

Introduction

USING THE TEACHING COMPANION

The Constitution is the guide which I will never abandon.

— George Washington

Eleven years after the Declaration of Independence, a small group of delegates convened in Philadelphia to create a new constitution for the new nation. Meeting in what is now Independence Hall from May 25 to September 17, 1787, they sought “to form a more perfect Union” and establish a government that would “secure the Blessings of Liberty to ourselves and our posterity.”

The challenge was to create the institutional arrangements for limiting power and securing the rights promised in the Declaration of Independence while preserving a republican form of government that reflected the consent of the governed. Their solution was to create a strong government of adequate but limited powers, all carefully enumerated in a written constitution. In addition to an energetic executive, a bicameral legislature, and an independent judiciary, its structural arrangements include a system of separated powers—giving each branch different functions and responsibilities so that none dominates—and federalism, which divides authority between the national and state governments. That the delegates could agree on such a system was, according to George Washington, “little short of a miracle.”

The Constitution is a well-crafted document, but not a simple document. Adding to the complexity of our Constitution is 200 years of legal interpretation and scholarship exploring its meaning. *The Heritage Guide to the Constitution* brings together more than 100 of the nation’s best legal experts to provide a line-by-line examination of the Constitution and its contemporary meaning. Each contributor was asked to write a brief essay on a particular clause, with two objectives:

- First, provide a description of the original understanding of the clause as far as it can be determined. If, within the standard of original understanding, there are credible and differing interpretations, they were to be noted and explained.
- Second, explain the current state of the law regarding the clause and, where appropriate, give brief explanations of the historical development of current doctrine.

Beginning with the Preamble, continuing through the seven Articles, and ending with the 27 amendments to the Constitution, *The Heritage Guide to the Constitution* proceeds sequentially to analyze every part of the Constitution.

A companion to *The Heritage Guide to the Constitution*, the *Teaching Companion* covers every clause in the Constitution and summarizes each essay in *The Heritage Guide to the Constitution*. The methodological difference is that the *Teaching Companion* focuses on major themes of the Constitution and how it operates. It also includes exercises and quizzes to facilitate understanding of the Constitution's main concepts.

The *Teaching Companion* is appropriate for classroom settings, reading groups, or individual self-study. It is designed and organized to maximize flexibility: Students can learn about the Constitution by focusing on the branches of government, the seven Articles, or various topics such as voting, the House of Representatives, or federalism. As a result, the *Teaching Companion* can be the basis of a complete class on the Constitution, a supplement to a course, or an additional teaching or learning source for any course of study that deals with the Constitution.

The *Teaching Companion* consists of seven units, each of which includes between one and six lessons, and most lessons are further divided into thematic parts.

- **Unit 1** explains how to understand the Constitution not as a “living document” but as the complement to the Declaration of Independence that secures the ends of republican government. Students will learn about the history of the Constitution, explore the meaning of republican government, and understand that the Constitution is the supreme authority by which all policies and governmental actions in America are measured. This unit may be appropriate for younger students. Unit 1 has two lessons: Lesson 1 has one part, and Lesson 2 has two parts.
- **Unit 2** explains the structure and powers of the legislative branch. Divided into two houses, each with separate duties, terms of offices, and constituencies, Congress holds the legislative powers “herein granted,” including powers affecting the national economy, war and piracy, citizenship, and the territories, as well as powers necessary to carrying out the goals of the Constitution. This unit will also introduce students to the greatest challenge of limited government: the administrative state. Unit 2 contains six lessons: Lesson 3 has three parts, Lesson 4 has two parts, Lesson 5 has three parts, Lesson 6 has two parts, Lesson 7 has four parts, and Lesson 8 has one part.
- **Unit 3** focuses on the structure and powers of the executive branch. As the only wholly national figure, the executive carries out the laws of the land and is the principal agent for the nation's foreign policy. Though the Founders gave the legislature several important checks on the executive's power, they also gave the President certain powers over the legislature. Unit 3 contains two lessons: Lesson 9 has four parts, and Lesson 10 has four parts.

- **Unit 4** introduces students to the judicial branch: the types of federal courts, the kinds of cases these courts may decide, and when these courts may hear them. Students will also learn about the constitutional role of the jury, the administration of justice in the criminal process, and treason. Unit 4 contains three lessons: Lesson 11 has three parts, Lesson 12 has two parts, and Lesson 13 has one part.
- **Unit 5** discusses states and the federal system. The Constitution limits the actions of states and clarifies certain duties and obligations that states have toward one another and their citizens. This unit will also discuss the Fourteenth Amendment, which altered the relationship between the federal government and the states following the Civil War. Unit 5 contains one lesson: Lesson 14 has three parts.
- **Unit 6** reviews the Bill of Rights and the process by which the Constitution is amended. Although more than 5,000 bills proposing to amend the Constitution have been introduced in Congress since 1789, there have been only 27 amendments to the Constitution (including the Bill of Rights). Initially controversial, the Bill of Rights consists of 10 amendments: two substantive amendments, six procedural amendments, and two amendments that encapsulate the theory of constitutionalism. Unit 6 contains four lessons: Lesson 15 has one part, Lesson 16 has two parts, Lesson 17 has three parts, and Lesson 18 has three parts.
- **Unit 7** addresses slavery and voting in the Constitution. The greatest misunderstandings about the Constitution concern slavery and the slave trade. This unit explores the limitations on the slave trade, the compromises over representation and taxation, and the eventual abolition of slavery. While elections and voting are discussed, where applicable, in the units on the legislature, executive, and judiciary, Unit 7 explores the various amendments concerning the right to vote in federal elections generally. Unit 7 contains two lessons: Lesson 19 has one part, and Lesson 20 has one part.

If You are Using the Guide in a Classroom...

This book is designed for students at the high-school level and above. Some lessons may be accessible to younger students. It can be used, with *The Heritage Guide to the Constitution*, in large or small classroom settings as a full course or as a supplement. Reading assignments for each lesson range from 15 to 40 pages. If you choose to drop some of the parts of the lessons, then this curriculum can be used as an intensive one-semester course. If you choose to cover all of the readings, this curriculum would take at least 20 weeks to complete. This curriculum could fill a full school year, especially in conjunction with other materials, such as *We Still Hold These Truths: Rediscovering Our Principles, Reclaiming Our Future* (www.westillholdthesetruths.org). While only the teacher needs the *Teaching Companion*, the teacher and every student in the classroom needs a copy of *The Heritage Guide to the Constitution* (Bulk sales available from Regnery Publishing by calling 202-677-4455). Before each class period, be sure your class has read the necessary book passages and has received any appropriate lesson assignments indicated in the *Teaching Companion*.

If You are a Parent or Student...

For the student, *The Heritage Guide to the Constitution* and *Teaching Companion* can be used as a supplemental text and study companion for a class on American government, the Constitution, or constitutional law. It can also be used as a surrogate for material not covered and classes not offered. In this case, the book and study guide will aid students in their course of study, regardless of their school, professors, or other barriers to their education.

If You are Using the Edition for Self-Study...

The *Teaching Companion* and *The Heritage Guide to the Constitution* can augment a general education, refresh an education now forgotten, or facilitate a fresh study of the constitutional concepts long overlooked but once again at the heart of public debate. Self-study allows you to proceed at our own pace, to strengthen your constitutional reasoning skills, and to apply the constitutional principles to political issues of the day.

Overview of the Teaching Activities

Throughout this book, you will come across activities to help students further understand the subjects covered in each lesson. Here is an overview of each type of activity.



Active Reading:

Students are given passages, vocabulary words, or other information to better understand what they are reading.



Before You Read:

Students are given background information, important information, or an idea to think about while they complete their reading exercises.



Brainstorm:

The teacher will be given something to write on the board to encourage students to think about what comes to their mind.

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