CIVICS STANDARD ONE: Students will examine the structure and purposes of governments with specific emphasis on constitutional democracy [Government].

**Enduring Understandings**
Students will understand that:
- Constitutional democracy as a structure of government developed from the tension between the need for authority and the need to constrain authority.
- Governments are structured to address the basic needs of the people in a society.

**Civics Standard One 4-5a:** Students will understand that governments have a variety of structures and exist for many purposes and that in America these are explained in the United States and State constitutions.

**Essential Question:**
- Why do different levels of government have different functions?

This benchmark implies a comparative perspective, but only a very basic knowledge of types of structures of government beyond the borders of the United States is necessary at this level. The deeper understanding called for is an understanding of the purposes of government. If students were given the task of organizing an imaginary community (a simple intellectual version of this exercise is found in Plato’s *Republic*), they would discover needs that require some sort of authority to address. The specific purposes of the United States government are spelled out in the Preamble to the Constitution and include: to form a more perfect Union, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty.

Giving examples of how various societies have addressed the very needs the students identified in their imaginary communities would enhance their understanding. Explanations of the purposes and structures identified in the U.S. and the state constitutions will be more meaningful when the students see that they are attempts to address the same needs in the context of the American experience. At this level, students probably should not need more than a rudimentary knowledge about “forms” of government (presidential, parliamentary, etc.). “Structures” of government implies levels of government (i.e. national, state, and local) and functional divisions and specializations (i.e. executive, legislative, and judiciary.) Knowing the purpose of the levels and functional divisions of governments is the foundational knowledge for this benchmark.

Open-ended questions that teachers might ask in a classroom include:
1) Why does the federal government have the authority to fight wars, but Delaware’s government does not?
2) Why can you only get a traffic ticket from state and local police, but not federal police?

3) Why does someone who wants to tear down a house in a city and build a new one need to get approval from city officials rather than state officials?

Civics Standard One 4-5b: Students will understand that the United States government is divided into executive, legislative, and judicial branches, each with specific responsibilities and powers.

Essential Question:
- Why should the responsibilities and powers of government be divided?

This benchmark calls for understanding why the U.S. government is divided into three branches. Each has a function that addresses a key aspect of fulfilling the purposes of government: make, administer, and adjudicate rules in order to provide for security, order, and welfare. Understanding the responsibilities and powers associated with these functions of government comes from understanding the purposes they serve. Once a student understands the purposes, the responsibilities and powers make sense and can be easily recalled or even derived. Of course, the divided branches also serve the purpose of checks and balances.

The list of central responsibilities and powers is relatively short. Responsibilities define the needs to be met; powers suggest the means to meet the needs. For example, the executive branch has the responsibility for national security. It is given the power to provide for the national defense, which includes establishing a military and conducting war. The responsibility of the judiciary is to adjudicate the law. It is given power to pass judgment on whether law was broken or not and decide punishments within the constraints of the law. The legislature, or Congress in the U.S. government, has the responsibility to make laws, which are the rules that keep order in society.

Open-ended questions that teachers might ask in a classroom include:
1) Why do we need Congress? Why not let the president make the laws?
2) Why do we need judges to interpret laws when they were not the ones who made the laws?
3) It would be easier for the government to get things done without the checks and balances of three branches. Why not put them into one big branch?

CIVICS STANDARD TWO: Students will understand the principles and ideals underlying the American political system [Politics].

Enduring Understanding
Students will understand that:
- The principles and ideals underlying American democracy are designed to promote the freedom of the American people.
Civics Standard Two 4-5a: Students will understand that the principle of “due process” means that the government must follow its own rules when taking actions against a citizen.

Essential Questions:
- Why should a government obey the laws it makes?
- How am I protected from those with authority over me?

This benchmark stresses an understanding of what rule of law means. Such understanding requires knowing the alternative: rule by whim of rulers. Implied in the concept of due process is that there are rules that constrain how those with government authority treat citizens, and that these rules are derived from explicit rights. A true understanding would require an appreciation of the difficulty in getting those who make the rules (laws) to make rules that constrain their power, and then forcing them to feel obliged to obey these rules. Students should understand that the rule of law is a rare and precious achievement and requires constant vigilance due to the inherent temptation to abuse authority.

Due process protects American citizens by requiring the government to pass and follow fair laws (substantive due process), and to treat people fairly (procedural due process). Due process is part of the American political system because history has shown that governments have a great deal of power and resources and have used them in ways that harm people and ignore individual rights. People need to be protected from those who have power and due process is one way to protect individuals.

Open-ended questions that teachers might ask in a classroom include:
1) Why should the police have to follow rules in how they treat someone they are pretty sure has broken the law?
2) Rather than a long and expensive court case, why not just have police look at the evidence and decide whether someone accused of a crime is guilty or not?
3) What are the limits of interrogation? Why not allow authority to use any means necessary to get information that could prevent criminal activity?

Civics Standard Two 4-5b: Students will understand that a society based on the ideal of individual liberty requires a commitment on the part of its citizens to the principles of civic responsibility and personal civility.

Essential Questions:
- What makes a good citizen? How do I know if I’m one? What happens if enough people aren’t good citizens?

This benchmark introduces civic responsibility, which goes beyond the respect implied in personal civility. Civic responsibility implies duties of citizenship and requires engagement in civil affairs. The need for personal civility can be explained in terms of the reciprocity freedom requires.
Civic responsibilities refer to the things that a citizen is supposed to do, or not do, for the benefit of their community, state, and nation. A society based on the ideal of individual liberty aims to reduce the intrusiveness of government. Consequently, it relies on individuals to do certain things that advance the cause of liberty, promote the common good, and make government “by the people” possible.

Politeness and respect for others are required of people who live in a society based on the ideal of individual liberty because such a society aims toward maximizing the people’s happiness. Individual liberty requires a balancing of rights that involve the freedom to do certain things (e.g. express opinions) as well the right to be free from certain things (e.g. harassment, degradation). Personal civility is required so that members of a free society might be free from things that lower their chances of being safe, secure, and happy. Free expression of opinion is balanced by a responsibility to be “civil,” as inoffensive as possible in expressing one’s view while still getting a point across.

Open-ended questions that teachers might ask in a classroom include:
1) What is the problem if most people decide not to vote?
2) Why should citizens bother elected officials with their opinions about laws and decisions?
3) Why should people feel obligated to volunteer to help out in an emergency like a flood, hurricane, or fire?
4) Why should people with jobs be forced to serve on juries?

CIVICS STANDARD THREE: Students will understand the responsibilities, rights, and privileges of United States citizens [Citizenship].

Enduring Understandings
Students will understand that:
• Effective citizens are committed to protecting rights for themselves, other citizens, and future generations, by upholding their civic responsibilities and are aware of the potential consequences of inaction.
• Distinctions between a citizen’s rights, responsibilities, and privileges help to define the requirements and limits of personal freedom.

Civics Standard Three 4-5a: Students will identify the fundamental rights of all American citizens as enumerated in the Bill of Rights.

Essential Questions:
• Why are the rights in the Bill of Rights important to American citizens?
• To what extent are the rights of American citizens limited?

The rights enumerated in the U.S. Constitution are so fundamental to American democracy and the freedom of Americans that one can understand why they are stressed in three of the four civics standards. This standard requires students to know the enumerated rights, which requires some understanding of the purpose and application of the rights.
History and experience suggested to the Founding generation that power and those who held it posed a constant threat to liberty and individual rights. The ratification of the Constitution depended partly on some assurances that the increased powers that were delegated to the new national government would be limited in a manner that respected the fundamental rights of a free people.

The Constitution guarantees many different rights to everyone in the United States, but those rights are relative, not absolute. Does one person’s right to a speedy trial infringe on another person’s right to a fair trial? To what extent might freedom of speech threaten public order? Under what conditions might freedom of the press conflict with the right to a fair trial? Does the Second Amendment grant the individual right to bear arms? Do property rights forbid sharing of music online? Effective citizenship depends on an understanding of the limits as well as the scope of rights.

Of course, there is some ambiguity and resultant controversy about each of the rights, but that is addressed in the next benchmark. At this grade level, students should know the enumerated rights, understand the reasons for them, and be aware of some of the ambiguities and controversies.

Rights are essentially freedoms, and a knowledge and understanding of specific rights leads to a further elaboration of the ideal of freedom.

Open-ended questions that teachers might ask in a classroom include:

1) Why should people be allowed to criticize the president?
2) What does freedom of expression mean?
3) Is defacing a national symbol expression and should it be allowed?
4) Are there any limits to religious practices?

Civics Standard Three 4-5b: Students will apply the protections guaranteed in the Bill of Rights to an analysis of everyday situations.

Essential Questions:

- In what ways is the Bill of Rights applied in everyday life?

The application of the Bill of Rights to “everyday situations” obviously calls for a deeper understanding than what and why of the enumerated rights. The student is asked to understand the principles behind major rulings of the Supreme Court and the ambiguities and controversies that adhere to every right in the Bill. What are the limits to freedom of expression and religion? How does the First Amendment allow citizens to inform government leaders of what they think? How can a student protest what he or she considers an unfair situation?

This benchmark calls for a deeper understanding of the nature of rights, and thus the nature of freedom. The application of the rights to specific cases should lead to a further elaboration of the understanding that the rights of one are necessarily constrained by the
rights of others and the needs of public order and welfare. The student should gain a
growing appreciation of the conflicts and tradeoffs between values involved in freedom.
By examining the principles expressed in the specific rights in their practical application,
students should learn to discriminate between situations where rights are relatively clear
and secure and situations where they are not. Teachers might use online news services to
scan for articles that show controversy or application of the Bill of Rights to use as a
starting point for discussion.

CIVICS STANDARD FOUR: Students will develop and employ the civic skills
necessary for effective, participatory citizenship [Participation].

Enduring Understandings
Students will understand that:
• Effective citizens can research issues, form reasoned opinions, support their
positions, and engage in the political process.
• Effective governance requires responsible participation from diverse individuals
who translate beliefs and ideas into lawful action and policy.

Civics Standard Four 4-5a: Students will understand that in order to select effective
leaders, citizens have to become informed about candidates’ qualifications and the
issues of the day.

Essential Questions:
• For whom should I vote? Why? What is most important to me when I make this
decision?
• How do I find out what a candidate thinks? How do I know if the candidate is
right?

The focus here is on becoming informed about candidates for elected office. One reason
is provided: electing “effective” leaders. Other reasons are avoiding leaders opposed to
one’s interests and views, providing an indication of one’s policy preferences by being
aware of the candidates’ policy stances, and keeping office holders in check with
awareness of an attentive public. In other words, keeping informed about candidates
serves as a means to communicate preferences and keep elected officials in check.
Examples that illustrate the dangers of voters failing to stay informed about candidates
would contribute to the understanding called for by the benchmark.

The means for becoming informed are also important to the benchmark. Attending
candidate events and paying attention to stories in the media (TV, radio, newspaper,
magazines) are traditional means, but the Internet is fast becoming an important means of
becoming informed about candidates.

An open-ended question that a teacher might ask in a classroom would be:
How might technology change the way a candidate campaigns for public office?
Civics Standard Four 4-5b: Students will identify and employ the formal and informal methods by which democratic groups function.

Essential Questions:

- Should groups choose to make decisions democratically when it would be easier if one person made all the decisions and assignments?

“Identify” and “employ” imply understanding the principles of the methods used by democratic groups. The heart of such methods is the means groups use to make and implement decisions. The election of officers with defined responsibilities is an almost universal means for organizing both decision-making and implementation. Committees and project directors are also common. These hardly exhaust the list of methods used by democratic groups, but the list should stick to the more common methods rather than including all possible permutations.

The benchmark requires some understanding of how groups make and implement decisions, which in turn requires understanding why groups should operate on a democratic basis. The how would be unnecessary, of course, if a person in authority simply made the decisions and dictated how they should be implemented. Democratic methods are far more cumbersome, but there are persuasive reasons why they are preferred, and these reasons are usually the same as those for preferring democracy in general.

In addition, students should understand the organizational needs that give rise to the methods. If a group is based on the principle of everyone having a say in what it does and how it does it, what process allows such input while arriving at a definite decision? Many groups adopt some form of parliamentary procedure to ensure order. How can such a group then assign tasks and responsibilities? What are the advantages and disadvantages of such rules?

To demonstrate the difficulty in making group decisions in which all participants have a voice, construct a scenario for a classroom of students (a group) in which it is asked to make a decision. The teacher might choose to refrain from interrupting the consensus-building process as much as possible. Let the students uncover the methods by which groups function for themselves. Debriefing on the scenario would include questions like:

1. How difficult was it? How might the decision-making have been made easier?
2. Should the group have first agreed on rules that might help it make decisions more easily? Is it right to do it the “easy” way?
3. Did leadership evolve from within the group? Have students comment on the characteristics of communication, deliberation, and compromise within the group.