

AMERICA’S FOUNDING IDEAS
SS.7.CG.1.2 Trace the principles underlying America’s founding ideas on law and government.

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2023 BENCHMARK UPDATES
<ul style="list-style-type: none"> New benchmark added to the 2023-2024 middle school civics and government standards

Essential Teacher Content Background Information

[Teacher Content Notes Not Appropriate For Student Use]

This section addresses the following topics:

1. Key Principles Contained in United States Founding Documents
2. Why Religious Liberty is a Protected Right

1. Key Principles Contained in United States Founding Documents

There are several key principles around which the United States' founding documents were created. Among these principles are: due process of law, equality of mankind, limited government, natural rights, and the rule of law.

The table below includes these five principles, a definition, and evidence of how these principles are reflected in two founding documents--the Declaration of Independence and the U.S. Constitution.

Principle	Definition	Evidence from the Declaration of Independence	Evidence from the U.S. Constitution (including its Amendments)
Due process of law	the right of people accused of crimes to have laws that treat them fairly, so that they cannot lose their life or freedom without having their legal rights protected	Referencing the present King of Great Britain (George III): <i>"For depriving us in many cases, of the benefits of Trial by Jury"</i>	From the Fifth Amendment: <i>"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, ...nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law;"</i>
Equality of mankind	every individual is born equal, has equal opportunity to succeed, and is entitled to the same set of basic rights	<i>"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."</i>	From the 14th Amendment: <i>"No State shall...deny to any person within its jurisdiction the equal protection of the laws."</i>

Limited government	a government that has been limited in power, such as by a constitution, or written agreement	<i>“To secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...”</i>	From the Preamble of the U.S. Constitution: <i>“We the People of the United States, ... do ordain and establish this Constitution for the United States of America.”</i>
Natural rights	individuals are born with basic rights that cannot be taken away by governments	<i>“...that they [all men] are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”</i>	From the 14th Amendment: <i>“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”</i>
Rule of law	those who govern must follow the laws; no one is above the law	<i>“...it is the Right of the People to [lay] its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”</i>	From Article VI: <i>“This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; ...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.”</i>

2. Why Religious Liberty is a Protected Right

Religious liberty as a fundamentally protected right has among its roots that American colonists had in many cases left Britain to escape religious persecution. Britain in the 16th and 17th centuries, like much of Europe, had been torn by religious wars that grew out of the Protestant Reformation, with one or more groups in various nations often outlawed, subject to violence, or outright expelled. In the case of the British North American colonies, this directly led to several being established as havens for one or more groups to worship in peace according to their conscience. Later, in forging a new nation out of these various colonies, protecting religious liberty was by necessity of critical importance to the Founding Fathers. The state governments that existed during the Articles of Confederation enacted ordinances to protect religious freedom, such as Thomas Jefferson’s Virginia Statute for Religious Freedom that included the following excerpts:

“Whereas, Almighty God hath created the mind free; That all attempts to influence it by temporal punishments or burthens, or by civil incapacitations tend only to beget habits of hypocrisy and meanness, and therefore are a departure from the plan of the holy author of our religion, who being Lord, both of body and mind yet chose not to propagate it by coercions on either...”:

“That to compel a man...to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness”

“...Truth is great, and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them”

The statute disestablished the Church of England in Virginia, and guaranteed freedom of religion to people of all religious faiths, including Christians of all denominations, Jews, etc. Jefferson’s viewpoint went on to be reflected in the First Amendment to the U.S. Constitution, which reads in part:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. [emphasis added]

Note that there are six protections included in the First Amendment of which two focus on religious liberty. Likewise, they are the first two protections listed. These factors demonstrate the importance of religious liberty as a protected right to the nation’s founders.

Lesson Summary

ESSENTIAL QUESTION		
What principles shaped America's founding ideas on law and government?		
BENCHMARK		
SS.7.CG.1.2 Trace the principles underlying America's founding ideas on law and government.		
CIVICS EOC REPORTING CATEGORY		
N/A		
OVERVIEW		
In this lesson, students will recognize American principles on law and government contained in founding documents.		
BENCHMARK CLARIFICATIONS		
<ul style="list-style-type: none">Students will recognize principles contained in the founding documents (e.g., due process of law, equality of mankind, limited government, natural rights, the rule of law).Students will explain why religious liberty is a protected right.		
BENCHMARK CONTENT LIMITS		
N/A		
CIVICS CONTENT VOCABULARY		
<ul style="list-style-type: none">due process, equality of mankind, First Amendment, limited government, natural rights, religious liberty, rule of law		
INSTRUCTIONAL STRATEGIES		
Map reading	Marking the text	Collaborating with other students
MATERIALS		
<ul style="list-style-type: none">Highlighters or Colored pencils (optional)Diversity in the Colonies slideOur Founding Ideals, Values, and Principles: American Fundamentals video (external link)America's Founding Principles reading		
B.E.S.T. STANDARDS		
<ul style="list-style-type: none">ELA.7.R.2.2- Compare two or more central ideas and their development throughout a text.ELA.7.R.3.2- Paraphrase content from grade-level texts.ELA.7.V.1.1- Integrate academic vocabulary appropriate to grade level in speaking and writing.		

Suggested Student Activity Sequence & Pace

DAY	ACTIVITY SEQUENCE
DAY 1	<ol style="list-style-type: none"> 1. Start the lesson by asking students the following question: If you were starting a new country/government, what would be some of the most important components to include, to ensure it would be a successful place that citizens would want to live? Provide students time to brainstorm and write their responses, either in their notebooks or on loose paper. 2. While the students write their responses, circulate the room to monitor for engagement. 3. Begin a discussion by asking for responses. Responses will vary, but encourage students to consider the major similarities or differences between their answers. If they need additional scaffolding, ask them about what rights they think people need to be safe and free, the components needed for a fair legal system, and/or how much power/what role the government will play. 4. Project the “Diversity in the Colonies” slide and have students identify what they notice about the two maps, taking the opportunity to practice map-reading skills. 5. Ask students: How might starting a country with such an ethnically and religiously diverse population impact the laws and government established? 6. Remind students that all of the things discussed so far had to be taken into account by the Framers when setting up our constitutional republic. Ask students: What/Who else influenced the Framers? (ancient Greece, ancient Rome, Judeo-Christian principles, Enlightenment thinkers, their experiences with the British government etc.) 7. Play the short video “Our Founding Ideals, Values, and Principles: American Fundamentals” from the Center for Civic Education. 8. Reiterate to students that despite debates and disagreements that both our Founders and Americans today have on topics of law and government, there are core foundational principles of our constitutional republic that are agreed upon. 9. Ask students the following questions for discussion: If someone was studying our country and government, how might they learn what our founding ideas and principles are? In what founding documents would you find evidence of these ideas and principles? 10. Explain to students that in this lesson they will be reading to learn more about some of America’s founding principles and the important documents that contain these ideas. 11. Divide students into pairs. 12. Pass out the “America’s Founding Principles” reading. 13. Review the reading activity with the whole class, reading the directions at the top and explaining that as each pair reads, they will mark the text according to the directions: circle key vocabulary terms, underline central ideas, and draw a star next to any founding documents mentioned (e.g. the Declaration of Independence, Constitution, or Bill of Rights). They will then answer the question after each section. Teacher Note: This can be done on paper using different color highlighters/colored pencils or digitally using tools to change text color, highlight, and/or add shapes to create more visually helpful notes. 14. Have pairs complete the reading and activity tasks together. 15. While pairs work, circulate the classroom to monitor for engagement, checking in with each group to ensure understanding. Teacher Note: It is recommended you set a timer for this portion of the lesson. 16. Once completed, have students return to their own desks. 17. Lead a brief review of the content, focusing on the founding ideas and principles and which document contains evidence of their importance. Let students know that they will see these principles appear over and over again throughout the school year and their study of civics.

Teacher Note: Use the sample answer key below to help guide the discussion.

18. Wrap up the lesson by having students revisit their responses to the question from step 1.

Pose the question: Based on what we have learned, would you change any of your original ideas about forming a new government? What would you change and why? What principles from yours matched America's?

Extension Activity: As the vocabulary terms in this benchmark will repeat frequently throughout the M/J Civics course, having students create something to help them remember the concepts. This may be small posters to display as a word wall, flash cards to use throughout the year, or even fun hand gestures everyone can make when the words are used again in other lessons.

Civics Content Vocabulary

Word/Term	Definition
due process	the right of people accused of crimes to have laws that treat them fairly, so that they cannot lose their life or freedom without having their legal rights protected
equality of mankind	every individual is born equal, has equal opportunity to succeed and is entitled to the same set of basic rights
First Amendment	an amendment to the U.S. Constitution prohibiting Congress from establishing a religion, and from interfering with freedom of religious exercise, press, speech, assembly, or petition
limited government	a government that has been limited in power, such as by a constitution, or written agreement
natural rights	individuals are born with basic rights that cannot be taken away by governments
religious liberty	the ability for individuals to believe and practice a religion freely without government interference
rule of law	those who govern must follow the laws; no one is above the law

ADDITIONAL RESOURCES

[Civics 360 Resources](#)

Florida Department of Education's Civic Literacy Reading List

- *The Rights of the Colonists* by Samuel Adams
- *The Democratic Process* by Mark Friedman

ANSWER KEYS

Sample Answers: America's Founding Principles reading

SOURCES

The U.S. Constitution from the National Archives:

<https://www.archives.gov/founding-docs/constitution-transcript>

The Declaration of Independence from the National Archives:

<https://www.archives.gov/founding-docs/declaration-transcript>

Predominant Religions in the Thirteen American Colonies in 1750 from Britannica Kids:

<https://kids.britannica.com/students/article/13-colonies/338325/media?assemblyId=192318>

Ethnic Map of the Thirteen Colonies from Maps on the Web:

<https://mapsontheweb.zoom-maps.com/post/152298215347/ethnic-map-of-the-thirteen-colonies-related>

Our Founding Ideals, Values, and Principles: American Fundamentals, Part 1 video from the Center for Civic Education: <https://www.youtube.com/watch?v=Q9Szy28NYIs>

Information on due process:

<https://constitutioncenter.org/interactive-constitution/interpretation/amendment-xiv/clauses/701#:~:text=The%20Due%20Process%20Clause%20guarantees,requires%20that%20the%20government%20follow>

Information on rule of law:

<https://www.uscourts.gov/educational-resources/educational-activities/overview-rule-law>

1st Amendment: <https://constitution.congress.gov/constitution/amendment-1/>