention, a mature James Madison and his like-minded colleagues inventively applied their knowledge of fundamental principles to construct a framework for government that included compound federalism, republicanism in an extensive territory, and separation of powers with checks and balances among three independent and coordinate branches of government, each branch deriving its authority from the people and functioning under the supreme law of a written Constitution. Thus, the Framers of our Constitution constructed a limited, representative government, bound by the rule of law, to secure the natural rights of individuals against the ever-present threat of tyranny. However, Madison fully understood that not even a well-constructed Constitution could be the singular protector of the people's liberty in challenging times of conflict and crisis, which every nation inevitably confronts.

What else was required? Here is Madison's response, in an article written for *The National Gazette* (December 22, 1792). In this opinion-page piece addressed to the general public, Madison asked, "Who are the best keepers of the people's liberties?" He answered, "The people themselves. The sacred trust can be no where so safe as in the hands most interested in preserving it." And how can the people carry out this "sacred trust"? Madison said, "[T]he people ought to be enlightened, to be awakened, to be united, that after establishing a government they should watch over it, as well as obey it."

Madison realized that a common education for citizenship in a democratic republic was needed to establish an enlightened and united people, who could interact intelligently with their constitutional government to secure natural rights and promote the common good. So, in response to a legislator from the neighboring state of Kentucky, who sought advice about the public education of citizens, James Madison wrote: "A popular Government without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps both. Knowledge will forever govern ignorance: And a people who mean to be their own Governors must arm themselves with the power which knowledge gives."

Although James Madison expected the people to guard their rights to liberty, he also stressed the necessity, if not sufficiency, of a well-constructed constitution upon which the people could rely for support. He said it best in the 51st paper of *The Federalist*:

... [W]hat is government itself but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control

on the government; but experience has taught mankind the necessity of auxiliary precautions.

Madison's "auxiliary precautions" are fundamental principles of our Constitution, such as enumeration of powers, separation of powers, checks and balances among three branches of government, federalism, and popular sovereignty. In practice, these principles empower and limit the people's government, through the rule of law, in order to guarantee the people's natural rights to life, liberty, and the pursuit of happiness, on their own terms, and not those of their governors.

In the 51st *Federalist* paper, Madison defined the generic problem of any free government—how to simultaneously empower and limit the government so that it can protect the people from domestic and foreign predators, and so that it will be prevented from using its power to abuse the people. Madison recognized a political truth that had eluded many Americans of the founding era: the rights to liberty of individuals are at risk not only if their government is too strong, but also if it is too weak.

Madison's paradoxical solution to this generic problem of constitutionalism combined the opposite tendencies of latitude for the power of government and limits on this power. Thus, the individual's rights to liberty would be secure; because the government would be limited by law to thwart tyranny and empowered by law to prevent anarchy.

James Madison's superb statements about how and why to maintain ordered liberty through constitutionalism, presented in the 51st paper of *The Federalist*, contributed significantly to public understanding of critical civic challenges during America's founding era. So too, in our time, the truth of the 51st *Federalist* paper should be part of every American's education for citizenship, so that it can help us today to comprehend and cope with current challenges to our constitutional heritage.

The common education for citizenship, which James Madison and other Founders promoted in their time, is at least as important today as it was during the early years of our democratic republic. As in the past, this kind of education for citizenship in America today can yield such civic fruits as 1) common knowledge among citizens about fundamental principles of constitutionalism, 2) common commitments to these principles based on reason, and 3) common competencies to perform effectively and responsibly the role of citizen in a constitutional democratic republic.

The common experience of a constitution-based education—shared by Americans of diverse ethnicities, races, religions, social classes, and political factions—cultivates one civic identity among people of many social identities. This common civic education builds civic unity within the extensive and inevitable diversity of the American people. Thus, it sustains coherent local and national civic communities by which citizens make democracy work for the common good, and which could disintegrate from an excess of pluralism and a deficit of unity.

Pluribus and *unum* in tandem are desirable attributes of democracy in America. Both unity and diversity in concert are defining attributes of our American character. But without a common education for citizenship, which builds a comprehensive American civic identity, there cannot be the cohesive civic culture necessary to the continuation and improvement of our constitutional order.

In the absence of strong civic unity, our democratic republic will be at risk; because our American nation, unlike most other nations of the past and present, has been formed from common commitments of the people to fundamental principles. We are a people united by the core ideas of our Constitution. It is by these common cords of constitutionalism, and not by common ethnicity, race, religion, or other bonds of ancestral kinship, that our political and social order has been tied together and maintained. Therefore, a common civic education, designed to forge and maintain a common civic culture amid extraordinary cultural diversity, is essential to the continuity of our constitutional heritage, the formidable foundation of our American nation and its democratic republic.

What should be the core characteristics of education for citizenship in our America today? I propose seven elements of an exemplary core curriculum for civic education. I have derived these desirable characteristics of civic education from my fifty-years of professional experience, first as a middle school and high school teacher of history and government, and later as a scholar at Indiana University. My list of essential elements certainly does not include every characteristic of a good education for citizenship in America. Rather, it points to a few necessary qualities, which I heartily recommend.

The **first element**, in my list of essentials, is teaching and learning knowledge about core constitutional principles in founding-era documents and in other important primary documents of subsequent eras of American constitutional history. Through close reading and analysis of these primary sources of most significance in America's constitutional history, learners will achieve common knowledge of the origins, meanings, and significance of ideas that have profoundly shaped our institutions and society.

The **second element** of a sound constitution-based civic education is teaching and learning knowledge about **two generic problems** of any constitutional democratic republic—how to establish and maintain ordered liberty and how to prevent majority tyranny. James Madison discussed these two generic problems in his contributions to *The Federalist* (e.g., see papers 10 and 51). Other Founding Fathers, such as Thomas Jefferson, Alexander Hamilton, and John Adams, also commented brilliantly on how to establish ordered liberty through the rule of law and how to prevent the corruption of democracy by the tyranny of a popular majority against unpopular individuals in the minority (e.g. see Adams' *Thoughts on Government*, 1776; Hamilton's 78th paper of *The Federalist*, 1788, and Jefferson's *First Inaugural Address*, 1801).

The **third essential element** of a sound core curriculum is teaching and learning knowledge about **particular constitutional issues**, which have been associated with **turning point events** in American history, from the founding period until today. Constitutional issues involving all three branches of the federal government should be studied. However, landmark decisions of the United States Supreme Court, which have shaped the Constitution from *Marbury v. Madison* (1803) to *Bush v. Gore* (2000) and beyond, are an especially important component of a good constitution-based civic education. So, examination of the most significant Supreme Court cases should be on the agenda of a common constitution-based education for citizenship. Through their studies of contending individuals and groups in regard to the most consequential controversies of American constitutional history, and from their analyses of how and why these issues have been resolved and continued by citizens, learners may achieve comprehension of the evolution of our constitutional government to the institutions we have today.

The **fourth element** of a good curriculum for civic education is teaching and learning what the federal Constitution says and means, how American constitutionalism today affects our political institutions and the lives of citizens, how our representatives in state and federal governments make and carry out public policy, how citizens can influence decisions of government, and how citizens can hold their representatives in government accountable to them.

The **fifth essential element** pertains to development, through direct instruction and practice, of the intellectual and participatory skills of citizens, which involves the application of core knowledge to the tasks of citizenship in a constitutional democratic republic. This kind of civic education equips learners with skills of effective civic engagement. Thus, they can monitor public issues and interact with other citizens and representatives in government about policy issues and decisions.

The **sixth essential element** is cultivation of civic virtue by means of cognitive and experiential learning, and the formation of habits that move learners to act for the common good. From classical antiquity until modern times, the best political thinkers have stressed the connection of good government to civic virtue. James Madison, for example, understood that in the absence of civic morality, good government is not possible, and he tried to teach this timeless lesson to his fellow Americans. In the 55th paper of *The Federalist* Madison wrote; “As there is a certain degree of depravity in mankind . . . , so there are other qualities in human nature which justify a certain portion of esteem and confidence. Republican government presupposes the existence of these qualities in a higher degree than any other form.” Later, at the Virginia Convention to ratify the United States Constitution, Madison explained the connection between civic virtue and the maintenance of constitutional government. He said, “To suppose that any form of government will secure liberty or happiness without any virtue in the people is a chimerical idea.” In line with James Madison’s wisdom, let us emphasize civic morality in education for citizenship, because constitutional democracy can thrive only among people with enough virtue to nurture and sustain it.

The **seventh and final element** in my short list of proposals concerns teaching and learning about the inevitable gap in any constitutional democracy between its highest ideals and the sordid realities that reveal failure to reach the lofty standards. Learners should be taught that these shortcomings do not invalidate the ideals, because the wisest proponents of constitutional democracy have neither promised nor expected perfection. Rather, they have urged citizens of every generation to do their best to narrow the gap between high ideals and deficient realities.

James Madison understood very well that perfection in government can never be achieved by imperfect human beings. Near the end of his long life, he wrote these wise words, “No government of human device and human administration can be perfect. . . . [T]hat which is the least imperfect is therefore the best government; the abuses of all other governments have led to the preference of republican governments as the best of all governments, because the least imperfect.”

Let us, then, teach emphatically that government in a constitutional democratic republic, such as the United States of America, is not and cannot be utopia. Instead of preaching inevitable progress toward the ultimate perfection of human nature and human societies, which human experience has shown to be impossible, civic educators in America should stress “frequent recurrence to fundamental principles”, including examples in our history of both success and failure to live by these principles. Thus, our most cherished standards of constitutionalism might inspire citizens to continue a never-ending quest to live-up to their legacy of liberty, under the rule of law, anchored in our Constitution.

In conclusion, I express my deeply felt gratitude to everyone who has come to James Madison’s Montpelier for this Constitution Day program. I appreciate your gracious attention to my lecture, and I greatly value your interest in the past and future of our Constitution.

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